



City of Newark

City Hall
920 Broad Street
Newark, New Jersey 07102

Legislation Text

File #: 22-1245, Version: 1

Dept/ Agency: Law

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

Purpose: Settlement of Workers' Compensation

C.P. No.: 2019-17230

Claimant: Sonia Rogers

Claimant's Attorney: Epstein Law Firm, PA

Settlement Amount: \$53,234.48

Funding Source: Insurance Trust Fund

Additional Information:

WHEREAS, the Petitioner, Sonia Rogers, instituted suit in the Division of Workers Compensation of New Jersey, Essex County, bearing C.P. Number 2019-17230 against the City of Newark seeking workers' compensation benefits, as a result of an injury to her left foot when she slipped and twisted her left ankle while walking down a flight of stairs during her course of employment with the City of Newark, Department of Engineering, Division of Code Enforcement; and

WHEREAS, the following settlement negotiations through Petitioner's attorney, April Gilmore, Esq., of Epstein Law Firm, P.A., and Corporation Counsel and/or his designee, The Woolridge Law Firm, LLC ("Outside Counsel") have agreed to amicably resolve and settle this matter under Section 22 of the Workers Compensation Act (N.J.S.A. 34:15-22) by payment in the amount of Forty-Six Thousand Nine Hundred Twenty-Nine Dollars and Zero Cents (\$46,929.00.). 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 Six Hundred Thirty-One Dollars and Forty-Eight Cents (\$5,631.48) made payable to: Epstein Law Firm, P.A., located at 340 West Passaic Street, Rochelle Park, New Jersey 07662, a medical evaluation fee of Six Hundred Dollars and Zero Cents (\$600.00) payable to: Dr. Jay Zaretsky, M.D., located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509, and a medical evaluation fee of Six Hundred Dollars and Zero Cents (\$600.00) made payable to: Dr. Steven Dane, M.D., located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509; and a transcription fee of Seventy-Four Dollars and Zero Cents (\$74.00) made payable to: Guy Renzi & Associates, Inc., located at 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690, for a total settlement of Fifty-Three Thousand Two Hundred Thirty-Four Dollars and Forty-Eight Cents (\$53,234.48.); 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 Five Hundred and Zero Cents (\$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 Fifty-Three Thousand Two Hundred Thirty-Four Dollars and Forty-Eight Cents (\$53,234.48.);

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. 2019-17230 is hereby approved.
2. Upon receipt by the Corporation Counsel and/or Outside Counsel of all supporting documents, the Director of the Department of Finance is hereby authorized and directed to issue checks in the amounts as follows:
 - (a) \$42,335.58 (Forty-Two Thousand Three Hundred Thirty-Five Dollars and Fifty-Eight Cents) made payable and mailed to: Sonia Rogers, of Newark, New Jersey 07107 (It is understood that pursuant to the terms of the Settlement Order to be entered by the Judge of the Division of Workers' Compensation, \$3,754.32 (Three Thousand Seven Hundred Fifty-Four Dollars and Thirty-Two Cents) is being subtracted from the Petitioner's award to pay attorney's fees, and Two Hundred Thirty-Nine Dollars and Ten Cents (\$239.10) is being subtracted to pay for medical record fees (reimbursement) and \$600.00 (Six Hundred Dollars and Zero Cents) is being subtracted to pay for medical evaluations in accordance with the settlement provisions); and
 - (b) \$9,624.90 (Nine Thousand Six Hundred Twenty-Four Dollars and Ninety Cents) made payable to: Epstein Law Firm. P.A., located at 340 West Passaic Street, Rochelle Park, New Jersey 07662; and
 - (c) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to: Dr. Jay Zaretsky, M.D, located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509; and
 - (d) \$600.00 (Six Hundred Dollars and Zero Cents) made payable to: Dr. Steven Dane, M.D, located at 100 Hamilton Plaza, 3rd Floor, Paterson, New Jersey 07509; and
 - (e) \$74.00 (Seventy-Four Dollars and Zero Cents) made payable to: Guy Renzi & Associates, Inc., 2277 State Highway #33, Suite 410, Trenton, New Jersey 08690.
3. 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, ("Outside Counsel"), on behalf of the City of Newark, to effectuate settlement by entering into and executing a Order Approving Settlement of a Workers' Compensation claim in the amount of \$53,234.48 brought by Sonia Rogers whose address is in Newark, New Jersey 07107; and represented by Epstein Law Firm., P.A., located at 340 West Passaic Street, Rochelle Park, New Jersey 07662, who suffered injuries to her left foot on August 26, 2018 while employed by the City's Department Engineering, Division of Code Enforcement.