



Legislation Details (With Text)

File #: 19-0581 **Version:** 1 **Name:** Amoakah - Civil Settlement
Type: Resolution **Status:** Adopted
File created: 3/30/2019 **In control:** Law
On agenda: 5/1/2019 **Final action:** 5/1/2019
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-7292-16
Claimant: Prince Amoakah
Claimant's Attorney: Edward M. Colligan, Esq.
Attorney's Address: Colligan & Colligan, 17 Academy Street, Suite 510, Newark, New Jersey 07102
Settlement Amount: \$75,000.00
Funding Source: Insurance Trust Fund
Additional Comments:
Invitation: Corporation Counsel
Sponsors: Council of the Whole

Indexes:

Code sections:

| Date | Ver. | Action By | Action | Result |
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| 5/1/2019 | 1 | Municipal Council | Adopt | Pass |

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WHEREAS, Plaintiff, Prince Amoakah, instituted a suit in the Superior Court of New Jersey, Law Division, Essex County, captioned Prince Amoakah v. City of Newark et al., Docket No. ESX-L-7292-16, in which the plaintiff sought recovery for damages allegedly sustained on December 9, 2014, as a result of the alleged actions and omissions of the City of Newark and/or its agents; and

WHEREAS, a settlement proposal has been made to resolve this litigation in its entirety by payment in the total amount of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00) ("Settlement Sum") and execution of the Settlement Agreement and Release; and

WHEREAS, the Corporation Counsel based upon all facts and circumstances presented,

deems it in the best interest of the City of Newark to resolve this matter by payment of the proposed Settlement Sum and execution of the Settlement Agreement and Release.

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 payment in the amount of \$75,000.00 (Seventy-Five Thousand Dollars and Zero Cents), which payment will be made jointly payable to "Prince Amoakah and Edward M. Colligan, Esq." and mailed to Colligan & Colligan, 17 Academy Street, Suite 5, Newark, New Jersey, 07102.
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-appropriate funds from Business Unit NW025, Dept. ID 25T, Div./Proj. 5T25 and Account #96320, in the amount of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), for the purpose set forth herein.
4. 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.
5. The Corporation Counsel shall file a fully executed copy of the Settlement Agreement and Release in the Office of the City Clerk.
6. 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 Prince Amoakah v. City of Newark et al., Docket No. ESX-L-7292-16, in the amount of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees, and a complete release.