



Legislation Details (With Text)

File #: 22-1831 **Version:** 1 **Name:** Resolution: Settlement of Workers' Compensation - Tara Rich
Type: Resolution **Status:** Adopted
File created: 12/14/2022 **In control:** Law
On agenda: 1/18/2023 **Final action:** 1/18/2023
Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2015-14430
Claimant: Tara Rich
Claimant's Attorney: Jeffrey S. Charney, Esq., of the Law Offices of Jeffrey S. Charney, LLC, of Linden, New Jersey 07036
Settlement Amount: \$106,312.04
Funding Source: Business Unit NW024, Dept. 24T, Div./Proj. 5T24, Account # 96310, Budget Ref. B2022
Additional Comments:
Sponsors: Council of the Whole
Indexes:
Code sections:

Date	Ver.	Action By	Action	Result
1/18/2023	1	Municipal Council	Adopt	Pass

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Additional Comments:

WHEREAS, the Petitioner, Tara Rich instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. #2015-14430 against the City of Newark (the "City") seeking workers' compensation benefits as a result of an alleged injury she sustained in a work-related fall on ice injuring her left shoulder, left arm, and left hand while in the course of employment with the City of Newark, Department of Public Safety; and

WHEREAS, the following settlement negotiations through Petitioner's attorney, Jeffrey S. Charney, Esq., of The Law Offices of Jeffrey S. Charney, LLC 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. 34:15-22) by

payment in the amount of Ninety-Four Thousand Three Hundred Nineteen Dollars and Sixty-Eight Cents (\$94,319.68), 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 Eleven Thousand Three Hundred Eighteen Dollars and Thirty-Six Cents (\$11,318.36) made payable to: Jeffrey S. Charney, Esq., of The Law Offices of Jeffrey S. Charney, LLC, located at 840 N Wood Avenue, Linden, New Jersey 07036, a medical evaluation fee of Six Hundred Dollars and Zero Cents (\$600.00), payable to: Dr. Steven Dane, M.D., Neuro, located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509, Six Hundred Dollars and Zero Cents (\$600.00), payable to: Dr. Joseph Altongy, M.D., located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509 and; a transcription fee of Seventy-Four Dollars and Zero Cents (\$74.00) made payable to: Guy Renzi and Associates, Inc., located at 2277 State Highway #33 Suite 410, Trenton, New Jersey 08690, for a total settlement of One Hundred Six Thousand Three Hundred Twelve Dollars and Four Cents (\$106,312.04); 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, 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 Five Hundred Dollars and Zero Cents (\$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 to accept said settlement in the total amount of One Hundred Six Thousand Three Hundred Twelve Dollars and Four Cents (\$106,312.04).

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. #2015-14430 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of the Department of Finance is hereby authorized and directed to issue checks in the amounts as follows:
 - a. \$86,174.11 (Eighty-Six Thousand One Hundred Seven-Four Dollars and Eleven Cents) made payable and mailed to: Tara Rich, whose address is of Roselle, New Jersey 07203 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$7,545.57 (Seven Thousand Five Hundred Forty-Five Dollars and Fifty-Seven 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. \$18,863.93 (Eighteen Thousand Eight Hundred Sixty-Three Dollars and Ninety-Three Cents) made payable to: Jeffrey S. Charney, Esq., of The Law Offices of Jeffrey S. Charney, LLC located at 840 N Wood Avenue, Linden, New Jersey 07036.

- c. \$600.00 (Six Hundred Dollars and Zero Cents) made payable to: Dr. Steven Dane, M.D., of Sall Myers, located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509).
 - d. \$600.00 (Six Hundred Dollars and Zero Cents) made payable to: Dr. Joseph Altongy, M.D., of Sall Myers, located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509).
 - e. \$74.00 (Seventy-Four Dollars and Zero Cents) made payable to: Guy Renzi and Associates, Inc., 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690
3. 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.
4. 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 a settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of \$106,312.04 brought by Tara Rich, whose address is of Roselle, New Jersey and represented by Jeffrey S. Charney, Esq., of The Law Offices of Jeffrey S. Charney, LLC, located at 840 N Wood Avenue, Linden, New Jersey 07036, who sustained injury while employed by the City of Newark's Department of Public Safety.