



Legislation Text

File #: 19-1230, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation

C.P. No.: 2014-29235

Claimant: Ivonne Valentine

Claimant's Attorney: Julianna E. Blackburn, P.C.

Attorney's Address: 936 Broad Street, 2nd Floor, Newark, New Jersey 07102

Settlement Amount: \$55,894.00

Funding Source: Insurance Trust Fund

Additional Comments:

Invitation: Corporation Counsel

WHEREAS, the Petitioner, Captain Ivonne Valentin, instituted suit in the Division of Workers' Compensation of New Jersey, Ocean County, bearing C.P. Number 2014-29235 against the City of Newark seeking workers' compensation benefits as a result of an accident that she sustained on February 12, 2012, while working for the City of Newark, Police Department; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Julianna E. Blackburn, P.C. and/or the designee, Martin M. Glazer, Esq. ("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 to Petitioner in the amount of Forty-Five Thousand Two Hundred Ninety-Four Dollars and Zero Cents (\$45,294.00). 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 Nine Thousand Nine Hundred and Ten Dollars and Zero Cents (\$9,910.00), a medical evaluation fee of Six Hundred Dollars and Zero Cents (\$600.00) and a transcription fee of Ninety Dollars and Zero Cents (\$90.00), for a total settlement of Fifty-Five Thousand Eight Hundred Ninety-Four Dollars and Zero Cents (\$55,894.00); 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 the 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 correct 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 this resolution; and

WHEREAS, based on 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-Five Thousand Eight Hundred Ninety-Four Dollars and Zero Cents (\$55,894.00).

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

1. The settlement of the Workers' Compensation claim matter bearing C.P. Number 2014-29235 is hereby approved.
2. Upon receipt by the Corporation Counsel and /or the Outside Counsel of all supporting Documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:
 - a. \$45,294.00 (Forty-Five Thousand Two Hundred Ninety-Four Dollars and Zero Cents) made payable and mailed to Ivonne Valentin, 10 Stonehenge Court, Jackson, New Jersey 08527. (It is understood pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation \$3,960.00 (Three Thousand Nine Hundred Sixty Dollars and Zero Cents), is being subtracted from the Petitioner's award to pay attorneys' fees and \$300.00 (Three Hundred Dollars and Zero Cents), is being subtracted to pay medical evaluation fees in accordance with the settlement provisions.
 - b. \$9,910.00 (Nine Thousand Nine Hundred Ten Dollars and Zero Cents), made payable to Julianna E. Blackburn, P.C., 936 Broad Street, 2nd Floor, Newark, New Jersey 07102.
 - c. \$600.00 (Six Hundred Dollars and Zero Cents), made payable to Sall Myers, P.O. Box 2947, Paterson, New Jersey 07509
 - d. \$90.00 (Ninety Dollars and Zero Cents), made payable to J.H. Buehrer and Associates, 884 Breezy Oaks Drive, Toms River, New Jersey 08753.
3. Attached hereto is the Certification of the Comptroller of the City of Newark which states that there are available sufficient legally appropriated funds for the purpose set forth hereinabove and 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 Certification shall be filed by the Corporation Counsel in the Office of the City Clerk along with a copy of the 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 the Corporation Counsel or his designee, Martin M. Glazer Esq., 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 Fifty- Five Thousand Eight Hundred Ninety- Four Dollars and Zero Cents (\$55,894.00) brought by Ivonne Valentin, and represented by Julianna E. Blackburn, P.C. who suffered injuries arising out of an accident that occurred on February 12, 2012 while she was employed as a Captain by the City of Newark, Police Department.