



Legislation Text

File #: 12-1725, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Civil Litigation

Docket No.: 2008-cv-02452 (PGS-ES)

Claimant: Karama Thomas

Claimant's Attorney: Law Office of Angelo F. Bianchi, LLC

Attorney's Address: 80 Orchard Street, Bloomfield, New Jersey 07003

Settlement Amount: \$500,000.00

Funding Source: Fund 025, Agency 25T, Organization 5T25, Object 96320

Additional Comments:

Invitation: Corporation Counsel, September 5, 2012

WHEREAS, the petitioner instituted a suit in the United States District Court for the District of New Jersey, bearing Docket Number 2008-cv-02452 (PGS-ES) against the City of Newark seeking recovery for alleged employment related claims of discrimination, retaliation and civil rights violations by the City of Newark, the Newark Police Department and its employees individually, Former Director Garry F. McCarthy, Captain Richard Cuccolo, and Sergeant. John Siino; and

WHEREAS, said Kamara Thomas, through an attorney, has agreed to amicably resolve and settle this matter by payment in the amount of Five Hundred Thousand Dollars (\$500,000.00), and

WHEREAS, based upon all facts and circumstances surrounding this matter, the Corporation Counsel deemed it in the best interest of the City of Newark to resolve this matter by making such payment.

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

- 1. The** Corporation Counsel is hereby authorized on behalf of the City of Newark to execute a Settlement Agreement and Release and any other documents, sufficient in form and content to Corporation Counsel and to take whatever actions are necessary to effectuate the terms of the within resolution and settlement.
- 2. The** Municipal Council of the City of Newark hereby authorizes the Director of Finance, upon receipt of all supporting documents by the Corporation Counsel, to issue a check in the amount of Five Hundred Thousand Dollars (\$500,000.00) made payable to the Law Offices of Angelo R. Bianchi, LLC, 80 Orchard Street, Bloomfield, New Jersey 07003, upon receipt by the Corporation Counsel of all documents deemed necessary.
- 3. The** within settlement and resolution 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 Counsel and to eliminate all risks and future litigation costs.

4. Attached hereto is a certification of funds issued by the Director of Finance, City of Newark, which states that there are available sufficient legally appropriated funds of **\$500,000.00** (Five Hundred Thousand Dollars) for the purposes set forth hereinabove. A copy of the certification of funds issued shall be filed in the Office of the City Clerk together with this Resolution by the Corporation Counsel.

5. A fully executed copy of the Settlement Agreement and Release, the Comptroller's Certification and Resolution shall be filed in the Office of the City Clerk by the Corporation Counsel.

STATEMENT

This resolution authorizes the Corporation Counsel, on behalf of the City of Newark, to effectuate settlement of civil litigation brought by Kamara Thomas in the amount of \$500,000.00, in exchange for the execution of a Settlement Agreement and Release..