



Legislation Details (With Text)

File #: 18-0077 **Version:** 1 **Name:** Carmen Jacobs Civil Settlement
Type: Resolution **Status:** Adopted
File created: 1/19/2018 **In control:** Law
On agenda: 2/21/2018 **Final action:** 2/21/2018
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-7257-15
Claimant: Carmen Jacobs
Claimant's Attorney: Natacha Andrews, Esq.
Attorney's Address: Andrews Law, PLC, 8336 Dunstaff Road, Suite A, Charlotte, North Carolina 28269
Settlement Amount: \$125,000.00
Funding Source: Insurance Trust Fund
Additional Comments:
Invitation: Acting Corporation Counsel
Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
2/21/2018	1	Municipal Council	Adopt	Pass

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WHEREAS, a suit was instituted in the Law Division of the Superior Court of New Jersey, Essex Vicinage, captioned, Carmen Jacobs v. City of Newark, et al., DOCKET NO. ESX-L-7257-15, in which the plaintiff sought recovery of damages for personal injury as a result of the alleged actions of City of Newark employees; and

WHEREAS, a proposal has been made to resolve this litigation in its entirety by payment in the total amount of \$125,000.00 (One Hundred and Twenty-Five Thousand Dollars and Zero Cents); and

WHEREAS, the Acting 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.

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

1. The Acting 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 Acting Corporation Counsel of all documents deemed necessary, the Director of Finance is hereby authorized and directed to issue payment in the amount of \$125,000.00 (One Hundred and Twenty-Five Thousand Dollars and Zero Cents), which payments will be made jointly to "Carmen Jacobs and Andrews Law, PLC" and which payment will be mailed to Natacha Andrews, Esq., Andrews Law, PLC, 8336 Dunstaff Road, Suite A, Charlotte, North Carolina 28269.

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 Business Unit NW025, Dept. 25T, Division/Project 5T25, and Account #96320, in the amount of \$125,000.00 (One Hundred and Twenty-Five Thousand Dollars and Zero Cents), 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 Acting Corporation Counsel.

5. A fully executed copy of the Settlement Agreement shall be filed in the Office of the City Clerk by the Acting Corporation Counsel.

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

STATEMENT

This Resolution authorizes the Acting Corporation Counsel on behalf of the City of Newark to enter into a Settlement Agreement and Release to settle civil litigation in the Law Division of the Superior Court of New Jersey, Essex Vicinage, captioned, Carmen Jacobs v. City of Newark, et al., DOCKET NO. SX-L-7257-15, in the amount of \$125,000.00, in exchange for the dismissal of any and all claims against the City of Newark and its employees, and a complete release.