



Legislation Details (With Text)

**File #:** 24-0348      **Version:** 1      **Name:** Resolution: Settlement of Civil Litigation - Jerome Wakefield

**Type:** Resolution      **Status:** Adopted

**File created:** 3/5/2024      **In control:** Law

**On agenda:** 3/20/2024      **Final action:** 3/20/2024

**Title:** Dept/ Agency: Law  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Purpose: Settlement of Civil Litigation  
Docket No.: Not Applicable  
Claimant: Jerome Wakefield  
Claimant's Attorney: Anthony J. Fredella, Esq., Trif and Modugno, LLC, 89 Headquarters Plaza, North Tower, Suite 1201, Morristown, New Jersey 07960  
Settlement Amount: \$170,000.00  
Funding Source: Insurance Trust Fund  
Additional Information:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
3/20/2024	1	Municipal Council	Adopt	Pass

**Dept/ Agency:** Law  
**Action:** ( ) Ratifying (X) Authorizing ( ) Amending  
**Purpose:** Settlement of Civil Litigation  
**Docket No.:** Not Applicable  
**Claimant:** Jerome Wakefield  
**Claimant's Attorney:** Anthony J. Fredella, Esq., Trif and Modugno, LLC, 89 Headquarters Plaza, North Tower, Suite 1201, Morristown, New Jersey 07960  
**Settlement Amount:** \$170,000.00  
**Funding Source:** Insurance Trust Fund  
**Additional Information:**

**WHEREAS**, Jerome Wakefield has filed a claim against the City of Newark in which he alleges that he was wrongfully terminated and that he was subjected to a hostile and discriminatory workplace; and

**WHEREAS**, prior to filing a lawsuit, the parties engaged in settlement negotiations and a settlement proposal has been made to resolve this litigation in its entirety by payment in the total amount of One Hundred Seventy Thousand Dollars and Zero Cents (\$170,000.00) ("Settlement Sum"); and

**WHEREAS**, the Corporation Counsel, based upon all facts and circumstances presented, deems it in the best interest of the City to resolve this claim by payment of the proposed Settlement Sum.

**NOW, THEREFORE, BE IT RESOLVED BY 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 of all documents deemed necessary, the Director of the Department of Finance is hereby authorized and directed to issue payment in the amount of One Hundred Seventy Thousand Dollars and Zero Cents (\$170,000.00), which payment will be made payable to: "Trif and Modugno, LLC, Attorney Trust Account," and which payment will be mailed to: Anthony J. Fredella, Esq., Trif and Modugno, LLC, 89 Headquarters Plaza, North Tower, Suite 1201, Morristown, New Jersey 07960.
3. Annexed hereto is the Certification of Funds issued by the Director of the Department of Finance, which states that there are available sufficient legally-appropriate funds from Business Unit NW025, Dept. ID 25T, Division/Project 7T25 and Account #9634, in the amount of One Hundred Seventy Thousand Dollars and Zero Cents (\$170,000.00) for the purpose set forth herein.
4. 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.
5. The Corporation Counsel shall file a fully executed copy of the Settlement Agreement in the Office of the City Clerk.
6. This Resolution shall be effective upon adoption in accordance with applicable State Law.
7. The Settlement Agreement and Release and Resolution does not admit, nor should it be construed as an admission of liability or violation of any law, statute or regulation or a breach of any duty by the City of Newark, its agents, officers and/or employees whatsoever and is entered into based upon recommendations of the Corporation Counsel and to eliminate all risks and future litigation costs.

**STATEMENT**

This Resolution authorizes the Corporation Counsel, on behalf of the City to enter into a Settlement Agreement and Release to settle the claim of Jerome Wakefield in the amount of \$170,000.00, in exchange for a complete release of any and all claims against the City of Newark and its employees.