



Legislation Details (With Text)

File #: 18-1330 **Version:** 1 **Name:** Workers Compensation Settlement - Johnathan Taylor
Type: Resolution **Status:** Adopted
File created: 8/15/2018 **In control:** Law
On agenda: 3/6/2019 **Final action:** 3/6/2019
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2005-20046
Claimant: Johnathon Taylor
Claimant's Attorney: Lord, Kobrin, Alvarez & Fattell
Attorney's Address: 1283 Route 22 East, Mountainside, New Jersey 07092
Settlement Amount: \$23,533.28
Funding Source: Insurance Fund Commission
Additional Comments:
Invitation: Corporation Counsel
Sponsors: John Sharpe James, Mildred C. Crump

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/6/2019	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Johnathon Taylor, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2005-20046 against the City of Newark seeking workers' compensation benefits due to injuries to his knees, right elbow, neck and back on June 13, 2005 while employed by the City of Newark as a Police Officer, Department of Public Safety, Police Division; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Lord Kobrin Alvarez & Fattell 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 Twenty Thousand Nine

Hundred Thirty-One Dollars and Fifty Cents (\$20,931.50). Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark will also pay an attorney fee of One Thousand Nine Hundred Eleven Dollars and Seventy-Eight Cents (\$1,911.78), a medical evaluation fee of Three Hundred Dollars (\$300.00) for Dr. Vijaykumar Kulkarni, and Three Hundred Dollars and Zero Cents (\$300.00) for Dr. Cheryl Wong and one transcription fees of Ninety Dollars and Zero Cents (\$90.00) for a total settlement of Twenty-Three Thousand Five Hundred Thirty-Three Dollars and Twenty-Eight Cents (\$23,533.28); 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 Twenty-Three Thousand Five Hundred Thirty-Three Dollars and Twenty-Eight Cents.

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. 2005-20046 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) \$18,656.98 (Eighteen Thousand Six Hundred Fifty-Six Dollars and Ninety-Eight Cents) made payable and mailed to Johnathon Taylor, 1408 Randolph Road, Plainfield, New Jersey 07060 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$2,274.52 (Two Thousand Two Hundred Seventy-Four Dollars and Fifty-Two Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$300.00 (Three Hundred Dollars) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
 - (b) \$1,911.78 (One Thousand Nine Hundred Eleven Dollars and Seventy-Eight Cents) made payable to Lord Kobrin Alvarez & Fattell, 1283 Route 22 East, Mountainside, New Jersey 07092

- (c) \$300.00 (Three Hundred Dollars and Zero Cents) made payable to Dr. Cheryl Wong, 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509.
- (d) \$300.00 (Three Hundred Dollars and Zero Cents) made payable to Dr. Vijaykumar Kulkarni, 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509.
- (e) \$90.00 (Ninety Dollars and Zero Cents), made payable to William C. O'Brien Associates, 525 Boulevard, Kenilworth, New Jersey 07033.

3. Attached hereto are the Certifications of the Comptroller of the City of Newark which state that there are available sufficient legally appropriated funds for the purpose set forth hereinabove and which state that the line appropriation of the official budget which shall be charged is Business Unit NW024, Dept. ID 24T, Div./Proj. 5T24, Account Code 96310. 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.

4. 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 the 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 \$23,533.28, brought by Johnathon Taylor, 1408 Randolph Road, Plainfield, New Jersey 07060, who suffered injuries to his knees, right elbow, neck and back on June 13, 2005 while he was employed by the City of Newark as a Police Officer, Department of Public Safety, Police Division.