



Legislation Details (With Text)

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File created: 8/1/2022 **In control:** Law
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Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2020-13006
Claimant: Willie Weston
Claimant's Attorney: Melvin A. Jacobs, Esq.
Settlement Amount: \$174,519.89
Funding Source: Insurance Trust Fund
Additional Comments:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/8/2022	1	Municipal Council	Adopt	Pass

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Funding Source: Insurance Trust Fund
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WHEREAS, the Petitioner, Willie Weston, instituted suit in the Division of Workers Compensation of the State of New Jersey, County of Essex, bearing C.P. Number 2020-13006 against the City of Newark seeking Workers' Compensation benefits as a result of an injury he sustained to his right elbow and lumbar spine when digging a hole and began to feel pain to his lower back and right elbow while employed by the City of Newark, Department of Public Works, as a Laborer; and

WHEREAS, the following settlement negotiations through Petitioner's attorney, Melvin A. Jacobs, Esq., and Corporation Counsel and/or his designee, The Woolridge Law Firm LLC ("Outside Counsel") 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 One Hundred Fifty-Five Thousand Two Hundred Nineteen Dollars and Fifty-Five Cents (\$155,219.55). Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark who will also pay an attorney's fee of Eighteen Thousand Six Hundred Twenty-Six Dollars and Thirty-Four Cents (\$18,626.34) made payable to Melvin A. Jacobs, Esq., located at 80

Main Street, Suite 360, West Orange, New Jersey 07052, a medical evaluation fee of Three Hundred Dollars and Zero Cents (\$300.00), payable to Dr. Jay Zaretsky, M.D., located at 100 Hamilton Plaza, Paterson, New Jersey 07505, and; a medical examination fee of Three Hundred Dollars and Zero Cents (\$300.00) made payable to Dr. David Rosenbaum, M.D., located at 100 Hamilton Plaza, Paterson, New Jersey 07505; and a transcription fee of Seventy-Four Dollars and Zero Cents (\$74.00) made payable to Guy Renzi & Associates, Inc., located at 2277 State Highway #33 Suite 410 Trenton, New Jersey 08690 for a total settlement of One Hundred Seventy-Four Thousand Five Hundred Nineteen Dollars and Eighty-Nine Cents(\$174,519.89); 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 One Hundred Seventy-Four Thousand Five Hundred Nineteen Dollars and Eighty-Nine Cents (\$174,519.89).

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. 2020-13006 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) \$142,201.99 (One Hundred Forty-Two Thousand Two Hundred One Dollars and Ninety-Nine Cents) made payable and mailed to: Willie Weston, whose address is 454 South 17th Street, 1st Floor, Newark, New Jersey 07103 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, (\$12,417.56) Twelve Thousand Four Hundred Seventeen Dollars and Fifty-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) \$18,626.34 (Eighteen Thousand Six Hundred Twenty-Six Dollars and Thirty-Four Cents) made payable to Melvin A. Jacobs, Esq., located at 80 Main Street, Suite 360, West Orange, New Jersey 07052.

- (c) \$12,417.56 (Twelve Thousand Four Hundred Seventeen Dollars and Fifty-Six Cents) made payable to Melvin A. Jacobs, Esq., located at 80 Main Street, Suite 360, West Orange, New Jersey 07052.
- (d) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Dr. Jay Zaretsky, M.D., 100 Hamilton Plaza, Third Floor, Paterson, New Jersey 07505.
- (e) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Dr. David Rosenbaum, M.D., 100 Hamilton Plaza, Third Floor, Paterson, New Jersey 07505.
- (f) \$74.00 (Seventy-Four Dollars and Zero Cents), made payable to Guy Renzi & Associates Inc., 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690

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.

3. 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 and/or his designee, The Woolridge Law Firm LLC (Outside Counsel), 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 \$174,519.89 brought by Willie Weston and represented by Attorney, Melvin A. Jacobs, Esq., who suffered injuries to on July 10, 2018, while employed by the City of Newark's Department of Public Works as a Laborer.