



## Legislation Details (With Text)

**File #:** 13-1100      **Version:** 1      **Name:** Workers' Compensation Settlement (Mary Vaughn)  
**Type:** Resolution      **Status:** Filed  
**File created:** 6/4/2013      **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.: 2008-21093  
Claimant: Mary Vaughn  
Claimant's Attorney: Nathaniel M. Davis, Esq.  
Attorney's Address: 40 East Park Street, Newark, New Jersey 07102  
Settlement Amount: \$22,046.00  
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

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**Purpose:** Settlement of Workers' Compensation

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**Claimant:** Mary Vaughn

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**WHEREAS**, the Petitioner, Mary Vaughn, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2008-21093 against the City of Newark seeking workers' compensation benefits as a result of an accident that she suffered on May 14, 2008 while working as a Code Enforcement Inspector; and

**WHEREAS**, following settlement the parties have 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 Nineteen Thousand Four Hundred Twenty-Five Dollars (\$19,425.00). 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 Two Thousand Three Hundred Thirty-One Dollars (\$2,331.00), a medical evaluation fee of Two Hundred Dollars (\$200.00) 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 Two Thousand Forty-Six Dollars (\$22,046.00); and

**WHEREAS**, based upon all the facts and circumstances surrounding the matter, the Corporation Counsel deems it is in the best interest of the City of Newark to accept said settlement in the total amount of Twenty Two Thousand Forty-Six Dollars (\$22,046.00).

**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. 2008-21093 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or its designee, Chasan, Leyner & Lamparello, P.C., of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:
  - (a) \$17,671.00 (Seventeen Thousand Six Hundred Seventy-One Dollars) made payable and mailed to Mary Vaughn, 207 Chancellor Avenue, Newark, New Jersey 07112 (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 Five Hundred Fifty-Four Dollars (\$1,554.00) is being subtracted from the Petitioner's award to pay attorney's fees, and Two Hundred Dollars (\$200.00) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
  - (b) \$3,885.00 (Three Thousand Eight Hundred Eighty-Five Dollars) made payable to Nathaniel M. Davis, Esq., 40 East Park Street, Newark, New Jersey 07102.
  - (c) \$400.00 (Four Hundred Dollars) made payable to Sall/Myers Medical Associates, 100 Hamilton Plaza, Paterson, New Jersey 07505.
  - (d) \$90.00 (Ninety Dollars) made payable to William C. O'Brien Associates, P. O. Box 428, Kenilworth, New Jersey 07033.
3. Attached hereto are the certifications of the Finance Director 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.
4. 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 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 Twenty Two Thousand Forty-Six Dollars (\$22,046.00) brought by Mary Vaughn who suffered injuries arising out of an accident that occurred on May 14, 2008, while working as a Code Enforcement Inspector.