



Legislation Details (With Text)

File #: 17-2219 **Version:** 1 **Name:** Civil Litigation Settlement - Gary Brown v. City of Newark
Type: Resolution **Status:** Adopted
File created: 12/21/2017 **In control:** Law
On agenda: 1/24/2018 **Final action:** 1/24/2018
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-6255-11
Claimant: Gary Brown
Claimant's Attorney: Law Offices Oxfeld Cohen, P.C.
Attorney's Address: 60 Park Place, Suite 600, Newark, New Jersey 07102-5504
Settlement Amount: \$65,000.00
Funding Source: Insurance Trust Fund
Additional Comments:
Invitation: Acting Corporation Counsel
Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
1/24/2018	1	Municipal Council	Adopt	Pass

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WHEREAS, a suit was instituted in the Superior Court of New Jersey, Essex County, Law Division captioned Gary Brown v. City of Newark, et al., Docket Number: ESX-L-6255-11, in which the plaintiff alleges violation of state/federal constitutional rights; and

WHEREAS, a proposal has been made to resolve this litigation by executing a Settlement Agreement and General Release and by payment in the total amount of \$65,000.00 (Sixty-Five Thousand Dollars and Zero Cents) ("Settlement Sum"); and

WHEREAS, the Acting 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 Acting 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 Acting Corporation Counsel of all documents deemed necessary, the Director of Finance is hereby authorized and directed to issue one check in the amount of \$65,000.00 (Sixty-Five Thousand Dollars and Zero Cents), which payment shall be made payable to "Gary Brown and his attorneys, Law Offices Oxfeld Cohen, P.C." and which payment will be mailed to Arnold Shep Cohen, Esq., 60 Park Place, Suite 600, Newark, New Jersey, 07102-5504.

3. The Funds for this settlement will come Business Unit NW025, Dept. 25T, Div./Proj. 7T25, Account# 96340, in the amount of \$65,000.00 (Sixty-Five Thousand Dollars and Zero Cents), for the purpose set forth herein.

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

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

STATEMENT

This Resolution authorizes the Acting Corporation Counsel on behalf of the City of Newark to enter into a Settlement Agreement and General Release to settle civil litigation captioned, Gary Brown v. City of Newark, et al., Docket Number: ESX-L-6255-11, in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees and a complete release.