



Legislation Details (With Text)

File #: 12-1586 **Version:** 1 **Name:** Mitchell Settlement
Type: Resolution **Status:** Filed
File created: 7/18/2012 **In control:** Law
On agenda: 8/1/2012 **Final action:** 8/1/2012
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-389-08
Claimant: Quhiesha Mitchell
Claimant's Attorney: Law Office of Patricia Weston Rivera
Attorney's Address: 20 Northfield Avenue, Lower Level, West Orange, NJ 07052
Settlement Amount: \$150,000.00
Funding Source: Fund 025, Agency 25T, Organization 5T25 and Object 96320
Additional Comments:

Invitation: Corporation Counsel, July 31, 2012 (date to be entered by Clerk's Office)

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
8/1/2012	1	Municipal Council	Adopt	Pass

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WHEREAS, a suit was instituted in the in the Superior Court of New Jersey, County of Essex, bearing Docket Number ESX-L-389-08 seeking recovery for alleged civil rights violations by the City of Newark, and its employees individually, Police Officer Ralph Boswell, Police Director Garry F. McCarthy, Police Chief Anthony Ambrose and Police Chief Irving Bradley; and

WHEREAS, a proposal has been made to resolve said litigation by payment in the amount of One Hundred Fifty Thousand (\$150,000.00) Dollars; and

WHEREAS, the Corporation Counsel based upon all facts and circumstances deems it in the

best interest of the City of Newark to resolve this matter by making such payment.

NOW, THEREFORE, IT BE 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. The Director of Finance is hereby authorized and directed to issue a check in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) made payable as follows: "Law Office of Patricia Weston Rivera and Quhiesha Mitchell"; delivered to Patricia Weston Rivera, 20 Northfield Avenue, Lower Level, West Orange, NJ 07052, upon receipt by the Corporation Counsel of all documents deemed necessary.

3. Annexed hereto is the Certification of the Comptroller of the City of Newark which states that there are available sufficient legally appropriated funds from Fund 025, Agency 25T, Organization 5T25 and Object 96320 for the purpose set forth hereinabove. A copy of the Comptroller's Certification shall be filed in the Office of the City Clerk along with this Resolution by the Municipal Council.

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

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

STATEMENT

The purpose of the within Resolution is the settlement of Civil Litigation in the amount of \$150,000.00.