



## Legislation Details (With Text)

**File #:** 18-0530      **Version:** 1      **Name:** Workers' Compensation Settlement (Vivian Sosa)  
**Type:** Resolution      **Status:** Adopted  
**File created:** 4/12/2018      **In control:** Law  
**On agenda:** 11/8/2018      **Final action:** 11/8/2018

**Title:** Dept/ Agency: Law  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Purpose: Settlement of Workers' Compensation Claim  
C.P. No.: 2013-21318  
Claimant: Vivian Sosa  
Claimant's Attorney: Ricci and Fava  
Attorney's Address: 16 Furler Street, 2nd Floor, Totowa, New Jersey 07512  
Settlement Amount: \$30,953.00  
Funding Source: Insurance Trust Fund  
Additional Comments:  
Invitation: Corporation Counsel

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
11/8/2018	1	Municipal Council	Adopt	Pass

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**WHEREAS**, the Petitioner, Vivian Sosa, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2013-21318 against the City of Newark seeking workers' compensation benefits as a result of an accident that she sustained on July 21, 2013 while working for the City of Newark Department of Public Safety, Police Division, when she was involved in a motor vehicle accident; and

**WHEREAS**, following settlement negotiations through Petitioner's attorney, Ricci and Fava, Corporation Counsel and/or his designee, Chasan Lamparello Mallon & Cappuzzo, 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 \$27,020.00 (Twenty-Seven Thousand Twenty Dollars and Zero Cents). 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 \$3,243.00 (Three Thousand Two Hundred Forty-Three Dollars and Zero Cents), a medical evaluation fee of \$600.00 (Six Hundred Dollars and Zero Cents) and a transcription fee of \$90.00 (Ninety Dollars and Zero Cents); and

**WHEREAS**, the total value of this settlement with the above referred to fees amounts to \$30,953.00 (Thirty Thousand Nine Hundred Fifty-Three Dollars and Zero Cents); 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 \$30,953.00 (Thirty Thousand Nine Hundred Fifty-Three Dollars and Zero Cents).

**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. 2013-21318 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) \$24,259.00 (Twenty-Four Thousand Two Hundred Fifty-Nine Dollars and Zero Cents) made payable and mailed to: Vivian Sosa 130 Fairway Avenue Belleville, New Jersey 07109. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$2,161.00 (Two Thousand One Hundred Sixty-One Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$600.00 (Six Hundred dollars) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
  - (b) \$5,404.00 (Five Thousand Four Hundred Four Dollars and Zero Cents) made payable to Ricci and Fava, 16 Furler Street, 2<sup>nd</sup> Floor, Totowa, New Jersey 07512.
  - (c) \$1,200.00 (One Thousand Two Hundred Dollars and Zero Cents) made payable to Sall/Myers Medical Associates, PO Box 2947, Paterson, New Jersey 07509.
  - (d) \$90.00 (Ninety Dollars and Zero Cents), made payable to William C. O' Brien & Associates 525 Boulevard, 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, Div/Proj 5T24, and 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.
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 the Corporation Counsel or his designee, Chasan Lamparello Mallon & Cappuzzo, 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 \$30,953.00, brought by Vivian Sosa who suffered injuries arising out of an accident that occurred on July 21, 2013 while working for the City of Newark Department of Public Safety, Police Division.