



Legislation Text

File #: 19-0268, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Civil Litigation

Docket No.: ESX-L-1137-16

Claimant: Fabiola Rendon

Claimant's Attorney: Blume, Forte, Fried, Zerres & Molinari

Attorney's Address: One Main Street, Chatham, New Jersey 07928

Settlement Amount: \$75,000.00

Funding Source: Insurance Trust Fund

Additional Comments:

Invitation: Corporation Counsel

WHEREAS, Plaintiff, Fabiola Rendon, instituted a suit in the Superior Court of New Jersey, Law Division, Essex County, captioned Fabiola Rendon v. City of Newark, Docket No. ESX-L-1137-16, in which the plaintiff sought recovery for damages allegedly sustained on June 14, 2015, as a result of the alleged actions and omissions of the City of Newark and/or its agents; and

WHEREAS, a settlement proposal has been made to resolve this litigation in its entirety by execution of a Settlement Agreement and Release and payment in the total amount of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00) ("Settlement Sum"); and

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

NOW, THEREFORE, BE IT RESOLVED BY 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 payment in the amount of \$75,000.00 (Seventy-Five Thousand Dollars and Zero Cents), which payment will be made jointly payable to "Fabiola Rendon and Blume, Forte, Fried, Zerres & Molinari" and mailed to Blume, Forte, Fried, Zerres & Molinari, One Main Street, Chatham, New Jersey 07928.
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 Business Unit NW025, Dept. ID 25T, Division/Project 5T25 and Account #96320, in the amount of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), for the purpose set

forth herein.

4. The Corporation Counsel shall file a copy of the Comptroller's Certification in the Office of the City Clerk along with this resolution.
5. The Corporation Counsel shall file a fully executed copy of the Settlement Agreement and Release in the Office of the City Clerk.
6. 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 resolve civil litigation captioned Fabiola Rendon v. City of Newark, Docket No. ESX-L-1137-16, in the amount of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00), in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees, and a complete release.