

ATLANTIC JIF LESSONS LEARNED FROM LOSSES AUGUST 2011

MEL EPL/POL QUARTERLY UPDATE

Each quarter, the MEL provides an update of all cases that were resolved or closed. In the Second Quarter of 2011, 29 claims were resolved arising from members of twelve local JIFs. Total MEL payments on these losses amounted to \$4,147,490.00.

On behalf of the Atlantic JIF, five claims were resolved for a total of \$497,466.00, which includes loss, legal and expense paid:

- A claim was filed against Hammonton by a police officer who alleged hostile work environment, retaliation and failure to promote him to sergeant due to his cooperation in an IA investigation and his union activities. At mediation, this matter was resolved for \$150,000.00, which included damages and attorney fees. Defense costs paid were \$64,500.00. In addition to the monetary settlement, Hammonton agreed to promote him within sixty days with retroactive seniority.
- In a claim filed against West Wildwood, a Special Police Officer alleged that he was subject to retaliation, harassment and subsequent termination as a result of his political affiliation and support. As a result of mediation, this claim and the subsequent amended complaint by the Mayor were settled for a total of \$76,500.00. Defense costs totaled 120,000.00.
- A police officer in Margate alleged discrimination, needling and harassment by a superior officer. After he complained about this treatment, he alleged he was subject to retaliation. As a result of early mediation, this case was settled for \$50,000.00. Defense costs were \$15,408.56. In addition to the monetary settlement, the City agreed to a number of accommodations for plaintiff.
- A New Jersey attorney alleged violations of NJLAD, ADA, (due to health reasons), Rehab Act and other state and federal constitutional rights as a result of his assignment as a pro bono attorney in municipal court in Margate. Suit named Margate and its Municipal Court. Suit was dismissed; plaintiff filed an appeal, which was denied. He then filed for certification to the NJ Supreme Court, which also was denied. However, the court did remand back to the law division his claim for his attorney fees owed to him by the City. MEL involvement ended without the payment of damages. Defense costs were \$33,332.04.

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- **Condo Association filed suit against the now-defunct JCOW and Wildwood Crest alleging faulty construction and for failure to inspect. Defense was only extended to Wildwood Crest. Plaintiffs subsequently filed an Amended Complaint, dropping all claims against Wildwood Crest. A total of \$7,419.65 was paid in defense before Wildwood Crest was no longer a defendant.**

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