



## Legislation Text

File #: 17-2219, Version: 1

**Dept/ Agency:** Law

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

**Purpose:** Settlement of Civil Litigation

**Docket No.:** ESX-L-6255-11

**Claimant:** Gary Brown

**Claimant's Attorney:** Law Offices Oxfeld Cohen, P.C.

**Attorney's Address:** 60 Park Place, Suite 600, Newark, New Jersey 07102-5504

**Settlement Amount:** \$65,000.00

**Funding Source:** Insurance Trust Fund

**Additional Comments:**

**Invitation:** Acting Corporation Counsel

**WHEREAS**, a suit was instituted in the Superior Court of New Jersey, Essex County, Law Division captioned Gary Brown v. City of Newark, et al., Docket Number: ESX-L-6255-11, in which the plaintiff alleges violation of state/federal constitutional rights; and

**WHEREAS**, a proposal has been made to resolve this litigation by executing a Settlement Agreement and General Release and by payment in the total amount of \$65,000.00 (Sixty-Five Thousand Dollars and Zero Cents) ("Settlement Sum"); and

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

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

1. The Acting 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 Acting Corporation Counsel of all documents deemed necessary, the Director of Finance is hereby authorized and directed to issue one check in the amount of \$65,000.00 (Sixty-Five Thousand Dollars and Zero Cents), which payment shall be made payable to "Gary Brown and his attorneys, Law Offices Oxfeld Cohen, P.C." and which payment will be mailed to Arnold Shep Cohen, Esq., 60 Park Place, Suite 600, Newark, New Jersey, 07102-5504.

3. The Funds for this settlement will come Business Unit NW025, Dept. 25T, Div./Proj. 7T25, Account# 96340, in the amount of \$65,000.00 (Sixty-Five Thousand Dollars and Zero Cents), for the purpose set forth herein.

4. A fully executed copy of the Settlement Agreement shall be filed in the Office of the City Clerk by the Acting Corporation Counsel.

5. This resolution shall be effective upon adoption in accordance with applicable State Law.

**STATEMENT**

This Resolution authorizes the Acting Corporation Counsel on behalf of the City of Newark to enter into a Settlement Agreement and General Release to settle civil litigation captioned, Gary Brown v. City of Newark, et al., Docket Number: ESX-L-6255-11, in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees and a complete release.