



Legislation Text

File #: 16-1037, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Civil Litigation

Docket No.: ESX-L-42-10

Claimant: Ronald Ragin

Claimant's Attorney: Ronald Gutwirth, Esq.

Attorney's Address: 80 Main Street, Suite 130, West Orange, New Jersey 07052

Settlement Amount: \$375,000.00

Funding Source: Insurance Trust Fund

Additional Comments:

Invitation: Corporation Counsel, August 2, 2016

WHEREAS, Plaintiff, Ronald Ragin, instituted a suit in the Essex County Superior Court captioned Ragin v. Herran et al., Docket No. ESX-L-42-10, in which the plaintiff sought recovery for damages allegedly sustained on December 27, 2007, as a result of the actions of the City of Newark; and

WHEREAS, a settlement proposal has been made to resolve this litigation in its entirety by payment in the total amount of Three Hundred Seventy Five Thousand Dollars and Zero Cents (\$375,000.00) ("Settlement Sum"); and

WHEREAS, the Corporation Counsel based upon all facts and circumstances presented, deems it in the best interest of the City of Newark to resolve said matter by payment of the proposed Settlement Sum.

NOW, THEREFORE, BE IT RESOLVED BY 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 and accept the terms of the Settlement Agreement and Release, attached hereto.
2. Upon receipt by the Corporation Counsel of all documents deemed necessary, the Director of Finance is hereby authorized and directed to issue payment in the amount of \$375,000.00 (Three Hundred Seventy Five Thousand Dollars and Zero Cents), which payment will be made jointly payable to "Ronald Ragin and Ronald M. Gutwirth, Esq." and which payment will be mailed to Ronald M. Gutwirth, Esq. 80 Main Street, Suite 130, West Orange, New Jersey 07052.
3. Annexed hereto is the Certification of Funds issued by the Director of Finance, City of Newark, which states that there are available sufficient legally-appropriate funds from

Business Unit NW025, Dept. ID 25T, Div./Project 5T25 and Account #96320, in the amount of \$375,000.00 (Three Hundred Seventy Five Thousand Dollars and Zero Cents), for the purpose set forth herein.

4. A copy of the Comptroller's Certification shall be filed in the Office of the City Clerk along with this resolution by the Corporation Counsel.
5. The Corporation Counsel shall file a fully executed copy of the Settlement Agreement in the Office of the City Clerk.
6. This resolution shall be effective upon adoption in accordance with applicable State Law.

STATEMENT

This Resolution authorizes the Corporation Counsel, on behalf of the City of Newark, to enter into a Settlement Agreement and Release to settle civil litigation captioned Ragin v. Herran et al., Docket No. ESX-L-42-10, in the amount of \$375,000.00 (Three Hundred Seventy Five Thousand Dollars and Zero Cents), in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees, and a complete release.