



Legislation Text

File #: 20-0673, Version: 1

Dept/ Agency: Law

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

Purpose: Pre-Litigation Settlement

Docket No.:

Claimant: Ugochukwu Nwaokoro

Claimant's Attorney: Ejikeme N. Uzor, Esq.

Attorney's Address: 2386 Morris Avenue, Suite 100, 2nd Floor, Union, New Jersey 07083

Settlement Amount: \$77,910.95

Funding Source: 2020 Budget/Department of Law/NW025, Dept. 25T, Division/Project 5T25 and Account #96320/Insurance Fund Trust

Additional Comments:

Total settlement amount of \$77,910.95 payable to Ugochukwu Nwaokoro as back pay.

WHEREAS, a proposal has been made to resolve this litigation in its entirety by execution of the Confidential Settlement Agreement and Release and payment in the total settlement amount of Seventy-Seven Thousand Nine Hundred Ten Dollars and Ninety-Five Cents (\$77,910.95) ("Settlement Sum"), as back pay; and

WHEREAS, since the Settlement represents back pay, Ugochukwu Nwaokoro (the "Nwaokoro") shall make all the necessary applicable deductions made from Nwaokoro's gross salary payment including, but not limited to, State and Federal taxes, pension and health contributions and Social Security; and

WHEREAS, the Corporation Counsel, based upon all facts and circumstances presented, deems it is in the best interest of the City of Newark to resolve said matter by execution of the attached Confidential 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 Confidential 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 Seventy-Seven Thousand Nine Hundred Ten Dollars and Ninety-Five Cents (\$77,910.95) check made payable to: Ugochukwu Nwaokoro and the Attorney Trust Account of Ejikeme N. Uzor, Esq., 2386 Morris Avenue, Suite 100, 2nd Floor, Union, New Jersey 07083, as back pay, excluding the appropriate salary deductions, including, but not limited to taxes,

pension, health insurance contribution and Social Security.

3. Annexed hereto is a Certification of Funds issued by the Director of Finance, which states that there are available sufficient legally-appropriate funds from: Business Unit NW025, Dept. 25T, Division/Project 5T25 and Account #96320, in the amount of Seventy-Seven Thousand Nine Hundred Ten Dollars and Ninety-Five Cents (\$77,910.95) 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 Confidential Settlement Agreement and Release to settle the back pay claims by Ugochukwu Nwaokoro, in the amount of Seventy-Seven Thousand Nine Hundred Ten Dollars and Ninety-Five Cents (\$77,910.95), in exchange for Plaintiff's dismissal of any and all claims against the City of Newark and its employees, and a complete release.