Legislation Details (With Text)

File #:	13-2215	**Version:**	1	**Name:**	Workers' Compensation Settlement (Debra Cole-Granger)
Type:	Resolution			**Status:**	Filed
File created:	11/18/2013			**In control:**	Law
On agenda:	12/18/2013			**Final action:**	12/18/2013

Title: Dept/ Agency: Law
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Purpose: Settlement of Workers' Compensation Claim
C.P. No.: 2004-37154
Claimant: Debra Cole-Granger
Claimant's Attorney: Ginarte, O'Dwyer, Gonzalez, Gallardo & Winograd, LLP
Attorney's Address: 400 Market Street, Newark, New Jersey 07105
Settlement Amount: $38,015.84
Funding Source: Insurance Fund Trust Account
Additional Comments:
Invitation: Corporation Counsel, December 17, 2013

Sponsors:

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/18/2013	1	Municipal Council	Adopt	Pass

Dept/ Agency: Law
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Purpose: Settlement of Workers' Compensation Claim
C.P. No.: 2004-37154
Claimant: Debra Cole-Granger
Claimant's Attorney: Ginarte, O'Dwyer, Gonzalez, Gallardo & Winograd, LLP
Attorney's Address: 400 Market Street, Newark, New Jersey 07105
Settlement Amount: $38,015.84
Funding Source: Insurance Fund Trust Account
Additional Comments:
Invitation: Corporation Counsel, December 17, 2013

WHEREAS, the Petitioner, Debra Cole-Granger, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2004-37154 against the City of Newark seeking workers' compensation benefits as a result of injuries she sustained in a motor vehicle accident on November 21, 2004 while working for the Newark Police Department; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Ginarte, O'Dwyer, Gonzalez, Gallardo & Winograd, LLP, Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C. ("Outside Counsel") 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-Seven Thousand Seven Hundred Thirty-Two Dollars and Twenty-Four Cents ($27,732.24).

Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark will also pay an attorney's fee of Nine Thousand Nine Hundred Ninety-Three Dollars and Sixty Cents ($9,993.60), 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 Thirty -Eight Thousand Fifteen Dollars and Eighty-Four Cents ($38,015.84); and

WHEREAS, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or Outside Counsel deem it is in the best interest of the City of Newark to accept said settlement in the total amount of Thirty-Eight Thousand Fifteen Dollars and Eighty-Four Cents ($38,015.84).

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. 2004-37154 is hereby approved.

2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:

(a) $25,305.66 (Twenty-Five Thousand Three Hundred Five Dollars and Sixty Six Cents) made payable and mailed to Debra Cole-Granger, 88 Forest Hill Parkway, Apartment 3G, Newark, New Jersey 07104. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, $2,226.58 (Two Thousand Two Hundred Twenty-Six Dollars and Fifty-Eight Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and $200.00 (Two Hundred Dollars) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)

(b) $12,220.18 (Twelve Thousand Two Hundred Twenty Dollars and Eighteen Cents) made payable to Ginarte, O'Dwyer, Gonzalez, Gallardo & Winograd, LLP 400 Market Street, Newark, New Jersey 07105.

(c) $400.00 (Four Hundred Dollars) made payable to Morris Horwitz, M.D., 175 Cedar Lane, Suite 4, Teaneck, New Jersey 07666.

(d) $90.00 (Ninety Dollars), made payable to William C. O'Brien, Inc., Post Office Box 428, Kenilworth, New Jersey 07033.

3. Attached hereto are the certifications 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. A copy of the Comptroller's certifications shall be filed by the Corporation Counsel in the Office of the City Clerk along with a copy of this Resolution.

powered by Legistar™

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 Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C., 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 Thirty-Eight Thousand Fifteen Dollars and Eighty-Four Cents ($38,015.84) brought by Debra Cole-Granger of 88 Forest Hill Parkway, Apartment 3G, Newark, New Jersey 07104, represented by Ginarte, O'Dwyer, Gonzalez, Gallardo & Winograd, LLP, who suffered injuries arising out of a motor vehicle accident that occurred on November 21, 2004.

powered by Legistar™