



Legislation Details (With Text)

File #: 18-1682 **Version:** 1 **Name:** Workers' Compensation Settlement (Keith David Godfrey)
Type: Resolution **Status:** Adopted
File created: 10/25/2018 **In control:** Law
On agenda: 3/6/2019 **Final action:** 3/6/2019

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation Claim
C.P. No.: 2009-23780
Claimant: Keith Thomas Godfrey
Claimant's Attorney: Friedman, Friedman & Scherman, P.A.
Attorney's Address: 9 Commerce Street, Newark, New Jersey 07102
Settlement Amount: \$29,940.00
Funding Source: Insurance Fund Trust
Additional Comments:
Invitation: Corporation Counsel

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
3/6/2019	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Keith Thomas Godfrey, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2009-23780 against the City of Newark seeking workers' compensation benefits as a result of an accident that he sustained on July 27, 2009 while working for the City of Newark, Sanitation Division, when he injured his right shoulder; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Friedman Friedman & Scherman, PA, Corporation Counsel and/or 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 (\$26,652.00) Twenty-Six Thousand Six Hundred Fifty-Two 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 (\$3,198.00) Three Thousand One Hundred Ninety-Eight 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 fees amounts to (\$29,940.00) Twenty-Nine Thousand Nine Hundred Forty 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 (\$29,940.00) Twenty-Nine Thousand Nine Hundred Forty 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. 2009-23780 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) \$24,520.00 (Twenty-Four Thousand Five Hundred Twenty Dollars and Zero Cents) made payable and mailed to Keith Thomas Godfrey, 18 Taylor Street, 1st floor, Newark, New Jersey 07104. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$2,132.00 (Two Thousand One Hundred Thirty-Two Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees in accordance with the settlement provisions.
 - (b) \$5,330.00 (Five Thousand Three Hundred Thirty Dollars and Zero Cents) made payable to Friedman Friedman & Scherman, P.A., 9 Commerce Street, Newark, New Jersey 07102.
 - (c) \$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 is the Certification of the Comptroller of the City of Newark which states 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 Fund NW024, Dept. ID 24T, Div./Proj. 5T24, Account Code 96310.
4. A copy of the Comptroller's certification shall be filed by the Corporation Counsel in the Office of the City Clerk along with a copy of this Resolution.
5. 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, 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 \$29,940.00, brought by Keith Thomas Godfrey who suffered injuries arising out of an accident that occurred on July 27, 2009.