



Legislation Details (With Text)

File #: 13-0803 **Version:** 1 **Name:** Settlement of Workers' Compensation: Kenneth Douglas
Type: Resolution **Status:** Filed
File created: 4/17/2013 **In control:** Law
On agenda: 7/3/2013 **Final action:** 7/3/2013
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2007-17139
Claimant: Kenneth Douglas
Claimant's Attorney: Mandel & Sawyer, PC
Attorney's Address: 17 Academy Street, 12th Floor, Newark, New Jersey 07102
Settlement Amount: \$29,372.00
Funding Source: Insurance Fund Commission
Additional Comments:
Invitation: Corporation Counsel ,July 2, 2013

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/3/2013	1	Municipal Council	Adopt	Pass

Dept/ Agency: Law

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WHEREAS, the Petitioner, Kenneth Douglas, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2007-17139 against the City of Newark seeking workers' compensation benefits, as a result of an accident that he suffered on May 15, 2006 while working for the Newark Fire Department; and

WHEREAS, said Kenneth Douglas, through his attorney, Mandel & Sawyer, PC, 17 Academy Street, 12th Floor, Newark, New Jersey 07102 has agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-22) by payment in the amount of Twenty One Thousand Five Hundred Thirty-Two Dollars (\$21,532.00). Pursuant to the terms of the Settlement Order to be executed by the Judge of Compensation, the City of Newark will also pay an

attorney's fee of Seven Thousand Seven Hundred Fifty Dollars (\$7,750.00) and a transcription fee of Ninety Dollars (\$90.00); and

WHEREAS, the total value of this Settlement with the above referred to fees amounts to Twenty Nine Thousand Three Hundred Seventy-Two Dollars (\$29,372.00); and

WHEREAS, based upon all the facts and circumstances surrounding the matter it is deemed in the best interest of the City of Newark to accept said Settlement in the total amount of Twenty Nine Thousand Three Hundred Seventy-Two Dollars (\$29,372.00).

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. 2007-17139 is hereby approved.
2. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of Nineteen Thousand Eight Hundred Nine Dollars (\$19,809.00) made payable and mailed to: Kenneth Douglas of 35 Monticello Avenue, 2nd Floor, Newark, New Jersey 07106. (It is understood that pursuant to the terms of the Order to be entered by the Judge of the Division of Workers' Compensation, One Thousand Seven Hundred Twenty-Three Dollars (\$1,723.00) is being subtracted from the Petitioner's award to pay attorney's fees in accordance with the settlement provisions.)
3. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of Nine Thousand Four Hundred Seventy-Three Dollars (\$9,473.00) made payable to: Mandel & Sawyer, PC, 17 Academy Street, 12th Floor, Newark, New Jersey 07102.
4. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of Ninety dollars (\$90.00), made payable to: William C. O'Brien, Post Office Box 428, Kenilworth, New Jersey 07033.
5. Attached hereto are the Certifications of Funds 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: Fund 024, Agency 24T, Orgn 5T24, Object 96310.
6. A fully executed copy of the Order Approving Settlement shall be filed in the Office of the City Clerk by the Corporation Counsel.

STATEMENT

This resolution authorizes the Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, PC, on behalf of the City of Newark, to effectuate a Settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of Twenty Nine Thousand Three Hundred Seventy-Two Dollars (\$29,372.00) brought by Kenneth

Douglas of 35 Monticello Avenue, 2nd Floor, Newark, New Jersey 07106, represented by Mandel & Sawyer, PC of 17 Academy Street, 12th Floor, Newark, New Jersey 07102, who suffered injuries arising out of an accident while working for the Newark Fire Department that occurred on May 15, 2006.