



## Legislation Details (With Text)

**File #:** 17-2220      **Version:** 1      **Name:** Civil Litigation Settlement - Ethelyn Bowers v. City of Newark, et als.  
**Type:** Resolution      **Status:** Adopted  
**File created:** 12/21/2017      **In control:** Law  
**On agenda:** 5/23/2018      **Final action:** 5/23/2018  
**Title:** Dept/ Agency: Law  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Purpose: Settlement of Civil Litigation  
Docket No.: ESX-L-1700-16  
Claimant: Ethelyn Bowers  
Claimant's Attorney: Wiley Malehorn Sirota & Raynes  
Attorney's Address: 250 Madison Avenue, Morristown New Jersey 07960  
Settlement Amount: \$105,975.00  
Funding Source: Insurance Fund  
Additional Comments:  
**Sponsors:** Gayle Chaneyfield Jenkins, Carlos M. Gonzalez  
**Indexes:**  
**Code sections:**

Date	Ver.	Action By	Action	Result
5/23/2018	1	Municipal Council	Adopt	Pass

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**WHEREAS**, a suit was instituted in the Superior Court of New Jersey, Essex County, Law Division captioned Ethelyn Bowers v. City of Newark, et al., Docket Number: ESX-L-1700-16, in which the Plaintiff alleged defendants violated the New Jersey Conscientious Employee Protection Act; breached her employment contract; and committed other actionable conduct with respect to plaintiff's employment with the Newark Parking Authority; and

**WHEREAS**, a proposal has been made, in the form of a Settlement Agreement and General Release, to resolve this litigation by execution of the Settlement Agreement and Release, and payment in the total amount of \$105,975.00 (One Hundred Five Thousand Nine Hundred Seventy-Five Dollars and Zero Cents); 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 Acting Corporation Counsel of all documents deemed necessary, the Director of Finance is hereby authorized and directed to issue one check in the amount of \$105,975.00 (One Hundred Five Thousand Nine Hundred Seventy-Five Dollars and Zero Cents), which payment shall be made payable to "Ethelyn Bowers and Wiley Malehorn Sirota & Raynes".

3. The Funds for this settlement will come Fund 025, Dept. 25T, Agency 7T25, Account 96340 in the amount of \$105,975.00 (One Hundred Five Thousand Nine Hundred Seventy-Five Dollars and Zero Cents), for the purpose set forth herein.

4. The Acting Corporation Counsel shall file a fully executed copy of the Settlement Agreement in the Office of the City Clerk by the Acting Corporation Counsel.

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 settle civil litigation captioned, Ethelyn Bowers v. City of Newark, et al., Docket Number: ESX-L-1700-16, in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees and a complete release.