

Resolution of the City of Jersey City, N.J.

City Clerk File No. Res. 18-455

Agenda No. 10.2.11

Approved: MAY 09 2018

TITLE:



RESOLUTION AUTHORIZING THE SETTLEMENT OF THE LAWSUIT DONNA MAUER V. CITY OF JERSEY CITY

COUNCIL
following Resolution:

offered and moved adoption of the

WHEREAS, Donna Mauer ("plaintiff") filed a lawsuit against the City of Jersey City, in the Superior Court of New Jersey, Docket No.: HUD-L-749-16; and

WHEREAS, the Complaint alleges that the plaintiff slipped and fell on a large pile of snow and ice at the corner of Brunswick Street and Pavonia Avenue; and

WHEREAS, the Corporation Counsel has recommended a settlement in the amount of \$35,000.00 because of the litigation risk involved; and

WHEREAS, plaintiff has agreed to this settlement and has signed a release and stipulation of dismissal; and

WHEREAS, the necessary funds for this settlement are available in the City of Jersey City Insurance Fund Commission Accounts.

NOW THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Jersey City that:

1. The Corporation Counsel be authorized to settle this lawsuit for \$35,000.00.
2. The Jersey City Insurance Fund Commission be authorized to issue a check in the amount of \$35,000.00 payable to plaintiff.

CR/mw
4.23.18

APPROVED: _____

APPROVED AS TO LEGAL FORM

APPROVED: *M. Mauer*

Business Administrator

[Signature]

Corporation Counsel

Certification Required ☐

Not Required ☐

APPROVED 9-0

RECORD OF COUNCIL VOTE ON FINAL PASSAGE 5.9.18											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SCLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.-Not Voting (Abstain)

Adopted at a meeting of the Municipal Council of the City of Jersey City N.J.

[Signature]

Rolando R. Lavarro, Jr., President of Council

[Signature]

Robert Byrne, City Clerk

RELEASE

This Release, dated March 20, 2018, is given

BY the Releasor(s)

Donna Maurer

referred to as "I",

TO

City of Jersey City

referred to as "You".

If more than one person signs this Release, "I" shall mean each person who signs this Release.

1. Release I release and give up any and all claims and rights which I may have against you in any way related to a slip and fall by me on 2/20/14. This releases all claims, including those of which I am not aware and those not mentioned in this Release relating thereto. This Release applies to claims resulting from anything which has happened up to now relating thereto. I specifically release the following claims:

Any and all claims arising out of the matter entitled *Maurer v. Jersey City, et. seq.*, Docket No.: HUD-L-749-1 in the Superior Court, Hudson County, New Jersey. This Release does not cover or affect any other claims or rights relating to my employment with the City of Jersey City.

2. Payment. I have been paid a total of \$35,000.00, in full payment for making this Release. I agree that I will not seek anything further including any other payment from you.

3. Who is Bound. I am bound by this Release. Anyone who succeeds to my rights and responsibilities, such as my heirs or the executor of my estate, is also bound. This Release is made for your benefit and all who succeed to your rights and responsibilities, such as your heirs or the executor of your estate.

4. Signatures. I understand and agree to the terms of this Release. If this Release is made by a corporation its proper corporate officers sign and its corporate seal is affixed.

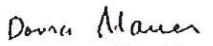
Witnessed or Attested by:



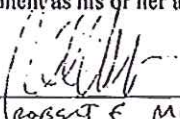
 (SEAL)

STATE OF NEW JERSEY, COUNTY OF HUDSON:

I CERTIFY that on March 20, 2018,

 personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this document; and
- (b) signed, sealed and delivered this document as his or her act and deed.


ROBERT E. MARGULIS
On and for the County of N.J.