



Legislation Details (With Text)

File #: 12-2152 **Version:** 1 **Name:** Settlement of Civil Litigation: Luis and Vivian Schuchinski
Type: Resolution **Status:** Filed
File created: 11/4/2012 **In control:** Law
On agenda: 1/3/2013 **Final action:** 1/3/2013

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-4110-09
Claimant: Luis and Vivian Schuchinski
Claimant's Attorney: Javerbaum, Wurgaft, Hicks, Kahn, Wikstrom & Sinins, P.C.
Attorney's Address: 959 South Springfield Avenue, Springfield, New Jersey 07081
Settlement Amount: \$40,000.00
Funding Source: Fund 025, Agency 25T, Organization 5T25, Object 96320
Additional Comments:
Invitation: Corporation Counsel, January 3, 2013.

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
1/3/2013	1	Municipal Council	Adopt	Pass

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WHEREAS, a suit was instituted in the Superior Court of New Jersey, County of Essex, Law Division, bearing Docket No.: ESX-L-4110-09 seeking recovery for personal injury damages, as a result of a slip and fall of Luis Schuchinski and Vivian Schuchinski by the City of Newark; and

WHEREAS, a proposal has been made to resolve said litigation by payment in the amount of Forty Thousand Dollars (\$40,000.00); 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 litigation.

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

1. The Director of Finance is hereby authorized and directed to issue a check in the amount of Forty Thousand Dollars (\$40,000.00) made payable to Luis and Vivian Schuchinski and their attorneys Javerbaum, Wurgaft, Hicks, Kahn, Wikstrom & Sinins, P.C., 989 South Springfield Avenue, Springfield, New Jersey 07081, upon receipt by the Corporation Counsel of all documents deemed necessary.
2. 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 Corporation Counsel.
3. A fully executed copy of the Settlement Agreement shall be filed in the Office of the City Clerk by the Corporation Counsel.
4. 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 Settlement Civil Litigation captioned Luis and Vivian Schuchinski v. City of Newark, Superior Court of New Jersey, Docket Number: ESX-L-4110-09, in the amount of Forty Thousand Dollars (\$40,000.00) in exchange for Plaintiffs' dismissal of any and all claims against the City of Newark, and a complete release..