



Legislation Text

File #: 22-1842, Version: 1

Dept/ Agency: Law

Action: () Ratifying (X) Authorizing () Amending

Purpose: Settlement of Workers' Compensation

C.P. No.: 2019-5690

Claimant: Sean Williams

Claimant's Attorney: John Feeley, Esq. of Feeley and LaRocca, 76 South Orange Avenue, Suite 211, South Orange, New Jersey 07079

Settlement Amount: \$53,016.80

Funding Source: Business Unit NW024, Dept. 24T, Div./Proj. 5T24, Acct #96310, Budget Ref. 2022

Additional Comments:

WHEREAS, the Petitioner, Sean Williams instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2019-5690 against the City of Newark seeking workers' compensation benefits as a result of an alleged injury he sustained on October 26, 2016, to his left knee and right shoulder when he tripped and fell while fighting a fire while in the course of employment with the City of Newark, Department of Public Safety; and

WHEREAS, the following settlement negotiations through Petitioner's attorney, John Feeley, Esq., of Feeley & LaRocca, 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. 34:15-22) by payment in the amount of Forty-Seven Thousand Two Dollars and Fifty Cents (\$47,002.50.) 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 (\$5,640.30) Five Thousand Six Hundred Forty Dollars and Thirty Cents made payable to John Feeley, Esq., of Feeley & LaRocca, located at 76 South Orange Ave, Suite 211, South Orange, New Jersey 07079, a medical evaluation fee of Three Hundred Dollars and Zero Cents (\$300.00), payable to Dr. Albert Johnson, M.D., located at 1460 Livingston Ave, North Brunswick, New Jersey 08902, and; a 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 Fifty-Three Thousand Sixteen Dollars and Eighty Cents (\$53,016.80); 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 interests 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 \$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 Fifty-Three Thousand Sixteen Dollars and Eighty Cents (\$53,016.80).

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.: 2019-5690 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:
3. \$42,942.30 (Forty-Two Thousand Nine Hundred Forty-Two Dollars and Thirty Cents) made payable and mailed to Sean Williams, 80 Hawthorne Avenue, Apt 2, Newark, New Jersey 07112 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$3,760.20 (Three Thousand Seven Hundred Sixty Dollars and Twenty 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.)
 - (a) \$9,400.50 (Nine Thousand Four Hundred Dollars and Fifty Cents) made payable to John Feeley, Esq., of Feeley & LaRocca LLC., located at 76 South Orange Avenue Suite 211, South Orange, New Jersey 07079.
 - (b) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Dr. Albert Johnson, M.D., located at 1460 Livingston Ave, North Brunswick, New Jersey 08902.
 - (c) \$74.00 (Seventy-Four Dollars) made payable to Guy Renzi & Associates Inc., 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690

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 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 \$53,016.80, brought by Sean Williams 80 Hawthorne Avenue, Apt 2, Newark, New Jersey 07112; and represented by John Feeley, Esq., of Feeley & LaRocca, located at 76 South Orange Ave, Suite 211, South Orange, New Jersey 07079, who sustained injury while employed by the City of Newark's Department of Public Safety.