



Legislation Details (With Text)

File #: 16-0883 **Version:** 1 **Name:** Workers' Compensation Settlement (Luis Seguinot)
Type: Resolution **Status:** Adopted
File created: 5/18/2016 **In control:** Law
On agenda: 6/15/2016 **Final action:** 6/15/2016

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation Claim
C.P. No.: 2013-15632
Claimant: Luis Seguinot
Claimant's Attorney: Brooke Bagley, Esq.
Attorney's Address: 482 Notch Road, Woodland Park, New Jersey 07424
Settlement Amount: \$39,075.00
Funding Source: Insurance Fund Trust
Additional Comments:
Invitation: Corporation Counsel, June 14, 2016.

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/15/2016	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Luis Seguinot, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2013-15632 against the City of Newark seeking workers' compensation benefits as a result of an accident that he sustained on August 31, 2012, while employed by the Newark Police Department; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Brooke Bagley, Esq. and Corporation Counsel and/or his designee, The Woolridge Law Firm LLC ("Outside Counsel") have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-20) by payment in the amount of Thirty Four Thousand Five Hundred and Eighty Five Dollars and Zero Cents (\$34,585.00). 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 fee of Four Thousand Two Hundred Dollars and Zero Cents (\$4,200.00), a medical evaluation fee of Two Hundred Dollars and Zero Cents (\$200.00) for Dr. Arthur Tiger and a transcription fee of Ninety Dollars and Zero Cents (\$90.00) for a total settlement of Thirty Nine Thousand Seventy Five Dollars and Zero Cents (\$39,075.00); and

WHEREAS, this settlement is subject to approval by the Judge of the Division of Workers' Compensation; and

WHEREAS, the total settlement amount may be subject to minor changes in amount or distribution at the time the Settlement Agreement is approved and the Settlement Order executed by the Judge of the Division of Workers' Compensation; and

WHEREAS, the Municipal Council believes it is in the best interests of the City of Newark, that minor changes to the amount of the settlement and distribution shall not require subsequent Municipal Council approval provided the settlement amount is not increased or decreased above \$500.00 and all the terms and conditions are substantially the same as authorized by the resolution; 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 Nine Thousand Seventy-Five Dollars and Zero Cents (\$39,075.00).

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. 2013-15632 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) \$31,668.00 (Thirty One Thousand Six Hundred Sixty Eight Dollars and Zero Cents) made payable and mailed to Luis Seguinot, 515 Mount Prospect Avenue Apt. 14D, 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, \$2,717.00 (Two Thousand Seven Hundred Seventeen Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$200.00 Two Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
 - (b) \$6,917.00 (Six Thousand Nine Hundred Seventeen Dollars and Zero Cents) made payable to Brooke Bagley, Esq. of Ricci, Fava & Bagley LLC 482 Notch Road Woodland Park, New Jersey 07424.
 - (c) \$400.00 (Four Hundred Dollars and Zero Cents) made payable to Arthur Tiger M.D. 600 Mount Pleasant Avenue Dover, New Jersey 07801.

(d) \$90.00 (Ninety Dollars and Zero Cents), made payable to State Shorthand Reporting Service, Post Office Box 227, Allenhurst, New Jersey 07711.

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 Business Unit NW024, Dept. ID 24T, Div./Proj. 5T24, Account Code 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.

STATEMENT

This resolution authorizes Corporation Counsel or his designee, The Woolridge Law Firm LLC, 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 \$39,075.00, brought by Luis Seguinot, 515 Mount Prospect Avenue Apt. 14D, Newark, NJ 07104 and represented by Brooke Bagley, Esq. of Ricci, Fava & Bagley LLC, who suffered injuries arising out of an accident that occurred on August 31, 2012, while he was employed by the City of Newark.