



Legislation Details (With Text)

File #: 16-0777 **Version:** 1 **Name:** Workers' Compensation Settlement (Maria Armand)
Type: Resolution **Status:** Adopted
File created: 5/3/2016 **In control:** Law
On agenda: 6/15/2016 **Final action:** 6/15/2016

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation Claim
C.P. No.: 2014-30749
Claimant: Maria Armand
Claimant's Attorney: Jonathan Rosenbluth, Esq.
Attorney's Address: 76 South Orange Avenue, Suite 105, South Orange, New Jersey 07079
Settlement Amount: \$27,687.00
Funding Source: Insurance Fund Trust
Additional Comments:
Invitation: Corporation Counsel, June 14, 2016.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/15/2016	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Maria Armand, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 201 against the City of Newark seeking workers' compensation benefits as a result of carpal tunnel developed while working as a Senior Word Processor for the City of Newark; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Jonathan Rosenbluth, Corporation Counsel and/or Outside Counsel has agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-22) by payment in the amount of \$24,387.00 (Twenty Four Thousand Three Hundred Eighty Seven Dollars and Zero Cents). Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark will also pay an attorney's fee of \$2,910.00 (Two

Thousand Nine Hundred Ten Dollars and Zero Cents), a medical evaluation fee of \$300.00 (Three Hundred Dollars and Zero Cents) and a transcription fee of \$90.00 (Ninety Dollars and Zero Cents); and

WHEREAS, the total value of this settlement with the above referred to fees amounts to \$27,687.00 (Twenty-Seven Thousand Six Hundred Eighty Seven Dollars and Zero Cents); 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 \$27,687.00 (Twenty Seven Thousand Six Hundred Eighty Seven Dollars and Zero Cents).

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. 2014-30749 is hereby approved.

2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:

(a) \$22,147.00 (Twenty Two Thousand One Hundred Forty Seven Dollars and Zero Cents) made payable and mailed to Maria Armand, 654 North 5th Street Newark, New Jersey 07107. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$1,940.00 (One Thousand Nine Hundred Forty Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$300.00 (Three Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)

(b) \$4,850.00 (Four Thousand Eight Hundred Fifty Dollars and Zero Cents) made payable to Jonathan Rosenbluth, Esq., 76 South Orange Avenue Suite 105 South Orange, New Jersey 07079.

(c) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Sall/Myers Medical Associates, PO Box 2947, Paterson, New Jersey 07509.

(d) \$90.00 (Ninety Dollars and Zero Cents), made payable to State Shorthand P.O. Box 227 Allenhurst, New Jersey 07111.

3. Attached hereto are the certifications of the Comptroller of the City of Newark which state that there are available sufficient legally appropriated funds for the purpose set forth hereinabove and which state that the line appropriation of the official budget which shall be charged is Business Unit NW024, Dept. ID 24T, Div./Proj 5T24, Account Code 96310. 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.

STATEMENT

This resolution authorizes Corporation Counsel, or his designee, Chasan Leyner & Lamparello, P.C., 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 \$27,687.00, brought by Maria Armand who suffered injuries arising out of an accident that occurred on July 8, 2013.