



Legislation Details (With Text)

File #: 20-0539 **Version:** 1 **Name:** Lennox Chunkoo v. City of Newark, et als.
Settlement
Type: Resolution **Status:** Adopted
File created: 4/30/2020 **In control:** Law
On agenda: 6/24/2020 **Final action:** 6/24/2020
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-3751-12
Claimant: Lennox A. Chunkoo
Claimant's Attorney: Blume, Forte, Fried, Zerres & Molinari, P.C.
Attorney's Address: One Main Street, Chatham, New Jersey 07928
Settlement Amount: \$175,000.00
Funding Source: Insurance Trust Fund
Additional Comments:
Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/24/2020	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 Lennox Chunkoo v. Officer Kyle Ferreira, Officer Ricardo Maciera and Sgt. Celso Velez, Docket Number: ESX-L-3751-12, in which the plaintiff alleges defendants proximately caused his personal injuries during a police pursuit; and

WHEREAS, a proposal has been made to resolve this litigation by payment in the total amount of \$175,000.00 (One Hundred Seventy-Five Thousand Dollars and Zero Cents) ("Settlement Sum") and execution of the Settlement Agreement and Release; and

WHEREAS, the Corporation Counsel based upon all facts and circumstances deems it in the best interest of the City of Newark to resolve said 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 one check in the amount of One Hundred Seventy-Five Thousand Dollars and Zero Cents (\$175,000.00), which payment shall be made payable to: "Lennox Chunkoo and Blume, Forte, Fried, Zerres & Molinari, P.C."

3. The Funds for this settlement will come from: Business Unit NW025, Dept. 25T, Div./Proj. 7T25, Activity A, Account #96340, Budget Ref.: B2020, in the amount of One Hundred Seventy-Five Thousand Dollars and Zero Cents (\$175,000.00), for the purpose set forth herein.

4. The Corporation Counsel shall file a fully executed copy of the Settlement Agreement in the Office of the City Clerk.

5. This resolution shall be effective upon adoption in accordance with applicable laws of the State of New Jersey.

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, Lennox Chunkoo v. Officer Kyle Ferreira, Officer Ricardo Maciera and Sgt. Celso Velez, Docket Number: ESX-L-3751-12, and payment to Plaintiff of \$175,000.00 in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees and a complete release.