



Legislation Details (With Text)

File #: 16-1549 **Version:** 1 **Name:** Workers' Compensation (David Ramos)
Type: Resolution **Status:** Adopted
File created: 10/4/2016 **In control:** Law
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Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation Claim
C.P. No.: 2013-232
Claimant: David Ramos
Claimant's Attorney: Markman & Cannan, L.L.C.
Attorney's Address: P.O. Box 1489, Bloomfield, New Jersey 07003
Settlement Amount: \$109,354.00
Funding Source: Insurance Fund Trust
Additional Comments:
Invitation: Corporation Counsel, November 1, 2016

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
11/2/2016	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, David Ramos, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2013-232 against the City of Newark seeking workers' compensation benefits as a result of an accident that he sustained on April 19, 2012, while employed as a Police Officer for the City of Newark Police Department, when his patrol car was rear-ended by a truck while stopped in traffic; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Markman & Cannan, L.L.C., Corporation Counsel and/or Chasan Leyner & Lamparello, P.C. ("Outside Counsel") have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-22) by payment in the amount of \$97,200.00 (Ninety Seven Thousand Two Hundred Dollars and Zero Cents). Pursuant to the terms of the Settlement Order to

be executed by the Judge of the Division of Workers' Compensation, the City of Newark will also pay an attorney's fee of \$11,664.00 (Eleven Thousand Six Hundred Sixty Four Dollars and Zero Cents), a medical evaluation fee of \$400.00 (Four Hundred Dollars and Zero Cents) and a transcription fee of \$90.00 (Ninety Dollars and Zero Cents); and

WHEREAS, the total value of this settlement with the above referred to fees amounts to \$109,354.00 (One Hundred Nine Thousand Three Hundred Fifty Four Dollars and Zero Cents); and

WHEREAS, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or Outside Counsel deem it is in the best interest of the City of Newark to accept said settlement in the total amount of \$109,354.00 (One Hundred Nine Thousand Three Hundred Fifty-Four Dollars and Zero Cents).

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The settlement of the Workers' Compensation matter bearing C. P. No. 2013-232 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:
 - (a) \$89,024.00 (Eighty-Nine Thousand Twenty-Four Dollars and Zero Cents) made payable and mailed to David Ramos, 672 North 3rd Street, Apt. 1, Newark, New Jersey 07107. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$7,776.00 (Seven Thousand Seven Hundred Seventy Six Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$400.00 (Four Hundred dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
 - (b) \$19,440.00 (Nineteen Thousand Four Hundred Forty Dollars and Zero Cents) made payable to Markman & Cannan, L.L.C., P.O. Box 1489 Bloomfield, New Jersey 07003.
 - (c) \$800.00 (Eight Hundred Dollars and Zero Cents) made payable to Sall/Myers Medical Associates, PO Box 2947, Paterson, New Jersey 07509.
 - (d) \$90.00 (Ninety Dollars and Zero Cents), made payable to State Shorthand P.O. Box 227 Allenhurst, New Jersey 07111.
3. Attached hereto are the Certifications of the Comptroller of the City of Newark which state that there are available sufficient legally appropriated funds for the purpose set forth hereinabove and which state that the line appropriation of the official budget which shall be charged is NW024, Dept. ID 24T, Div. / Proj. 5T24, Account Code 96310.
4. A copy of the Comptroller's Certifications shall be filed by the Corporation Counsel in the Office of the City Clerk along with a copy of this Resolution.

STATEMENT

This resolution authorizes Corporation Counsel and/or his designee, Chasan Leyner & Lamparello, P.C., on behalf of the City of Newark, to effectuate settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of \$109,354.00 (One Hundred Nine Thousand Three Hundred Fifty-Four Dollars and Zero Cents) brought by David Ramos, 672 North 3rd Street, Apt. 1, Newark, New Jersey 07107, who suffered injuries arising out of an accident that occurred on April 19, 2012, while he was employed as a Newark Police Officer.