



Legislation Details (With Text)

File #: 13-2316 **Version:** 1 **Name:** Settlement of Carreno litigation
Type: Resolution **Status:** Filed
File created: 12/5/2013 **In control:** Law
On agenda: 1/22/2014 **Final action:** 1/22/2014

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: 11-cv-4042(WJM)
Claimant: Mario Carreno
Claimant's Attorney: George Solano, Esq.
Attorney's Address: 744 Broad Street, Suite 1901, Newark New Jersey 07102
Settlement Amount: \$50,000.00
Funding Source: Insurance Fund
Additional Comments:
Invitation: Corporation Counsel, January 22, 2014

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
1/22/2014	1	Municipal Council	Adopt	Pass

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WHEREAS, a suit was instituted in the United States District Court, District of New Jersey, captioned, Mario Carreno v. City of Newark et al., Docket No. 11-cv-4042 (WJM), in which the plaintiff sought recovery for damages for personal injuries allegedly sustained on July 8, 2009, as a result of the alleged wrongful actions of City of Newark employees; and

WHEREAS, a proposal has been made to resolve this litigation in its entirety by payment in the total amount of \$50,000.00 (Fifty Thousand Dollars); 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 \$50,000.00 (Fifty Thousand Dollars), which payment will be made payable to "George Solano, Esq. and Mario Carreno," and which payment will be mailed to George Solano, Esq., 744 Broad Street, Suite 1901, Newark New Jersey 07102.

3. Annexed hereto is the Certification of Funds issued by the Director of Finance, City of Newark, which states that there are available sufficient legally-appropriated funds from Fund 025, Agency 25T, Organization 5T25, and Object 96320, in the amount of \$50,000.00 (Fifty Thousand Dollars), for the purpose set forth herein.

4. 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.

5. A fully executed copy of the Settlement Agreement shall be filed in the Office of the City Clerk by the Corporation Counsel.

6. 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 settle Civil Litigation in the United States District Court, District of New Jersey, captioned, Mario Carreno v. City of Newark et al., Docket No. 11-cv-4042 (WJM), in the amount of \$50,000.00, in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees, and a complete release.