



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1942, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation

C.P. No.: 2009-11041

Claimant: Paul Mazza

Claimant's Attorney: Caruso, Smith, Edell & Picini, PC

Attorney's Address: 60 Route 46 East, Fairfield, New Jersey 07004

Settlement Amount: \$34,013.00

Funding Source: Insurance Fund Commission

Additional Comments:

Invitation: Corporation Counsel, November 18, 2013

WHEREAS, the Petitioner, Paul Mazza, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2009-11041 against the City of Newark seeking workers' compensation benefits as a result of an accident that he sustained on April 14, 2008, while working as a Firefighter for the Newark Fire Department; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Caruso, Smith, Edell & Picini, PC, Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C. ("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 Twenty-Nine Thousand Five Hundred Twenty-Three Dollars (\$29,523.00). Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark will also pay an attorney fee of Four Thousand Dollars (\$4,000.00), medical evaluation fees of Four Hundred Dollars (\$400.00) and a transcription fee of Ninety Dollars (\$90.00); and

WHEREAS, the total value of this settlement with the above referred to fees amounts to Thirty-Four Thousand Thirteen Dollars (\$34,013.00); and

WHEREAS, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C., deem it is in the best interest of the City of Newark to accept said settlement in the total amount of Thirty-Four Thousand Thirteen Dollars (\$34,013.00).

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. 2009-11041 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or its designee, Chasan Leyner & Lamparello,

P.C., of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:

- (a) \$27,223.00 (Twenty-Seven Thousand Two Hundred Twenty-Three Dollars) made payable and mailed to Paul Mazza, 24 Iorio Drive, Yardville, New Jersey 08620. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$1,900.00 (One Thousand Nine Hundred Dollars) is being subtracted from the Petitioner's award to pay attorney's fees, and \$400.00 (Four Hundred Dollars) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
- (b) \$5,900.00 (Five Thousand Nine Hundred Dollars) made payable to Caruso, Smith, Edell & Picini, PC, 60 Route 46 East, Fairfield, New Jersey 07004.
- (c) \$400.00 (Four Hundred Dollars) made payable to Vijaykumar Kulkarni, M.D., Post Office Box 2947, Paterson, New Jersey 07509.
- (d) \$400.00 (Four Hundred Dollars) made payable to Cheryl Wong, M.D., Post Office Box 2947, Paterson, New Jersey 07509.
- (e) \$90.00 (Ninety Dollars), made payable to William C. O'Brien, Inc., Post Office Box 428, Kenilworth, New Jersey 07033.

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 Fund 024, Agency 24T, Orgn 5T24, Object 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.

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 its 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 \$34,013.00 brought by Paul Mazza, 24 Iorio Drive, Yardville, New Jersey 08620 and represented by Caruso, Smith, Edell & Picini, PC, 60 Route 46 East, Fairfield, New Jersey 07004, who suffered injuries arising out of an accident that occurred on April 14, 2008, while he was employed as a Firefighter for the Newark Fire Department.