



Legislation Details (With Text)

File #: 13-1859 **Version:** 1 **Name:** Workers' Compensation Settlement: Corey S. Grubbs
Type: Resolution **Status:** Filed
File created: 10/1/2013 **In control:** Law
On agenda: 11/18/2013 **Final action:** 11/18/2013
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2001-8519
Claimant: Corey S. Grubbs
Claimant's Attorney: Ginarte O'Dwyer Gonzalez Gallardo & Winograd, LLP
Attorney's Address: 400 Market Street, Newark, New Jersey 07105
Settlement Amount: \$105,710.00
Funding Source: Insurance Fund Commission
Additional Comments:
Invitation: Corporation Counsel, November 18, 2013

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
11/18/2013	1	Municipal Council	Adopt	Pass

Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2001-8519
Claimant: Corey S. Grubbs
Claimant's Attorney: Ginarte O'Dwyer Gonzalez Gallardo & Winograd, LLP
Attorney's Address: 400 Market Street, Newark, New Jersey 07105
Settlement Amount: \$105,710.00
Funding Source: Insurance Fund Commission
Additional Comments:
Invitation: Corporation Counsel, November 18, 2013

WHEREAS, the Petitioner, Corey S. Grubbs, instituted suit in the Division of Workers' Compensation of New Jersey, Essex County, bearing C.P. Number 2001-8519 against the City of Newark seeking Workers' Compensation Benefits, as a result of an accident that he sustained on October 17, 2000, while working for the Newark Police Department; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Ginarte O'Dwyer Gonzalez Gallardo & Winograd, LLP, Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C. ("Outside Counsel") has agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (*N.J.S.A. 34:15-22*) by payment in the amount of Ninety -Two Thousand Seventy Dollars (\$92,070.00). Pursuant to the terms of the Settlement Order to be

executed by the Judge of the Division of Workers' Compensation, the City of Newark will also pay an attorney fee of Twelve Thousand Nine Hundred Dollars (\$12,900.00), medical evaluation fees of Six Hundred Fifty Dollars (\$650.00) and a transcription fee of Ninety Dollars (\$90.00); and

WHEREAS, the total value of this settlement with the above referred to fees amounts to One Hundred Five Thousand Seven Hundred Ten Dollars (\$105,710.00); and

WHEREAS, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or its designee, Outside Counsel deem it is in the best interest of the City of Newark to accept said settlement in the total amount of One Hundred Five Thousand Seven Hundred Ten Dollars (\$105,710.00).

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. 2001-8519 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) \$85,906.00 (Eighty-Five Thousand Nine Hundred Six Dollars) made payable and mailed to: Corey S. Grubbs, Post Office Box 22031, Newark, New Jersey 07101. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$5,514.00 (Five Thousand Five Hundred Fourteen Dollars) is being subtracted from the Petitioner's award to pay attorney's fees, and \$650.00 (Six Hundred Fifty Dollars) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)

(b) \$18,414.00 (Eighteen Thousand Four Hundred Fourteen Dollars) made payable to Ginarte O'Dwyer Gonzalez Gallardo & Winograd, LLC, 400 Market Street, Newark, New Jersey 07105.

(c) \$600.00 (Six Hundred Dollars) made payable to Vijaykumar Kulkarni, M.D., Post Office Box 2947, Paterson, New Jersey 07509.

(d) \$300.00 (Three Hundred Dollars) made payable to Leonard Joachim, M.D., Post Office Box 2947, Paterson, New Jersey 07509.

(e) \$400.00 (Four Hundred Dollars) made payable to Sidney Friedman, M.D., Post Office Box 2947, Paterson, New Jersey 07509

(f) \$90.00 (Ninety Dollars), made payable to William C. O'Brien, Inc., Post Office Box 428, 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 the line appropriation of the Official Budget that shall be charged is Fund 024, Agency 24T, Orgn 5T24, Object 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 hereby authorizes Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C., on behalf of the City of Newark, to effectuate a Settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of One Hundred Five Thousand Seven Hundred Ten Dollars (\$105,710.00) brought by Corey S. Grubbs, Post Office Box 22031, Newark, New Jersey 07101, represented by Ginarte O'Dwyer Gonzalez Gallardo & Winograd, LLP, 400 Market Street, Newark, New Jersey 07105, who suffered injuries arising out of an accident that occurred on October 17, 2000 while working for the Newark Police Department.