



Legislation Details (With Text)

File #: 24-0914 **Version:** 1 **Name:** Resolution: Settlement of Civil Litigation - Ehrlich Petriello Gudin Plaza & Reed, PC

Type: Resolution **Status:** Adopted

File created: 6/24/2024 **In control:** Law

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Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: Not Applicable
Claimant: Ehrlich, Petriello, Gudin, Plaza and Reed, PC, 60 Park Place, Suite 1016, Newark, New Jersey 07102
Claimant's Attorney: Not Applicable
Settlement Amount: \$50,686.05
Funding Source: 2024 Budget/Law Department/Business Unit: NW025, Dept. 25T, Div./Proj. 5T25, Account #96320, Budget Ref. B2024
Additional Comments:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/10/2024	1	Municipal Council		

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WHEREAS, from January 1, 2023 through December 31, 2023, the City of Newark (the "City") utilized the legal services of Ehrlich, Petriello, Gudin, Plaza and Reed, PC, as Workers Compensation Counsel; and

WHEREAS, there remains an outstanding balance for the legal services provided to the City from February 1, 2023 through December 31, 2023; and

WHEREAS, to avoid the costly expense of litigation, the City's Corporation Counsel, on behalf of the City and Ehrlich, Petriello, Gudin, Plaza and Reed, PC, (the "Parties"), desire to amicably resolve this matter with payment by the City of the settlement sum, in exchange for the Plaintiff's execution of the Settlement Agreement and Release (attached) as a full and complete release of the

matter; and

WHEREAS, a settlement proposal has been made to resolve this claim by payment in the total amount of Fifty Thousand Six Hundred Eighty-Six Dollars and Five Cents (\$50,686.05) (“Settlement Sum”), and execution of a Settlement Agreement and Release; and

WHEREAS, the City’s Corporation Counsel, based upon all facts and circumstances surrounding the matter, deems it is in the best interest of the City to resolve this matter by payment in the amount set forth above.

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

1. The City’s Corporation Counsel is hereby authorized on behalf of the City of Newark, to accept the terms, enter into, and execute a Settlement Agreement and Release, attached hereto.
2. Upon receipt by the City’s Corporation Counsel of all documents deemed necessary, the Director of the Department of Finance is hereby authorized and directed to issue payment in the amount of Fifty Thousand Six Hundred Eighty-Six Dollars and Five Cents (\$50,686.05), a settlement sum, which will be made payable to: Ehrlich, Petriello, Gudin, Plaza and Reed, PC, 60 Park Place, Suite 1016, Newark, New Jersey 07102.
3. Annexed hereto is the Certification of Funds issued by the City’s Director of the Department of Finance, which states that there are available sufficient legally appropriate funds from: Business Unit: NW025, Dept. 25T, Div./Proj. 5T25, Account #96320, Budget Ref. B2024 in the amount of Fifty Thousand Six Hundred Eighty-Six Dollars and Five Cents (\$50,686.05), 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 City’s Corporation Counsel.
5. The City’s Corporation Counsel shall file a fully executed copy of the Settlement Agreement and Release in the Office of the City Clerk.
6. The Settlement Agreement and Release does not admit, nor should it be construed as an admission of liability or violation of any law, statute or regulation or a breach of any duty by the City of Newark, its agents, officers and/or employees whatsoever and is entered into based upon recommendations of the City’s Corporation Counsel and to eliminate all risks and future litigation costs.
7. 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 accept the terms, enter into, and execute a Settlement Agreement and Release to settle outstanding fees with Ehrlich, Petriello, Gudin, Plaza and Reed, PC, in the settlement sum of \$50,686.05, in exchange for Ehrlich, Petriello, Gudin, Plaza and Reed, PC’s dismissal of any and all claims against the City of

Newark, its agents, officers and/or employees, and a complete release.