



Legislation Details (With Text)

File #: 22-1248 **Version:** 1 **Name:** Resolution: Settlement of Worker's Compensation - Nancy Caballero
Type: Resolution **Status:** Adopted
File created: 8/30/2022 **In control:** Law
On agenda: 9/21/2022 **Final action:** 9/21/2022

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2020-15368
Claimant: Nancy Caballero
Claimant's Attorney: Mindas and Morris, LLC
Settlement Amount: \$63,437.84
Funding Source: Insurance Fund
Additional Information:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/21/2022	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Nancy Caballero, instituted suit in the Division of Workers Compensation of the State of New Jersey, County of Essex, bearing C.P. Number 2020-15368 against the City of Newark seeking Workers' Compensation benefits, as a result of injuries to her neck, left shoulder, left arm, back, head pain and left hand. While responding to a disturbance call, her vehicle was t-boned by another car while employed by the City of Newark, Department of Public Safety, Division of Police; and

WHEREAS, the following settlement negotiations through Petitioner's attorney, Brendan H. Morris, Esq., of Mindas and Morris, LLC, and Corporation Counsel and/or his designee, The Woolridge Law Firm, LLC ("Outside Counsel") have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-20) by payment in the amount of Fifty-Six Thousand Three Hundred Seven Dollars and Zero Cents (\$56,307.00). Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark who will also pay an attorney's fee of Six Thousand Seven

Hundred Fifty-Six Dollars and Eighty-Four Cents, (\$6,756.84) made payable to: Brendan Morris, Esq., located at 150 Morris Avenue, Suite 201, Springfield, New Jersey 07081, a medical evaluation fee of Three Hundred Dollars and Zero Cents (\$300.00), payable to: Dr. Michael M. Cohen, M.D., located at 1460 Livingston Avenue, North Brunswick, New Jersey 08902; and a stenographic transcription fee of Seventy-Four Dollars and Zero Cents (\$74.00), made payable to: Guy Renzi & Associates, Inc., located at 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690, for a total settlement of Sixty-Three Thousand Four Hundred Thirty-Seven Dollars and Eighty-Four Cents (\$63,437.84); and

WHEREAS, this settlement is subject to approval by the Judge of the Division of Workers' Compensation; and

WHEREAS, the total settlement amount may be subject to minor changes in amount or distribution at the time the Settlement Agreement is approved, and the Settlement Order executed by the Judge of the Division of Workers' Compensation; and

WHEREAS, the Municipal Council believes it is in the best interest of the City of Newark, that minor changes to the amount of the settlement and distribution shall not require subsequent Municipal Council approval provided the settlement amount is not increased or decreased above Five Hundred Dollars and Zero Cents (\$500.00) and all the terms and conditions are substantially the same as authorized by the Resolution; and

WHEREAS, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or Outside Counsel deem it is in the best interest of the City of Newark to accept said settlement in the total amount of Sixty-Three Thousand Four Hundred Thirty-Seven Dollars and Eighty-Four Cents (\$63,437.84).

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. 2020-15368 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of the Department of Finance is hereby authorized and directed to issue checks in the amounts as follows:
 - (a) \$51,502.44 (Fifty-One Thousand Five Hundred Two Dollars and Forty-Four Cents) made payable and mailed to: Nancy Caballero, of Newark, New Jersey 07105 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, Four Thousand Five Hundred Four Dollars and Fifty-Six Cents (\$4,504.56) is being subtracted from the Petitioner's award to pay attorney's fees, and Three Hundred Dollars and Zero Cents (\$300.00) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.
 - (b) \$11,261.40 (Eleven Thousand Two Hundred Sixty-One Dollars and Forty Cents) made payable to: Brendan H. Morris, Esq., of Mindas and Morris, LLC., located at 150 Morris Avenue, Suite 201, Springfield, New Jersey 07081.

(c) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to: Dr. Michael M. Cohen, M.D., located at 1460 Livingston Avenue, North Brunswick, New Jersey 08902.

(d) \$74.00 (Seventy-Four Dollars and Zero Cents), made payable to: Guy Renzi and Associates Inc., 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690.

3. 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 authorizes Corporation Counsel and/or his designee, The Woolridge Law Firm LLC, on behalf of the City of Newark, to effectuate settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of \$63,437.84 brought by Nancy Caballero and represented by Attorney, Brendon H. Morris, Esq., of Mindas and Morris LLC., who suffered injuries on May 29, 2019, while employed by the City of Newark's Department of Public Safety, Division of Police.