



Legislation Details (With Text)

File #: 23-1606 **Version:** 1 **Name:** RUI DOMINGUES - WORKERS COMPENSATION
Type: Resolution **Status:** Adopted
File created: 10/10/2023 **In control:** Law
On agenda: 10/18/2023 **Final action:** 10/18/2023
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2015-3295
Claimant: Rui Domingues
Claimant's Attorney: John Feeley, Esq., of the Law Offices of Feeley and LaRocca, LLC; 25 ½
Wavcrest Avenue, Winfield, New Jersey, 07036
Settlement Amount: \$56,640.56
Funding Source: 2023 Budget/Business Unit: NW024, Department: 24T, Division: 5T24, Account #
96310
Additional Comments:

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/18/2023	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Rui Domingues, instituted suit in the Division of Workers Compensation of New Jersey, Union County, bearing C.P. Number 2015-32958 against the City of Newark seeking Workers' Compensation benefits as a result of alleged injuries sustained on September 30, 2015 while employed by the City of Newark, Department of Public Safety; and

WHEREAS, the following settlement negotiations through Petitioner's attorney, John Feeley, Esq., of the Law Offices of Feeley and LaRocca, LLC., and Corporation Counsel and/or his designee, The Woolridge Law Firm LLC ("Outside Counsel") have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-20) by payment in the amount of Fifty Thousand Two Hundred Thirty-Eight Dollars and Zero Cents (\$50,238.00). Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark who will also pay an attorney's fee of Six Thousand Twenty-Eight Dollars and Fifty-Six Cents (\$6,028.56); A medical examination

fee of Three Hundred Dollars and Zero Cents (\$300.00) made payable to Dr. David Pilchman, Ph.D., 28 Millburn Avenue Springfield, New Jersey, 07081 and a transcription fee of Seventy-Four Dollars and Zero Cents (\$74.00) made payable to Guy Renzi & Associates, Inc., 2277 State Highway #33 Suite 410 Trenton, New Jersey 08690 for a total settlement of settlement in the total amount of Fifty-Six Thousand Six Hundred Forty Dollars and Fifty-Six Cents (\$56,640.56); and

WHEREAS, this settlement is subject to approval by the Judge of the Division of Workers' Compensation; and

WHEREAS, the total settlement amount may be subject to minor changes in amount or distribution at the time the Settlement Agreement is approved, and the Settlement Order executed by the Judge of the Division of Workers' Compensation; and

WHEREAS, the Municipal Council believes it is in the best interests of the City of Newark, that minor changes to the amount of the settlement and distribution shall not require subsequent Municipal Council approval provided the settlement amount is not increased or decreased above \$500.00 and all the terms and conditions are substantially the same as authorized by the resolution; 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 Fifty-Six Thousand Six Hundred Forty Dollars and Fifty-Six Cents (\$56,640.56).

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. 2015-32958 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. \$45,918.96 (Forty-Five Thousand Nine Hundred Eighteen Dollars and Ninety-Six Cents) made payable to Rui Domingues, 1320 Barbara Avenue, Union, New Jersey (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$4,019.04 (Four Thousand Nineteen Dollars and Four Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$300.00 (Three Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluation in accordance with the settlement provisions.)
 - b. \$10,047.60 (Ten Thousand Forty-Seven Dollars and Sixty Cents) made payable to The Law Offices of Feeley and LaRocca, LLC., Esq., 25 ½ Wavcrest Avenue, Winfield Park, New Jersey 07036.
 - c. \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Dr. David Pilchman, M.D., 28 Millburn Avenue, Springfield, New Jersey 07081.
 - d. \$74.00 (Seventy-Four Dollars and Zero Cents) made payable to Guy Renzi & Associates Inc., 2277 State Highway #33, Suite 410, Trenton, New Jersey, 08690.

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. A fully executed copy of the Order Approving Settlement shall be filed in the Office of the City Clerk by the Corporation Counsel.

STATEMENT

This resolution authorizes Corporation Counsel or his designee, The Woolridge Law Firm LLC, 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 Fifty-Six Thousand Six Hundred Forty Dollars and Fifty-Six Cents (\$56,640.56) brought by Rui Domingues whose address is Union, New Jersey and represented by The Law Offices of Feeley and LaRocca., Winfield Park, New Jersey as a result of alleged injuries sustained on September 30, 2015 while employed by the City of Newark's Department of Public Safety.