



Legislation Details (With Text)

File #: 16-1638 **Version:** 1 **Name:** Ronald D. Kinder Settlement
Type: Resolution **Status:** Adopted
File created: 10/19/2016 **In control:** Law
On agenda: 11/2/2016 **Final action:** 11/2/2016
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-3820-13
Claimant: Ronald D. Kinder
Claimant's Attorney: Law Offices of Gina Mendola Longarzo, LLC
Attorney's Address: 400 Main Street, Chatham, New Jersey 07928
Settlement Amount: \$250,000.00
Funding Source: Insurance Trust Fund
Additional Comments:
Invitation: Corporation Counsel, November 1, 2016
Sponsors: Council of the Whole

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
|-----------|------|-------------------|--------|--------|
| 11/2/2016 | 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 Ronald D. Kinder v. City of Newark, et al., Docket Number: ESX-L-3820-13, in which the plaintiff sought recovery for constitutional violations, including discrimination; and

WHEREAS, a proposal has been made to resolve this litigation by payment in the total amount of \$250,000.00 (Two Hundred Fifty Thousand Dollars and Zero Cents) ("Settlement Sum"); and

WHEREAS, the Corporation Counsel based upon all facts and circumstances deems it is in the best interest of the City of Newark to resolve said matter by payment of the proposed Settlement

Sum.

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

1. The 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 Corporation Counsel of all documents deemed necessary, the Director of Finance is hereby authorized and directed to issue a check in the amount of \$250,000.00 (Two Hundred Fifty Thousand Dollars and Zero Cents), which payment shall be made payable to "Law Offices of Gina Mendola Longarzo, LLC in Trust for Ronald Kinder" and which payment will be mailed to Law Offices of Gina Mendola Longarzo, LLC., 400 Main Street, Chatham, New Jersey 07928.

3. Annexed hereto is the Certification of Funds issued by the Director of Finance, City of Newark, which states that there are available sufficient legally-appropriated funds from Fund 025-25T-5T25-96340 in the amount of \$250,000.00 (Two Hundred Fifty Thousand Dollars and Zero Cents), for the purpose set forth herein. A copy of the Comptroller's Certification shall be filed in the Office of the City Clerk along with this Resolution by the Corporation Counsel.

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

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

STATEMENT

This Resolution authorizes the Corporation Counsel, on behalf of the City of Newark, to enter into a Settlement Agreement and Release to settle civil litigation captioned, Ronald D. Kinder v. City of Newark, et al., Docket Number: ESX-L-3820-13, in the amount of \$250,000.00, in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and a complete release.