



Legislation Text

File #: 16-0775, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation Claim

C.P. No.: 2013-28974

Claimant: Ronald Cocroft

Claimant's Attorney: Jacobson & Silverman

Attorney's Address: 24 Commerce Street, Newark, New Jersey 07102

Settlement Amount: \$31,518.00

Funding Source: Insurance Fund Trust

Additional Comments:

Invitation: Corporation Counsel, June 14, 2016.

WHEREAS, the Petitioner, Ronald Cocroft, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2013-28974 against the City of Newark seeking workers' compensation benefits as a result of an accident that he sustained on June 18, 2012 while employed as a mason for the City of Newark, when lifting boxes containing tiles, he sustained injuries to his left shoulder; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Jacobson & Silverman, Corporation Counsel and/or his designee, Chasen, Leyner & Lamparello, P.C. ("Outside Counsel") 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 \$27,882.00 (Twenty Seven Thousand Eight Hundred Eighty Two Dollars and Zero Cents). 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 an attorney's fee of \$3,346.00 (Three Thousand Three Hundred Forty Six Dollars and Zero Cents), a medical evaluation fee of \$200.00 (Two Hundred Dollars and Zero Cents) and a transcription fee of \$90.00 (Ninety Dollars and Zero Cents); and

WHEREAS, the total value of this settlement with the above referenced fees amounts to \$31,518.00 (Thirty One Thousand Five Hundred Eighteen Dollars and Zero Cents); 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 \$31,518.00 (Thirty One Thousand Five Hundred Eighteen Dollars and Zero Cents).

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. 2013-28974 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) \$25,452.00 (Twenty Five Thousand Four Hundred Fifty Two Dollars and Zero Cents) made payable and mailed to Ronald Cocroft, 1270 Fulton Street, Rahway, New Jersey 07065. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers Compensation, \$2,230.00 (Two Thousand Two Hundred Thirty Dollars and Zero Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$200.00 (Two Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
- (b) \$5,576.00 (Five Thousand Five Hundred Seventy Six Dollars and Zero Cents) made payable to Jacobson & Silverman 24 Commerce Street Newark, New Jersey 07102.
- (c) \$400.00 (Four Hundred Dollars and Zero Cents) made payable to Sall/Myers Medical Associates, PO Box 2947, Paterson, New Jersey 07509.
- (d) \$90.00 (Ninety Dollars and Zero Cents), made payable to State Shorthand P.O. Box 227 Allenhurst, New Jersey 07111.

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 Business Unit NW024, Dept. ID 24T, Div./Proj. 5T24, Account Code 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.

STATEMENT

This resolution authorizes Corporation Counsel or his 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 \$31,518.00, brought by Ronald Cocroft who suffered injuries arising out of an accident that occurred on June 18, 2012.