Legislation Details (With Text)

File #:	19-1555	**Version:** 1	**Name:**	Taylor - Civil Settlement
Type:	Resolution		**Status:**	Adopted
File created:	9/29/2019		**In control:**	Law
On agenda:	12/4/2019		**Final action:**	12/18/2019

Title:
Dept/ Agency: Law
Action: ( ) Ratifying   (X) Authorizing   ( ) Amending
Purpose: Settlement of Civil Litigation
Docket No.: ESX-L-6381-15
Claimant: Derrick Taylor
Claimant's Attorney: Luretha M. Stribling, Esq.
Attorney's Address: 133 Westfield Avenue, Suite 4, Clark, New Jersey 07066
Settlement Amount: $50,000.00
Funding Source: Insurance Trust Fund
Additional Comments:
Deferred 7R6-a 120419

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
12/18/2019	1	Municipal Council	Adopt	Pass
12/4/2019	1	Municipal Council	Defer	Pass

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WHEREAS, Plaintiff instituted a suit in the Law Division of the Superior Court of New Jersey, Essex Vicinage, captioned, <u>Derrick Taylor v. City of Newark et al. v. Anwar Jackson</u>, DOCKET NO. ESX-L-6381-15, in which he sought recovery of damages for personal injury, as a result of the alleged actions or inactions of City of Newark employees; and

WHEREAS, a proposal has been made to resolve this litigation in its entirety by execution of the Settlement Agreement and General Release and payment in the total amount of $50,000.00 (Fifty Thousand Dollars and Zero Cents) ("Settlement Sum"); and

WHEREAS, the Corporation Counsel based upon all facts and circumstances deems it in the

best interest of the City of Newark to resolve said matter by 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 $50,000.00 (Fifty Thousand Dollars and Zero Cents), which payment will be made jointly to "Derrick Taylor and the Law Office of Luretha M. Stribling, LLC" and which payment will be mailed to Luretha M. Stribling, Esq., 133 Westfield Avenue, Suite 4, Clark, New Jersey 07066.

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 025, Dept. 25T, Division/Project 5T25, and Account #96320, in the amount of $50,000.00 (Fifty Thousand Dollars and Zero Cents), for the purpose set forth herein.

4. A copy of the Comptroller's Certification shall be filed in the Office of the City Clerk along with this Resolution by the Corporation Counsel.

5. A fully executed copy of the Settlement Agreement and General Release shall be filed in the Office of the City Clerk by the Corporation Counsel.

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 in the Law Division of the Superior Court of New Jersey, Essex Vicinage, captioned, Derrick Taylor v. City of Newark et al. v. Anwar Jackson, DOCKET NO. ESX-L-6381-15, by payment of the Settlement Sum in the amount of $50,000.00, in exchange for the dismissal of any and all claims against the City of Newark and its employees, and a complete release.