



Legislation Text

File #: 16-0930, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation Claim

C.P. No.: 2014-21230

Claimant: Hasaana Thomas

Claimant's Attorney: Andrew Graulich, Esq.

Attorney's Address: 17 Academy Street, Suite 1111, Newark, New Jersey 07102

Settlement Amount: \$23,070.00

Funding Source: Insurance Fund Trust

Additional Comments:

Invitation: Corporation Counsel, June 14, 2016.

WHEREAS, the Petitioner, Hasaana Thomas, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2014-21230 against the City of Newark seeking workers' compensation benefits as a result of an accident that she sustained on June 17, 2014, while employed by the Fire Department as a dispatcher; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Andrew Graulich, Esq. and Corporation Counsel and/or his designee, The Woolridge Law Firm LLC ("Outside Counsel") have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-20) by payment in the amount of Twenty Thousand Two Hundred Fifty Dollars and Zero Cents (\$20,250.00). 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 Two Thousand Four Hundred Thirty Dollars and Zero Cents (\$2,430.00), a medical evaluation fee of Three Hundred Dollars and Zero Cents (\$300.00) for Dr. Stephen Flood and a transcription fee of Ninety Dollars and Zero Cents (\$90.00) for a total settlement of Twenty-Three Thousand Seventy Dollars and Zero Cents (\$23,070.00); 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 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 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 the resolution; and

WHEREAS, based upon 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 Twenty-Three Thousand Seventy Dollars and Zero Cents (\$23,070.00).

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. 2014-21230 is hereby approved.

2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:

(a) \$18,330.00 (Eighteen Thousand Three Hundred Thirty Dollars and Zero Cents) made payable and mailed to Hasaana Thomas, 119 Quitman Street, Apt. 1A, Newark, New Jersey 07108. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$1,620.00 (One Thousand Six Hundred Twenty Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$300.00 (Three Hundred Dollars) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)

(b) \$4,050.00 (Four Thousand Fifty Dollars and Zero Cents) made payable to Andrew Graulich, Esq., 17 Academy Street, Suite 1111, Newark, New Jersey 07102.

(c) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Stephen Flood M.D. 100 Hamilton Plaza 3rd fl., Paterson, New Jersey 07509.

(d) \$90.00 (Ninety Dollars and Zero Cent), made payable State Shorthand Reporting Services P.O. Box 227, Allenhurst, New Jersey 07711.

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 Business Unit NW024, Dept. ID 24T, Div./Proj. 5T24, Account Code 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.

STATEMENT

This resolution authorizes Corporation Counsel or his designee, The Woolridge Law Firm L.L.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 \$23,070.00 brought by Hasaana Thomas, 119 Quitman Street Apt. 1A, Newark, New Jersey 07108 and

represented by, Andrew Graulich Esq., who suffered injuries arising out of an accident that occurred on June 17, 2014 while she was employed by the City of Newark Fire Department.