



Legislation Details (With Text)

File #: 17-0862 **Version:** 1 **Name:** Victor C. Emenuga v. Baye Adolfo Wilson, et als.
ESX-4361-15
Type: Resolution **Status:** Adopted
File created: 5/2/2017 **In control:** Law
On agenda: 6/21/2017 **Final action:** 6/21/2017

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-4361-15
Claimant: Victor C. Emenuga
Claimant's Attorney: The Gray Law Group
Attorney's Address: 760 Route 10 West, Suite 204, Whippany, New Jersey 07981
Settlement Amount: \$99,000.00
Funding Source:
Additional Comments:
Invitation: Acting Corporation Counsel, June 20, 2017

Sponsors: John Sharpe James, Carlos M. Gonzalez

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
6/21/2017	1	Municipal Council	Adopt	Pass

Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-4361-15
Claimant: Victor C. Emenuga
Claimant's Attorney: The Gray Law Group
Attorney's Address: 760 Route 10 West, Suite 204, Whippany, New Jersey 07981
Settlement Amount: \$99,000.00
Funding Source:
Additional Comments:
Invitation: Acting Corporation Counsel, June 20, 2017

WHEREAS, a suit was instituted in the Superior Court of New Jersey, Essex County, Law Division captioned Victor C. Emenuga v. Baye Adolfo Wilson, et als., Docket Number: ESX-L-4361-15, in which the plaintiff sought recovery for alleged violations of the Conscientious Employee Protection Act ("CEPA"); and

WHEREAS, a proposal has been made to resolve this litigation by payment in the total amount of \$99,000.00 (Ninety-Nine Thousand Dollars and Zero Cents) including attorneys' fees; and

WHEREAS, the Acting 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 Acting 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 \$99,000.00 (Ninety-Nine Thousand Dollars and Zero Cents), which payment shall be made payable to "Gray Law Group Attorney Trust Account." and which payment will be mailed to Bruce D. Nimensky, Esq. c/o The Gray Law Group, 760 Rt. 10, Suite 204, Whippany, New Jersey, 07981.
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 Business Unit NW025, Dept.25T, Div./Proj.7T25, Account#96340, in the amount of \$99,000.00 (Ninety-Nine Thousand Dollars and Zero Cents), for the purpose set forth herein. 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.
4. The Acting Corporation Counsel shall file a fully executed copy of the Settlement Agreement in the Office of the City Clerk.
5. This resolution shall be effective upon adoption in accordance with applicable State Law.

STATEMENT

This Resolution authorizes the Acting Corporation Counsel on behalf of the City of Newark to enter into a Settlement Agreement and Release to resolve civil litigation captioned, Victor C. Emenuga v. Baye Adolfo Wilson, et als., Docket Number: ESX-L-4361-15 in the amount of \$99,000.00, in exchange for Plaintiff's dismissal of any and all claims against all Defendants and a complete release.