



Legislation Text

File #: 24-0244, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation

C.P. No.: 2015-129

Claimant: Alterique Whitley

Claimant's Attorney: John Feeley, Esq., of the Law Offices of Feeley and LaRocca, LLC, 25 ½ Wavecrest Avenue, Winfield Park, New Jersey 07036

Settlement Amount: \$76,074.00

Funding Source: 2024 Budget/Law Department/Business Unit: NW024 Dept.: 24T, Div/Proj: 5T24, Account # 96310

Additional Information:

WHEREAS, the Petitioner, Alterique Whitley, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. #2015-129 against the City of Newark seeking Workers' Compensation benefits as a result of alleged injuries sustained on November 23, 2014 while employed by the City of Newark, Department of Public Safety; and

WHEREAS, the following settlement negotiations through Petitioner's attorney, John Feeley, Esq., of the Law Offices of Feeley and LaRocca, 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 20 of the Workers Compensation Act (N.J.S.A. 34:15-20) by payment in the amount of Seventy-Six Thousand Dollars and Zero Cents (\$76,000.00). 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 One Thousand Dollars and Zero Cents (\$1,000.00) and a transcription fee of Seventy-Four Dollars and Zero Cents (\$74.00) made payable to: Guy Renzi and Associates, Inc., located at 2277 State Highway, #33, Suite 410, Trenton, New Jersey 08690 for a total settlement of Seventy-Six Thousand Seventy-Four Dollars and Zero Cents (\$76,074.00); 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 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 Seventy-Six Thousand Seventy-Four Dollars and Zero Cents (\$76,074.00); and

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. #2015-129 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) \$59,400.00 (Fifty-Nine Thousand Four Hundred Dollars and Zero Cents) made payable to: Alterique Whitley, 67 Carolina Avenue, Newark, New Jersey 07106 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$15,000.00 (Fifteen Thousand Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$600.00 (Six Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluation in accordance with the settlement provisions).
 - b) \$16,000.00 (Sixteen Thousand Dollars and Zero Cents) made payable to: The Law Offices of Feeley and LaRocca, LLC., Esq., 25 ½ Wavecrest Avenue, Winfield Park, New Jersey 07036.
 - c) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to: Dr. David Pilchman, M.D., 28 Millburn Avenue, Springfield, New Jersey 07081.
 - 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 \$76,074.00 brought by Alterique Whitley, of 67 Carolina Avenue, Newark, New Jersey 07106 and represented by The Law Offices of

Feeley and LaRocca, of 25 ½ Wavecrest Avenue, Winfield Park, New Jersey 07036, as a result of alleged injuries sustained on November 23, 2014, while employed by the City of Newark's Department of Public Safety.