



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-0721, **Version:** 1

Dept/ Agency: Law

Action: () Ratifying (X) Authorizing () Amending

Purpose: Settlement of Workers' Compensation

C.P. No.: 2009-5604

Claimant: Louis Medina

Claimant's Attorney: Lombardi & Lombardi

Attorney's Address: 1862 Oak Tree Road

Settlement Amount: \$23,810.00

Funding Source: Insurance Fund Commission

Additional Comments:

Invitation: Corporation Counsel, April 30, 2013

WHEREAS, the Petitioner, Louis Medina, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2009-5604 against the City of Newark seeking workers' compensation benefits as a result of an accident that he suffered on January 26, 2007 while working for the Police Department; and

WHEREAS, said Louis Medina, through his attorney, has 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 Twenty One Thousand Dollars (\$21,000.00). Pursuant to the terms of the settlement order to be executed by the Judge of Compensation, the City of Newark will also pay an attorney's fee of Two Thousand Five Hundred Twenty Dollars (\$2,520.00), a medical evaluation fee of Two Hundred Dollars (\$200.00) and a transcription fee of Ninety Dollars (\$90.00); and

WHEREAS, the total value of this settlement with the above referred to fees amounts to Twenty Three Thousand Eight Hundred Ten Dollars (\$23,810.00); and

WHEREAS, based upon all the facts and circumstances surrounding the matter it is deemed in the best interest of the City of Newark to accept said settlement in the total amount of Twenty Three Thousand Eight Hundred Ten Dollars (\$23,810.00).

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. 2009-5604 is hereby approved.
2. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of Nineteen Thousand One Hundred Twenty Dollars (\$19,120.00) made payable and mailed to: Louis Medina, 92

Montclair Avenue, Newark, New Jersey 07104. (It is understood that pursuant to the terms of the order to be entered by the Judge of the Division of Workers Compensation, One Thousand Six Hundred Eighty Dollars (\$1,680.00) is being subtracted from the Petitioner's award to pay attorney's fees, and Two Hundred Dollars (\$200.00) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)

3. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of Four Thousand Two Hundred Dollars (\$4,200.00) made payable to Lombardi & Lombardi, 1862 Oak Tree Road, Edison, New Jersey 08820.

4. Upon receipt by the Corporation Counsel of all supporting documents, the Director of Finance is hereby authorized to issue a check in the amount of Four Hundred Dollars (\$400.00) made payable to Dr. David Weiss, D.O., 1460 Livingston Avenue, Building 400, North Brunswick, New Jersey 08902.

5. Upon receipt by the Corporation Counsel of all supporting documents the Director of Finance is hereby authorized to issue a check in the amount of Ninety dollars (\$90.00), made payable to William C. O'Brien Associates, P.O. Box 428, Kenilworth, New Jersey 07033.

6. Attached hereto are the certifications of the Comptroller of the City of Newark which state that there are available sufficient legally appropriated funds for the purpose set forth hereinabove and which state that the line appropriation of the official budget which shall be charged is Fund 024, Agency 24T, Orgn 5T24, Object 96310.

7. 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 the Chasan Leyner & Lamparello, PC, 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 \$23,810.00, brought by Louis Medina who suffered injuries arising out of an accident that occurred on January 26, 2007.