



## Legislation Details (With Text)

**File #:** 18-1620      **Version:** 1      **Name:** Workers Compensation Settlement - Malik Jordan  
**Type:** Resolution      **Status:** Adopted  
**File created:** 10/12/2018      **In control:** Law  
**On agenda:** 1/23/2019      **Final action:** 1/23/2019

**Title:** Dept/ Agency: Law  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Purpose: Settlement of Workers' Compensation Claim  
C.P. No.: 2014-1979  
Claimant: Malik Jordan  
Claimant's Attorney: Colligan & Colligan, LLC.  
Attorney's Address: 17 Academy Street, Suite 510, Newark, New Jersey 07102  
Settlement Amount: \$26,634.96  
Funding Source: Insurance Fund Commission  
Additional Comments:  
Invitation: Corporation Counsel

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

| Date      | Ver. | Action By         | Action | Result |
|-----------|------|-------------------|--------|--------|
| 1/23/2019 | 1    | Municipal Council | Adopt  | Pass   |

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**WHEREAS**, the Petitioner, Malik Jordan, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2014-1979 against the City of Newark seeking workers' compensation benefits due to injuries to his right shoulder from a fall on December 31, 2011, while employed by the City of Newark as a Firefighter; and

**WHEREAS**, following settlement negotiations through Petitioner's attorney, Colligan & Colligan, LLC 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 Twenty Three Thousand Four Hundred and Thirty Three Dollars and Zero Cents (\$23,433.00). 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 Two Thousand Eight Hundred Eleven Dollars and Ninety Six Cents (\$2,811.96), a medical evaluation fee of Three Hundred Dollars and Zero Cents (\$300.00, for Dr. Theodora Maio and a transcription fee of Ninety Dollars and Zero Cents (\$90.00) for a total settlement of Twenty Six Thousand Six Hundred Thirty Four Dollars and Ninety Six Cents (\$26,634.96); 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 Twenty Six Thousand Six Hundred Thirty Four Dollars and Ninety Six Cents (\$26,634.96).

**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. 2014-1979 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) \$21,258.36 (Twenty One Thousand Two Hundred Fifty Eight Dollars and Thirty Six Cents) made payable and mailed to Malik Jordan, 518 West 7<sup>th</sup> Avenue, Roselle, New Jersey 07203. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$1,874.64 (One Thousand Eight Hundred Seventy Four Dollars and Sixty Four Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$300.00 (Three Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
  - (b) \$2,811.96 (Two Thousand Eight Hundred and Eleven Dollars and Ninety Six Cents) made payable to Colligan & Colligan LLC, 17 Academy Street, Suite 510, Newark, New Jersey 07102.
  - (c) \$300.00 (Three Hundred Dollars and Zero Cents) made payable to Dr. Theodora Maio, 100 Hamilton Avenue Plaza, Paterson, New Jersey 07509-2947.

(d) \$90.00 (Ninety Dollars and Zero Cents), made payable to William C. O'Brien Associates, 525 Boulevard, Kenilworth, New Jersey 07033.

3. Attached hereto is the Certification 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.

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 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 \$26,634.96 brought by Malik Jordan 518 West 7<sup>th</sup> Avenue Roselle, New Jersey 07203; and represented Colligan & Colligan LLC, 17 Academy Street, Suite 510, Newark, New Jersey 07102, who suffered injuries on December 31, 2011, while employed by the City of Newark as a Firefighter.