



Legislation Details (With Text)

File #: 23-0619 **Version:** 1 **Name:** Veronica Garay - Workers Compensation
Type: Resolution **Status:** Adopted
File created: 4/24/2023 **In control:** Law
On agenda: 7/19/2023 **Final action:** 7/19/2023

Title: Dept/ Agency: Law
Action: () Ratifying (X) Authorizing () Amending
Purpose: Settlement of Workers' Compensation
C.P. No.: 2018-28409
Claimant: Veronica Garay
Claimant's Attorney: Tony LaRocca, Esq., of the Law Offices of Feeley and LaRocca, LLC, 25 ½ Wavecrest Avenue, Winfield Park, New Jersey, 07036
Settlement Amount: \$48,335.60
Funding Source: 2023 Budget/Fund Code: Business Unit NW024 Department: 24T Division: 5T24 Account # 96310
Additional Comments:

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/19/2023	1	Municipal Council	Adopt	Pass

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WHEREAS, the Petitioner, Veronica Garay, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2018-28409 against the City of Newark seeking Workers' Compensation benefits as a result of an alleged injuries sustained on July 30, 2017, related to injuries resulting from of a fall while employed by the City of Newark, Department of Public Safety; and

WHEREAS, the following settlement negotiations through Petitioner's attorney, Tony LaRocca, Esq., of the Law Offices of Feeley and LaRocca, 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 Forty-Two Thousand Five Hundred Fifty-Five Dollars and Zero Cents (\$42,555.00). 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 (\$5,106.60) Five Thousand One Hundred Six Dollars and Sixty Cents made payable to The Law Offices of Feeley and LaRocca, LLC., Esq., located at 25 ½ Wavecrest Avenue, Winfield Park, New Jersey, 07036, a medical evaluation fee of Six Hundred Dollars and Zero Cents (\$600.00), payable to Dr. Albert Johnson, M.D., located at 1460 Livingston Avenue, Bldg. 400, North Brunswick, New Jersey 08902, 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 Forty-Eight Thousand Three Hundred Thirty-Five Dollars and Sixty Cents (\$48,335.60); 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 Forty-Eight Thousand Three Hundred Thirty-Five Dollars and Sixty Cents (\$48,335.60).

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. 2018-28409 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) \$39,150.60 (Thirty-Nine Thousand One Hundred Fifty Dollars and Sixty Cents) made payable to Veronica Garay, located at 711 Parker Street, Newark, New Jersey 07104 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$3,404.40 (Three Thousand Four Hundred Four Dollars and Forty Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$300.00 (Three Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluation in accordance with the settlement provisions.)

- (b) \$8,511.00 (Eight Thousand Five Hundred Eleven Dollars and Zero Cents) made payable to The Law Offices of Feeley and LaRocca, LLC, located at 25 ½ Wavecrest Avenue, Winfield Park , New Jersey, 07036.
- (c) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to Dr. Albert Johnson, M.D., located at 1460 Livingston Avenue, Bldg. 400, North Brunswick, New Jersey 08902.
- (d) \$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. 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 or his designee, The Woolridge Law Firm LLC, 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 \$48,335.60, brought by Veronica Garay, 711 Parker Street, Newark, New Jersey 07104, and represented by The Law Offices of Feeley and LaRocca, LLC., located in Winfield Park, New Jersey 07036, as a result of alleged injuries sustained on July 30, 2017, while employed by the City of Newark's Department of Public Safety.