



## Legislation Text

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**File #:** 19-0769, **Version:** 1

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**Dept/ Agency:** Law

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

**Purpose:** Settlement of Civil Litigation

**Docket No.:** 2:15-CV-08374-JLL-SCM

**Claimant:** Chinedu Ibrahim Ali

**Claimant's Attorney:** Andrew Rozynski, Esq.

**Attorney's Address:** Eisenberg & Baum, LLP, 24 Union Square East, 4th Floor, New York, New York 10003

**Settlement Amount:** \$90,000.00

**Funding Source:** Insurance Trust Fund

**Additional Comments:**

**Invitation:** Corporation Counsel

**WHEREAS**, Plaintiff, Chinedu Ibrahim Ali, instituted a suit in the District of New Jersey for the Federal District Court of the United States, captioned, Chinedu Ibrahim Ali v. City of Newark, et al., Civil Action No. 2:15-CV-08374-JLL-SCM, in which the plaintiff sought recovery of damages for personal injury, as a result of alleged discrimination by the Newark Municipal Court, 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 Ninety Thousand Dollars and Zero Cents (\$90,000.00)("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 said matter by executing the Settlement Agreement and Release and 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 payment in the amount of \$90,000.00 (Ninety Thousand Dollars and Zero Cents), which payments will be made jointly to "Chinedu Ibrahim Ali and Eisenberg & Baum, LLP" and which payment will be mailed to Andrew Rozynski, Esq., Eisenberg & Baum, LLP, 24 Union Square East, Fourth Floor, New York, New York 10003.

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. 25T, Division/Project 5T25, and Account #96320, in the amount of \$90,000.00 (Ninety Thousand Dollars and Zero Cents), for the purpose set forth herein.

4. The Corporation Counsel shall file a copy of the Comptroller's Certification shall be filed in the Office of the City Clerk.

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, Chinedu Ibrahim Ali v. City of Newark, et al., Civil Action No. 2:15-CV-08374-JLL-SCM, in the amount of Ninety Thousand Dollars and Zero Cents (\$90,000.00), in exchange for Plaintiff's dismissal of any and all remaining claims against the City of Newark and its employees, and a complete release.