



Legislation Details (With Text)

File #: 13-1637 **Version:** 1 **Name:** Workers' Compensation Settlement: Anderson C. Walker III
Type: Resolution **Status:** Filed
File created: 8/14/2013 **In control:** Law
On agenda: 10/2/2013 **Final action:** 10/17/2013

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2009-31509
Claimant: Anderson C. Walker III
Claimant's Attorney: David A. Bolson, Esq.
Attorney's Address: 76 South Orange Avenue, South Orange, New Jersey 07079
Settlement Amount: \$38,426.00
Funding Source: Insurance Fund Commission
Additional Comments:
Invitation: Corporation Counsel , October 1, 2013
No Action Taken 7R7-b 100213
No Action Taken 7R7-b 101013

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
10/17/2013	1	Municipal Council	Adopt	Pass
10/10/2013	1	Municipal Council	no action taken	
10/2/2013	1	Municipal Council	no action taken	

Dept/ Agency: Law

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No Action Taken 7R7-b 101013

WHEREAS, the Petitioner, Anderson C. Walker III, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. No.. 2009-31509 against the City of Newark seeking Workers' Compensation Benefits, as a result of an accident that he sustained on

November 2, 2009 while working for the Newark Police Department; and

WHEREAS, following settlement negotiations through Petitioner's attorney, David A. Bolson, Esq., 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 Thirty-Four Thousand Fifty Dollars (\$34,050.00). 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's fee of Four Thousand Eighty-Six Dollars (\$4,086.00), a medical evaluation fee of Two Hundred Dollars (\$200.00) 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 Thirty-Eight Thousand Four Hundred Twenty-Six Dollars (\$38,426.00); and

WHEREAS, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C., deem it is in the best interest of the City of Newark to accept said settlement in the total amount of Thirty-Eight Thousand Four Hundred Twenty-Six Dollars (\$38,426.00).

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. 2009-31509 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) \$31,126.00 (Thirty-One Thousand One Hundred Twenty-Six Dollars) made payable and mailed to Anderson C. Walker III, 86 Midland Boulevard, Maplewood, New Jersey 07040. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$2,724.00 (Two Thousand Seven Hundred Twenty-Four Dollars) is being subtracted from the Petitioner's award to pay attorney's fees, and \$200.00 (Two Hundred Dollars) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
 - (b) \$6,810.00 (Six Thousand Eight Hundred Ten Dollars) made payable to David A. Bolson, Esq., 76 South Orange Avenue, South Orange, New Jersey 07079.
 - (c) \$400.00 (Four Hundred Dollars) made payable to Arthur Tiger, MD., 600 Mount Pleasant Avenue, Suite E, Dover, New Jersey 07801.
 - (d) \$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 Thirty- Eight Thousand Four Hundred Twenty Six Dollars (\$38,426.00) brought by Anderson C. Walker III, 86 Midland Boulevard, Maplewood, New Jersey 07040, represented by David A. Bolson, Esq., 76 South Orange Avenue, South Orange, New Jersey 07079, who suffered injuries arising out of an accident that occurred on November 2, 2009 while working for the Newark Police Department.