



Legislation Details (With Text)

File #: 18-1719 **Version:** 1 **Name:** Workers Compensation Settlement - Pamela Joseph
Type: Resolution **Status:** Adopted
File created: 11/2/2018 **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.: 2015-28415
Claimant: Pamela Joseph
Claimant's Attorney: Lorre Sylvan Smith, Esq.
Attorney's Address: 111 Northfield Avenue, West Orange, New Jersey 07052
Settlement Amount: \$38,129.64
Funding Source: Insurance Fund
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, Pamela Joseph, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2015-28415, against the City of Newark seeking workers' compensation benefits due to a work-related injury to her wrist and hands on January 9, 2014, while employed as a Payroll Supervisor by the City of Newark, Department of Finance; and

WHEREAS, following settlement negotiations through petitioner's attorney, Lorre Sylvan Smith, Esq. and Corporation Counsel and/or his designee, The Woolridge Law Firm LLC ("Outside Counsel"), the parties 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-Three Thousand

Four Hundred Twenty-Eight Dollars and Twenty-Five Cents (\$33,428.25). 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 Four Thousand Eleven Dollars and Thirty-Nine Cents (\$4,011.39), a medical evaluation fees of Six Hundred Dollars and Zero Cents (\$300.00) for Dr. Cheryl Wong, and 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 Thirty-Eight Thousand One Hundred Twenty-Nine Dollars and Sixty-Four Cents (\$38,129.64); 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-Eight Thousand One Hundred Twenty-Nine Dollars and Sixty-Four Cents (\$38,129.64).

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. 2015-28415 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) \$30,153.99 (Thirty Thousand One Hundred Fifty-Three Dollars and Ninety-Nine Cents) made payable and mailed to Pamela Joseph, 75 Hobson Street, Newark, New Jersey 07112, (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$2,674.26 (Two Thousand Six Hundred Seventy-Four Dollars and Twenty-Six Cents) is being subtracted from the Petitioner's award to pay attorney's fees and \$600.00 (Six Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
 - (b) \$4,011.39 (Four Thousand Eleven Dollars and Thirty-Nine Cents) made payable to Lorre Sylvan Smith, Esq., 111 Northfield Avenue, West Orange, New Jersey 07052.

(c) \$300.00 (Three Hundred Dollars and Zero Cents) made payable to Dr. Cheryl Wong, 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509.

(d) \$300.00 (Three Hundred Dollars and Zero Cents) made payable to Dr. Theodora Maio, 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509.

(e) \$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 \$38,129.64, brought by Pamela Joseph, 75 Hobson Street, Newark, New Jersey 07112; Represented by Lorre Sylvan Smith, Esq., 111 Northfield Avenue, Suite 2018, West Orange, New Jersey 07052, who suffered injuries to her wrists and hands while she was employed by the City of Newark as a Payroll Supervisor in the Department of Finance.