



Legislation Details (With Text)

File #: 19-0582 **Version:** 1 **Name:** Tazewell - Civil Settlement

Type: Resolution **Status:** Adopted

File created: 3/30/2019 **In control:** Law

On agenda: 6/6/2019 **Final action:** 6/6/2019

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-8306-16
Claimant: Barbara Tazewell
Claimant's Attorney: Mitchell L. Goldstein, Esq.
Attorney's Address: Greenberg Minasian, LLC., 80 Main Street, Suite 450, West Orange, New Jersey 07052
Settlement Amount: \$125,000.00
Funding Source: Insurance Trust Fund
Additional Comments:
Invitation: Corporation Counsel

Sponsors: Council of the Whole

Indexes:

Code sections:

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

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WHEREAS, Plaintiff, Barbara Tazewell, instituted a suit in the Superior Court of New Jersey, Law Division, Essex County, captioned, Barbara Tazewell v. City of Newark, et al., Document No. ESX-L-8306-16, in which the plaintiff sought recovery of damages for personal injury, as a result of a motor vehicle accident with a Public Safety/Newark Police Division vehicle, as a result of the alleged actions and omissions of the City of Newark and/or its agents; and

WHEREAS, a settlement proposal has been made to resolve this litigation in its entirety by execution of a Settlement Agreement and Release and payment in the total amount of \$125,000.00 (One Hundred and Twenty-Five Thousand Dollars and Zero Cents); and

WHEREAS, the Corporation Counsel based upon all facts and circumstances presented, deems it in the best interest of the City of Newark to resolve said matter by executing the Settlement Agreement and Release and payment of the proposed Settlement.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The 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 Corporation Counsel of all documents deemed necessary, the Director of Finance is hereby authorized and directed to issue payment in the amount of \$125,000.00 (One Hundred and Twenty-Five Thousand Dollars and Zero Cents), which payments will be made jointly to "Barbara Tazewell and Greenberg Minasian, LLC" and which payment will be mailed to Mitchell L. Goldstein, Esq., Greenberg Minasian, LLC, 80 Main Street, Suite 450, West Orange, New Jersey 07052.

3. Annexed hereto is the Certification of Funds issued by the Director of Finance, City of Newark, which states that there are available sufficient legally-appropriated funds from Business Unit NW025, Dept. 25T, Division/Project 5T25, and Account #96320, Budget Ref: B2019, in the amount of \$125,000.00 (One Hundred and Twenty-Five Thousand Dollars and Zero Cents), for the purpose set forth herein.

4. The Corporation Counsel shall file a copy of the Comptroller's Certification in the Office of the City Clerk.

5. The Corporation Counsel shall file a fully executed copy of the Settlement Agreement and Release in the Office of the City Clerk.

6. This resolution shall be effective upon adoption in accordance with applicable State Law.

STATEMENT

This Resolution authorizes the Corporation Counsel on behalf of the City of Newark to enter into a Settlement Agreement and Release to settle civil litigation captioned Barbara Tazewell v. City of Newark, et al., Docket No. ESX-L-8306-16, in the amount of One Hundred and Twenty-Five Thousand Dollars and Zero Cents (\$125,000.00), in exchange of Plaintiff's dismissal of any and all claims against the City of Newark and its employees, and a complete release.