



Legislation Text

File #: 16-0349, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation

C.P. No.: 2012-23441

Claimant: Donald Stabile

Claimant's Attorney: Davis, Saperstein & Salomon

Attorney's Address: 375 Cedar Lane, Teaneck, New Jersey 07666

Settlement Amount: \$145,542.00

Funding Source: Insurance Fund Trust

Additional Comments:

Invitation: Corporation Counsel, May 17, 2016

WHEREAS, the Petitioner, Donald Stabile, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2012-23441 against the City of Newark seeking workers' compensation benefits as a result of an accident that he sustained on February 1, 2012 while working for the Newark Police Department injured his left hip during a motor vehicle accident; and

WHEREAS, following settlement negotiations through Petitioner's attorney, 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 \$129,600.00 (One Hundred Twenty Nine Thousand Six Hundred 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 \$15,552.00 (Fifteen Thousand Five Hundred Fifty Two Dollars and Zero Cents), a medical evaluation fee of \$300.00 (Three Hundred Dollars) 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 \$145,542.00 (One Hundred Forty Five Thousand Five Hundred Forty Two 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 \$145,542.00 (One Hundred Forty Five Thousand Five Hundred Forty Two 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. 2012-23441 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) \$118,932.00 (One Hundred Eighteen Thousand Nine Hundred Thirty Two Dollars and Zero Cents) made payable and mailed to: Donald Stabile, 51 Carlos Drive Fairfield, New Jersey 07004. It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$10,368.00 (Ten Thousand Three Hundred Sixty Eight 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) \$25,920.00 (Twenty Five Thousand Nine Hundred Twenty Dollars and Zero Cents) made payable to Davis, Saperstein & Salomon 375 Cedar Lane Teaneck, New Jersey 07666.
- (c) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Dr. Arthur Tiger 8 Glenbrook Drive Mendham, New Jersey 07845.
- (d) \$90.00 (Ninety Dollars and Zero Cents), made payable to State Shorthand P.O. Box 227 Allenhurst, New Jersey 07711.

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 Chasan Leyner & Lamparello, PC, 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 \$145,542.00, brought by Donald Stabile who suffered injuries arising out of an accident that occurred on February 1, 2012.

