



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 19-1353, **Version:** 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation Claim

C.P. No.: 2016-19396

Claimant: Michael Lattore

Claimant's Attorney: Andrew H. Graulich, Esq.

Attorney's Address: 17 Academy Street, Suite 1111, Newark, New Jersey 07102

Settlement Amount: \$51,082.32

Funding Source: Insurance Trust Fund

Additional Comments:

Invitation: Corporation Counsel

WHEREAS, the Petitioner, Michael Lattore, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2016-19396 against the City of Newark seeking workers' compensation benefits as a result of an injury of the left shoulder, arm and elbow, while in the course of duty, on July 20, 2016, while employed by the City of Newark as a police officer for the Department of Public Safety, Police Division; and

WHEREAS, following settlement negotiations through Petitioner's attorney, Andrew Graulich, 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 Forty-Five Thousand Two Hundred Sixty-One Dollars and Zero Cents (\$45,261.00). 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 Five Thousand Four Hundred Thirty-One Dollars and Thirty-Two Cents (\$5,431.32), a medical evaluation fee of Three Hundred Dollars and Zero Cents (\$300.00), payable to Dr. Cary Skolnick, 25 Kilmer Drive, Bldg. 3, Suite 213, Morganville, New Jersey 07751 and a transcription fee of Ninety Dollars and Zero Cents (\$90.00), for a total settlement of Fifty-One Thousand Eighty-Two Dollars and Thirty-Two Cents (\$51,082.32); 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 Fifty-One Thousand Eighty-Two Dollars and Thirty-Two Cents (\$51,082.32).

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. 2016-19396 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) \$41,340.12 (Forty-One Thousand Three Hundred Forty Dollars and Twelve Cents), made payable and mailed to Michael Lattore, 103 Tiona Avenue, Belleville, New Jersey 07109, (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$3,062.88 (Three Thousand Sixty-Two Dollars and Eighty-Eight Cents), is being subtracted from Petitioner's award to pay for attorney's fees, and \$300.00 (Three Hundred Dollars and Zero Cents), is being subtracted to pay for medical evaluations in accordance with the settlement provisions).
 - (b) \$9,052.20 (Nine Thousand Fifty-Two Dollars and Twenty Cents), to pay for attorney's fees, made payable to Andrew H. Graulich, Esq., 17 Academy Street, Suite 1111, Newark, New Jersey 07102.
 - (c) \$600.00 (Three Hundred Dollars and Zero Cents) to pay for medical evaluations in accordance with the settlement provisions, and made payable to Dr. Cary Skolnick, M.D., 25 Kilmer Drive, Bldg. 3; Suite 213, Morganville, New Jersey 07751.
 - (d) \$90.00 (Ninety Dollars and Zero Cents), made payable to William C. O'Brien Associates Inc., 525 Boulevard, Kenilworth, New Jersey 07033.
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.
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 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 \$51,082.32 brought by Michael Lattore, 103 Tiona Avenue, Belleville, New Jersey 07109; who suffered injuries on July 20, 2016, while employed by the City of Newark as a police officer for the Department of Public Safety, Police Division.