

City of Newark

City Hall 920 Broad Street Newark, New Jersey 07102

Legislation Details (With Text)

File #: 12-2152 Version: 1 Name: Settlement of Civil Litigation: Luis and Vivian

Schuchinski

Type:ResolutionStatus:FiledFile created:11/4/2012In control:LawOn agenda:1/3/2013Final action:1/3/2013

Title: Dept/ Agency: Law

Action: () Ratifying (X) Authorizing () Amending

Purpose: Settlement of Civil Litigation

Docket No.: ESX-L-4110-09

Claimant: Luis and Vivian Schuchinski

Claimant's Attorney: Javerbaum, Wurgaft, Hicks, Kahn, Wikstrom & Sinins, P.C. Attorney's Address: 959 South Springfield Avenue, Springfield, New Jersey 07081

Settlement Amount: \$40,000.00

Funding Source: Fund 025, Agency 25T, Organization 5T25, Object 96320

Additional Comments:

Invitation: Corporation Counsel, January 3, 2013.

Sponsors:

Indexes:

Code sections:

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

Dept/ Agency: Law

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Invitation: Corporation Counsel, January 3, 2013.

WHEREAS, a suit was instituted in the Superior Court of New Jersey, County of Essex, Law Division, bearing Docket No.: ESX-L-4110-09 seeking recovery for personal injury damages, as a result of a slip and fall of Luis Schuchinski and Vivian Schuchinski by the City of Newark; and

WHEREAS, a proposal has been made to resolve said litigation by payment in the amount of Forty Thousand Dollars (\$40,000.00); and

WHEREAS, the Corporation Counsel based upon all facts and circumstances deems it in the best interest of the City of Newark to resolve this litigation.

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

- The Director of Finance is hereby authorized and directed to issue a check in the amount of Forty Thousand Dollars (\$40,000.00) made payable to Luis and Vivian Schuchinski and their attorneys Javerbaum, Wurgaft, Hicks, Kahn, Wikstrom & Sinins, P.C., 989 South Springfield Avenue, Springfield, New Jersey 07081, upon receipt by the Corporation Counsel of all documents deemed necessary.
- 2. Annexed hereto is the Certification of the Comptroller of the City of Newark, which states that there are available sufficient legally appropriated funds from: Fund 025, Agency 25T, Organization 5T25, and Object 96320 for the purpose set forth hereinabove. 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.
- 3. A fully executed copy of the Settlement Agreement shall be filed in the Office of the City Clerk by the Corporation Counsel.
- 4. 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 Settlement Civil Litigation captioned <u>Luis and Vivian Schuchinski v. City of Newark</u>, Superior Court of New Jersey, Docket Number: ESX-L-4110-09, in the amount of Forty Thousand Dollars (\$40,000.00) in exchange for Plaintiffs' dismissal of any and all claims against the City of Newark, and a complete release..