



Legislation Details (With Text)

File #: 19-1778 **Version:** 1 **Name:** Jamod Watkins - Civil Settlement
Type: Resolution **Status:** Adopted
File created: 10/31/2019 **In control:** Law
On agenda: 12/18/2019 **Final action:** 12/18/2019
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Civil Litigation
Docket No.: 2:17-cv-00284
Claimant: Jamod Watkins
Claimant's Attorney: Natalie A. Zammitti Shaw, Esq.
Attorney's Address: Law Offices of Rosemarie Arnold, 1386 Palisade Avenue, Fort Lee, New Jersey 07024
Settlement Amount: \$225,000.00
Funding Source: Insurance Trust Fund
Additional Comments:
Sponsors: Council of the Whole
Indexes:
Code sections:

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

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WHEREAS, a suit was removed to the United States District Court, District of New Jersey, captioned, J.W. v. City of Newark, et al., Civil Action NO. 2:17-cv-00284, in which the plaintiff sought recovery of damages for personal injury, as a result of alleged constitutional violations by the Newark Police Division, as a result of the alleged actions 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 Release and payment in the total amount of \$225,000.00 (Two Hundred Twenty-Five 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 execution of the attached Settlement

Agreement and Release and payment of the proposed Settlement Sum.

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 \$225,000.00 (Two Hundred Twenty-Five Thousand Dollars and Zero Cents), consisting of one payment of One Hundred Four Thousand Forty-Seven Dollars And Thirty Eight Cents (\$104,047.38), to be made jointly to “Jamod Watkins and the Law Offices of Rosemarie Arnold” and which payment will be mailed to Natalie A. Zammitti Shaw, Esq., Law Offices of Rosemarie Arnold, 1386 Palisade Avenue, Fort Lee, New Jersey 07024, and a second payment of One Hundred Twenty Thousand Nine Hundred Fifty-Two Dollars And Sixty Two Cents (\$120,952.62), to be made to “Metlife Assignment Company Inc.” and which payment will be mailed to Metlife Assignment Company Inc., Ringler, 105 Atsion Road, Suite C, Medford, New Jersey 08055.

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, in the amount of \$225,000.00 (Two Hundred 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 and this Resolution 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 in the United States District Court, District of New Jersey, captioned, J.W. v. City of Newark, et al., Civil Action No. 2:17-cv-00284, in the amount of \$225,000.00, in exchange for the dismissal of any and all claims against the City of Newark and its employees, and a complete release.