



Legislation Details (With Text)

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File created: 2/13/2013 **In control:** Law
On agenda: 3/20/2013 **Final action:** 3/20/2013
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-4326-10
Claimant: Jessica Cruz
Claimant's Attorney: Critchley, Kinum, & Vazquez, LLC
Attorney's Address: 75 Livingston Avenue, Roseland, New Jersey, 07068
Settlement Amount: \$141,666.00
Funding Source: Insurance Fund Commission
Additional Comments:
Invitation: Corporation Counsel, March 19, 2013

Sponsors:

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
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| 3/20/2013 | 1 | Municipal Council | Adopt | Pass |

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WHEREAS, a suit was instituted in the Superior Court of New Jersey, Law Division, Essex County, captioned Jessica Cruz v. County of Essex, North 13th Street School, Essex County Vocational Board of Education, City of Newark, and John Does 1-10, and ABC Corps. 1-10, Superior Court of New Jersey, Docket Number: ESX-L-4326-10, in which the plaintiff sought recovery for personal injuries; and

WHEREAS, it has been determined that plaintiff was injured and a proposal has been made to resolve this litigation by payment in the total amount of \$141,666.00 (One Hundred Forty One Thousand Six Hundred and Sixty-Six Dollars); and

WHEREAS, the Corporation Counsel based upon all facts and circumstances deems it in the

best interest of the City of Newark to resolve said matter by payment of the proposed Settlement.

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

1. The Corporation Counsel is hereby authorized on behalf of the City of Newark to execute and accept the terms of the Settlement Agreement and Release, attached hereto.

2. Upon receipt by the Corporation Counsel of all documents deemed necessary, the Director of Finance is hereby authorized and directed to issue a check in the amount of \$141,666.00 (One Hundred Forty One Thousand Six Hundred and Sixty-Six Dollars), which payment shall be made payable to "Jessica Cruz and Critchley, Kinum, & Vazquez, LLC" and which payment will be mailed to Critchley, Kinum, & Vazquez, LLC, 75 Livingston Avenue, Roseland, New Jersey, 07068.

3. Annexed hereto is the Certification of Funds issued by the Director of Finance, City of Newark, which states that there are available sufficient legally-appropriated funds from the Insurance Fund Commission in the amount of \$141,666.00 (One Hundred Forty One Thousand Six Hundred and Sixty-Six Dollars), for the purpose set forth herein. A copy of the Comptroller's Certification shall be filed in the Office of the City Clerk along with this Resolution by the Corporation Counsel.

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

5. This resolution shall be effective upon adoption in accordance with applicable State Law.

STATEMENT

This Resolution authorizes the Corporation Counsel on behalf of the City of Newark to enter into a Settlement Agreement and Release to settle civil litigation captioned Jessica Cruz v. County of Essex, North 13th Street School, Essex County Vocational Board of Education, City of Newark, and John Does 1-10, and ABC Corps. 1-10, Superior Court of New Jersey, Docket Number: ESX-L-4326-10, in the amount of \$141,666.00, in exchange for Plaintiff's dismissal of any and all claims against the City of Newark.