



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 19-0304, **Version:** 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation Claim

C.P. No.: 2015-17256

Claimant: George Hines

Claimant's Attorney: Steven J. Kossup, Esq.

Attorney's Address: 18 Church Street, Suite 114, Newton, New Jersey 07860

Settlement Amount: \$45,154.98

Funding Source: Insurance Fund Commission

Additional Comments:

Invitation: Corporation Counsel

WHEREAS, the Petitioner, George Hines, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2015-17256 against the City of Newark seeking workers' compensation benefits due to a December 8, 2014, work-related motor vehicle accident resulting in injury to his right knee and lower back, while employed as a Police Officer by the City of Newark, Department of Public Safety, Police Division; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Steven J. Kossup, Esq. and Corporation Counsel and/or his designee, The Woolridge Law Firm LLC ("Outside Counsel"), the parties have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-20) by payment in the amount of Thirty-Nine Thousand Seven Hundred Dollars and Eighty-Eight Cents. (\$39,700.88). 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 Four Thousand Seven Hundred Sixty-Four Dollars and Ten Cents (\$4764.10), a medical evaluation fee of Three Hundred Dollars and Zero Cents (\$300.00) for Dr. Cheryl Wong, and Three Hundred Dollars and Zero Cents (\$300.00) for Dr. Vijaykumar Kulkarni and a transcription fee of Ninety Dollars and Zero Cents (\$90.00), for a total settlement of Forty-Five Thousand One Hundred Fifty-Four Dollars and Ninety-Eight Cents. (\$45,154.98); and

WHEREAS, this settlement is subject to approval by the Judge of the Division of Workers' Compensation; and

WHEREAS, the total settlement amount may be subject to minor changes in amount or distribution at the time the Settlement Agreement is approved, and the Settlement Order executed by the Judge of the Division of Workers' Compensation; and

WHEREAS, the Municipal Council believes it is in the best interests of the City of Newark, that minor changes to the amount of the settlement and distribution shall not require subsequent Municipal Council approval provided the settlement amount is not increased or decreased above \$500.00 and all the terms and conditions are substantially the same as authorized by the resolution;

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 Forty-Five Thousand One Hundred Fifty-Four Dollars and Ninety-Eight Cents. (\$45,154.98)

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. 2015-17256 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) \$35,924.81 (Thirty-Five Thousand Nine Hundred Twenty-Four Dollars and Eighty-One Cents) made payable and mailed to George Hines, 1227 West 5th Street, Plainfield, New Jersey 07063. (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$3,176.07 (Three Thousand One Hundred Seventy-Six Dollars and Seven Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and \$600.00 (Six Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions.)
 - (b) \$4,764.10 (Four Thousand Seven Hundred Sixty-Four Dollars and Ten Cents) made payable to Steven J. Kossup, Esq., 18 Church Street, Suite 114, Newton, New Jersey 07860.
 - (c) \$300.00 (Three Hundred Dollars and Zero Cents) made payable to Dr. Cheryl Wong, 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509.
 - (d) \$300.00 (Three Hundred Dollars and Zero Cents) made payable to Dr. Vijaykumar Kulkarni, 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509.
 - (e) \$90.00 (Ninety Dollars and Zero Cents), made payable to William C. O'Brien Associates, 525 Boulevard, Kenilworth, New Jersey 07033.
3. Attached hereto is the Certification of the Comptroller of the City of Newark which states 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 certification 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 or his designee, The Woolridge Law Firm LLC, 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 \$45,154.98, brought by George Hines, who sustained injuries incurred during a work-related motor vehicle accident while employed as a Police Officer for the City of Newark, Department of Public Safety, Police Division.