



Legislation Details (With Text)

**File #:** 23-1661      **Version:** 1      **Name:** GABRIEL LOPEZ - WORKERS COMPENSATION  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/17/2023      **In control:** Law  
**On agenda:** 11/1/2023      **Final action:** 11/1/2023  
**Title:** Dept/ Agency: Law  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Purpose: Settlement of Workers' Compensation  
C.P. No.: 2021-24341  
Claimant: Gabriel Lopez  
Claimant's Attorney: Sean McGovern Esq., of Law Office of John P. McGovern, Esq., 221 Washington Street, Newark, New Jersey 07102  
Settlement Amount: \$92,243.12  
Funding Source: Fund Code: 024, Dept.: 24T, Division: 5T24, Account #96310  
Additional Information:  
**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
11/1/2023	1	Municipal Council		

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**Additional Information:**

**WHEREAS**, the Petitioner, Gabriel Lopez, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2021-24341 against the City of Newark seeking Workers' Compensation benefits as a result of alleged injuries sustained on February 15, 2020 while employed by the City of Newark, Department of Public Safety; and

**WHEREAS**, the following settlement negotiations through Petitioner's attorney, Sean McGovern Esq., of John P. McGovern and Corporation Counsel and/or his designee, The Woolridge Law Firm LLC ("Outside Counsel") have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-20) by payment in the amount of Eighty -Two Thousand Twenty-Six Dollars and Zero Cents (\$82,026.00), Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark who will pay an attorney's fee of Nine Thousand Eight Hundred Forty-Three Dollars and

Twelve Cents (\$9,843.12) made payable to John P. McGovern, 221 Washington Street Newark, New Jersey 07102, a medical examination fee of Three Hundred Dollars and Zero Cents (\$300.00) made payable to Dr. Michael Palmer, M.D., 100 Hamilton Blvd, Paterson, New Jersey 07505 and a transcription fee of Seventy-Four Dollars and Zero Cents (\$74.00) made payable to Guy Renzi & Associates, Inc., 2277 State Highway #33 Suite 410 Trenton, New Jersey 08690 for a total settlement of settlement in the total amount of Ninety-Two Thousand Two Hundred Forty-Three Dollars and Twelve Cents (\$92,243.12.) and;

**WHEREAS**, this settlement is subject to approval by the Judge of the Division of Workers' Compensation; and

**WHEREAS**, the total settlement amount may be subject to minor changes in amount or distribution at the time the Settlement Agreement is approved, and the Settlement Order executed by the Judge of the Division of Workers' Compensation; and

**WHEREAS**, the Municipal Council believes it is in the best interests of the City of Newark, that minor changes to the amount of the settlement and distribution shall not require subsequent Municipal Council approval provided the settlement amount is not increased or decreased above \$500.00 and all the terms and conditions are substantially the same as authorized by the resolution; and

**WHEREAS**, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or Outside Counsel deem it is in the best interest of the City of Newark to accept said settlement in the total amount of Ninety-Two Thousand Two Hundred Forty-Three Dollars and Twelve Cents (\$92,243.12) and;

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

1. The settlement of the Workers' Compensation matter bearing C.P. No. 2021-24341 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:
  - a. \$75,163.92 (Seventy-Five Thousand One Hundred Sixty-Three Dollars and Ninety-Two Cents) made payable to Gabriel Lopez whose address is 786 Nixon Road, Union, New Jersey 07080 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, (\$6,562.08) Six Thousand Five Hundred Sixty-Two Dollars and Eight Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$300.00 (Three Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluation in accordance with the settlement provisions.)
  - b. \$16,405.20 (Sixteen Thousand Four Hundred Five Dollars and Twenty Cents) made payable to John P. McGovern, 221 Washington Street Newark, New Jersey 07102.
  - c. \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Dr. Michael Palmer, M.D., 100 Hamilton Blvd, Paterson, New Jersey 07505.

d. \$74.00 (Seventy-Four Dollars and Zero Cents) made payable to Guy Renzi & Associates Inc., 2277 State Highway #33, Suite 410, Trenton, New Jersey, 08690.

A copy of the Comptroller's certifications shall be filed by the Corporation Counsel in the Office of the City Clerk along with a copy of this Resolution. A fully executed copy of the Order Approving Settlement shall be filed in the Office of the City Clerk by the Corporation Counsel.

### **STATEMENT**

This resolution authorizes Corporation Counsel or his designee, The Woolridge Law Firm LLC, on behalf of the City of Newark, to effectuate settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of Ninety-Two Thousand Two Hundred Forty-Three Dollars and Twelve Cents (\$92,243.12.) brought by Gabriel Lopez whose address is Union, New Jersey and represented by The Law Offices of John P. McGovern located at 221 Washington Street, Newark, New Jersey, 07102, as a result of alleged injuries sustained on February 15, 2020, while employed by the City of Newark's Department of Public Safety.