



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 15-2077, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Civil Litigation

Docket No.: ESX-L-1229-12

Claimant: Inez Gonzalez

Claimant's Attorney: Deutsch Atkins, P.C.

Attorney's Address: Court Plaza North, 25 Main Street, Hackensack, New Jersey 07601

Settlement Amount: \$250,000.00

Funding Source: Insurance Trust Fund

Additional Comments:

Invitation: Corporation Counsel, December 1, 2015

WHEREAS, a suit was instituted in the Superior Court of New Jersey, Essex County, Law Division captioned Inez Gonzalez v. City of Newark, et al., Docket Number: ESX-L-1229-12, in which the plaintiff sought recovery for Law Against Discrimination (LAD) claims; and

WHEREAS, it has been determined that plaintiff was injured and a proposal has been made to resolve this litigation by payment in the total amount of Two-Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) ("Settlement Sum"); and

WHEREAS, the Corporation Counsel based upon all facts and circumstances, deems it in the best interest of the City of Newark to resolve said matter by payment of the proposed Settlement Sum.

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

1. The Corporation Counsel is hereby authorized on behalf of the City of Newark to execute and accept the terms of the Settlement Agreement and Release, attached hereto.

2. Upon receipt by the Corporation Counsel of all documents deemed necessary, the Director of Finance is hereby authorized and directed to issue two checks: one in the amount of One Hundred Twenty-Eight Thousand Dollars and Zero Cents (\$128,000.00) (), made payable to "Deutsch Atkins, P.C.; and the second check in the amount of One Hundred Twenty-Two Thousand Dollars and Zero Cents (\$122,000.00) made payable to "Inez Gonzalez", and both payments will be mailed to Deutsch Atkins, P.C., Court Plaza North, 25 Main Street, Hackensack, New Jersey 07601.

3. Annexed hereto is the Certification of Funds issued by the Director of Finance, City of Newark, which states that there are available sufficient legally-appropriated funds from Fund 025,

Agency 25T, Organ. 5T25, Object 96320, in the amount of Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00) (), for the purpose set forth herein. A copy of the Comptroller's Certification shall be filed in the Office of the City Clerk along with this Resolution by the Corporation Counsel.

4. A fully executed copy of the Settlement Agreement shall be filed in the Office of the City Clerk by the Corporation Counsel.

5. This resolution shall be effective upon adoption in accordance with applicable State Law.

STATEMENT

This Resolution authorizes the Corporation Counsel on behalf of the City of Newark to enter into a Settlement Agreement and Release to settle the civil litigation captioned, Inez Gonzalez v. City of Newark, et al., Docket Number: ESX-L-1229-12 in the amount of Two Hundred Fifty Thousand Dollars and Zero Cents (\$250,000.00), in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees named in this litigation, and a complete release of all claims