



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1096, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation

C.P. No.: 2008-4323

Claimant: Timothy Blue

Claimant's Attorney: William H. Covert, Esq.

Attorney's Address: 744 Broad Street, Newark, New Jersey 07102

Settlement Amount: \$27,614.00

Funding Source: Insurance Fund Commission

Additional Comments:

Invitation: Corporation Counsel , July 2, 2013

WHEREAS, the Petitioner, Timothy Blue, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2008-4323 against the City of Newark seeking workers' compensation benefits as a result of an accident that he suffered on July 26, 2007 while working for the Department of Neighborhood and Recreational Services, Division of Sanitation; and

WHEREAS, following settlement negotiations through Petitioner's attorney, William H. Covert, Esq., Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C., the parties 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 Twenty Four Thousand Four Hundred Forty-Four Dollars (\$24,444.00). 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 Nine Hundred Thirty Dollars (\$2,930.00), a medical evaluation fee of One Hundred Fifty Dollars (\$150.00) 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 Seven Thousand Six Hundred Fourteen Dollars (\$27,614.00); and

WHEREAS, based upon all the facts and circumstances surrounding this matter, the Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C., deem it is in the best interest of the City of Newark to accept said settlement in the total amount of Twenty Seven Thousand Six Hundred Fourteen Dollars (\$27,614.00).

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. 2008-4323 is hereby approved.

2. Upon receipt by the Corporation Counsel and/or its designee, Chasan, Leyner & Lamparello, P.C., of all supporting documents, the Director of Finance is hereby authorized and directed to issue checks in the amounts as follows:

- (a) \$22,339.00 (Twenty Two Thousand Three Hundred Thirty-Nine Dollars) made payable and mailed to Timothy Blue, 11 Maple Place, 3rd Floor, Newark, New Jersey 07108. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, One Thousand Nine Hundred Fifty-Five Dollars (\$1,955.00) is being subtracted from the Petitioner's award to pay attorney's fees, and One Hundred Fifty Dollars (\$150.00) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
- (b) \$4,885.00 (Four Thousand Eight Hundred Eighty- Five Dollars) made payable to William H. Covert, Esq., 744 Broad Street, Suite 1803, Newark, New Jersey 07102.
- (c) \$300.00 (Three Hundred Dollars) made payable to Dr. Arthur Tiger, 600 Mt. Pleasant Ave., Dover, New Jersey 07801.
- (d) \$90.00 (Ninety Dollars), made payable to William C. O'Brien Associates, Post Office Box 425, Kenilworth, New Jersey 07033.

3. 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. 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 the Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C., 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 Twenty Seven Thousand, Six Hundred Fourteen Dollars (\$27,614.00) brought by Timothy Blue who suffered injuries arising out of an accident that occurred on July 26, 2007, while working for the Department of Neighborhood and Recreational Services, Division of Sanitation.