



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 13-1079, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation

C.P. No.: No. 2006-22376

Claimant: Jamie Figueroa

Claimant's Attorney: Mandelbaum, Salsburg, Lazris & Discenza, P.C.

Attorney's Address: 155 Prospect Avenue, West Orange, New Jersey 07052

Settlement Amount: \$33,919.00

Funding Source: Insurance Fund Commission

Additional Comments:

Invitation: Corporation Counsel, July 2, 2013

WHEREAS, the Petitioner, Jaime Figueroa, instituted suit in the Division of Workers' Compensation of New Jersey, Ocean County, bearing C.P. No. 2006-22376 against the City of Newark seeking workers' compensation benefits, as a result of an accident that he sustained on September 2, 2004, while working for the Newark Police Department; and

WHEREAS, following settlement negotiations through the Petitioner's attorney, Mandelbaum, Salsburg, Lazris & Discenza, P.C., Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, P.C., 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 Thirty-Three Thousand Eight Hundred Twenty-Nine Dollars (\$33,829.00). Pursuant to the terms of the Settlement Order to be executed by the Judge of the Division of Workers' Compensation, the City of Newark will also pay a transcription fee of Ninety Dollars (\$90.00); and

WHEREAS, the total value of this Settlement with the above referred to fees amounts to Thirty-Three Thousand Nine Hundred Nineteen Dollars (\$33,919.00); and

WHEREAS, based upon all of the facts and circumstances surrounding this matter, Corporation Counsel and/or its designee, Chasan Leyner & Lamparello, PC, deem it is in the best interest of the City of Newark to accept said Settlement in the total amount of Thirty-Three Thousand Nine Hundred Nineteen Dollars (\$33,919.00).

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. 2006-22376 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) \$26,729.00 (Twenty-Six Thousand Seven Hundred Twenty-Nine Dollars) made payable and mailed to: Jaime Figueroa, 226 Benjamin Street, Toms River, New Jersey, 08755. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$6,700.00 (Six Thousand Seven Hundred Dollars) is being subtracted from the Petitioner's award to pay attorney's fees, and \$400.00 (Four Hundred Dollars) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
- (b) \$6,700.00 (Six Thousand Seven Hundred Dollars) made payable and mailed to: Mandelbaum, Salsburg, Lazris & Discenza, P.C., 155 Prospect Avenue, West Orange, New Jersey 07052.
- (c) \$400.00 (Four Hundred Dollars) made payable and mailed to: Arthur Tiger, M.D., 600 Mt. Pleasant Avenue, Suite E, Dover, New Jersey 07801-1638.
- (d) \$90.00 (Ninety Dollars), made payable and mailed to: William C. O'Brien, Inc., Post Office Box 428, Kenilworth, New Jersey 07033.

3. Attached hereto are the Certifications of Funds from the Comptroller of the City of Newark, which state that there are available sufficient legally appropriated funds for the purpose set forth hereinabove under line appropriation of the official budget to 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 a Settlement by entering into an Order Approving Settlement of a Workers' Compensation claim in the amount of Thirty-Three Thousand Nine Hundred Nineteen Dollars (\$33,919.00) brought by Jaime Figueroa, 226 Benjamin Street, Toms River, New Jersey, 08755, represented by Mandelbaum, Salsburg,

Lazris & Discenza, P.C., 155 Prospect Avenue, West Orange, New Jersey 07052, who suffered injuries arising out of an accident that occurred on September 2, 2004 while working for the Newark Police Department.