



## Legislation Details (With Text)

**File #:** 13-0318      **Version:** 1      **Name:** Settlement Agreement and Release (Marion and Charles Jorgensen)  
**Type:** Resolution      **Status:** Filed  
**File created:** 2/21/2013      **In control:** Law  
**On agenda:** 4/3/2013      **Final action:** 4/17/2013  
**Title:** Dept/ Agency: Law  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Purpose: Settlement of Civil Litigation  
Docket No.: ESX-L-8481-11  
Claimant: Marion and Charles Jorgensen  
Claimant's Attorney: Steven I. Greene, Esq.  
Attorney's Address: 1061 Bloomfield Avenue, West Caldwell, New Jersey 07006  
Settlement Amount: \$55,000.00  
Funding Source: Insurance Trust Fund/General Liability  
Additional Comments:  
Invitation: Corporation Counsel, April 2, 2013  
Failed 7R7-a 040313

### Sponsors:

### Indexes:

### Code sections:

Date	Ver.	Action By	Action	Result
4/17/2013	1	Municipal Council	Adopt	Pass
4/3/2013	1	Municipal Council	Adopt	Fail

### Dept/ Agency: Law

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**WHEREAS**, a suit was instituted in the Superior Court of New Jersey, Law Division, Essex County, captioned Marion and Charles Jorgensen v. City of Newark, Superior Court of New Jersey, Docket Number: ESX-L-8481-11, in which the plaintiff sought recovery for personal injuries; and

**WHEREAS**, it has been determined that plaintiffs were injured and a proposal has been made to resolve this litigation by payment in the total amount of Fifty-five Thousand Dollars (\$55,000.00); and

**WHEREAS**, the Corporation Counsel based upon all facts and circumstances deems it in the best interest of the City of Newark to resolve 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 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 a check in the amount of Fifty-five Thousand Dollars (\$55,000.00), which payment shall be made payable to: Marion and Charles Jorgensen and Steven I. Greene, Esq. and which payment will be mailed to: Steven I. Greene, Esq., 1061 Bloomfield Avenue, West Caldwell, New Jersey, 07006.

3. Annexed hereto is the Certification of Funds issued by the Director of Finance, which states that there are available sufficient legally-appropriated funds from the Insurance Trust Fund; Fund 025, Dept. 25T, Agency 5T25, Acct. 96320 in the amount of Fifty-five Thousand Dollars (\$55,000.00), for the purpose set forth herein. 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.

4. A fully executed copy of the Settlement Agreement and Release 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**

This resolution authorizes the Mayor and/or his designee, the Corporation Counsel on behalf of the City of Newark to enter into and execute a Settlement Agreement and Release to settle civil litigation captioned Marion and Charles Jorgensen v. City of Newark, Superior Court of New Jersey, Docket Number: ESX-L-8481-11, in the amount of Fifty-five Thousand Dollars (\$55,000.00) in exchange for Plaintiffs' dismissal of any and all claims against the City of Newark, and a complete release.