



Legislation Details (With Text)

File #: 16-0747 **Version:** 1 **Name:** Keith Issac v. City of Newark ESX-L-1462-15
Type: Resolution **Status:** Adopted
File created: 4/22/2016 **In control:** Law
On agenda: 5/18/2016 **Final action:** 5/18/2016

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-1462-15
Claimant: Keith Isaac
Claimant's Attorney: Berkowitz, Lichstein, Kuritsky, Glasullo, Gross, LLC
Attorney's Address: 75 Livingston Avenue, Roseland, New Jersey 07068
Settlement Amount: \$380,000.00
Funding Source: Insurance Trust Fund
Additional Comments:

Invitation: Corporation Counsel, May 17, 2016

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
5/18/2016	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 Keith Isaac v. City of Newark and Ras J. Baraka, Superior Court of New Jersey, Docket Number: ESX-L-1467-15, in which the plaintiff sought recovery for breach of contract and wrongful termination; 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 \$380,000.00 (Three-Hundred and Eighty Thousand Dollars and Zero Cents) ("Settlement Sum"); and

WHEREAS, the Corporation Counsel based upon all facts and circumstances deems it is in the best interest of the City of Newark to resolve said matter by payment of the proposed Settlement Agreement and Release and Settlement Sum.

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 two (2) payments as follows: (1) a check in the amount of \$190,000.00 (One Hundred and Ninety Thousand Dollars and Zero Cents), which payment shall be made payable to "Keith Isaac and Berkowitz, Lichstein, Kuritsky, Glasullo, Gross, LLC" and which payment will be mailed to Berkowitz, Lichstein, Kuritsky, Glasullo, Gross, LLC, 75 Livingston Avenue, Roseland, New Jersey, 07068; and (2) a check in the amount of a check in the amount of \$190,000.00 (One Hundred and Ninety Thousand Dollars and Zero Cents), which payment shall be made payable to "Keith Isaac and Berkowitz, Lichstein, Kuritsky, Glasullo, Gross, LLC" and which payment will be mailed to Berkowitz, Lichstein, Kuritsky, Glasullo, Gross, LLC, 75 Livingston Avenue, Roseland, New Jersey, 07068 to be paid no later than January 31, 2017.

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 Business Unit NW025, Dept. ID 25T, Div./Proj. 7T25, Account# 96340, in the amount of \$380,000.00 (Three Hundred and Eighty Thousand Dollars and Zero Cents), 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, Keith Isaac v. City of Newark, Superior Court of New Jersey, Docket Number: ESX-L-1467-15 in the amount of \$380,000.00(Three Hundred and Eighty Thousand Dollars and Zero Cents), in exchange for Plaintiff's dismissal of any and all claims against the City of Newark, Ras J. Baraka, and its officers, employees, agents or servants and a complete release.