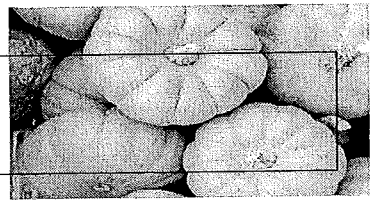


Atlantic JIF Lessons Learned From Losses

October 2009



The MEL Corner

Each quarter the MEL provides a summary of all claims that resolved in the prior quarter.

For the second quarter of 2009, 29 cases across 11 MEL funds resolved for a total of \$1,570,000.00 in MEL payments.

On behalf of the Atlantic JIF, 3 claims resolved for a total loss payment by the MEL of \$455,000.00.

In a case filed in 2000 against Ocean City, an employee alleged that he was removed from his position due to his age. He also alleged he was retaliated against due to his reporting of potential safety issues. The employee alleged violation of CEPA, NJ LAD and his civil rights. The case settled for \$450,000.00. Ocean City paid \$50,000.00 between its portion of the settlement and its SIR. Defense fees paid by the MEL amounted to over \$225,000.00.

In a Public Officials claim filed against Pleasantville, a homeowner alleged that remedial work completed on his home as part of the Neighborhood Preservation Program (NPP) was incorrect and delayed. He also alleged that he was a victim of reverse discrimination and that his civil rights were violated. Although a Motion for Summary Judgment was filed, it was denied on the grounds that not enough discovery was completed. Fortunately, negotiations were productive and the case settled for \$5,000.00. The MEL paid \$16,894.33 in legal fees. Pleasantville has an SIR of \$35,000.00.

Finally, in an employment action filed against Pleasantville, the plaintiff alleged that his job was reclassified without proper notice in violation of the Collective Bargaining Agreement in place. The plaintiff asked for alleged lost wages and compensatory damages in his lawsuit. The Court ordered that the matter be adjudicated via Arbitration as mandated by the CBA. The civil matter was dismissed. Total defense costs paid by the MEL amounted to \$11,743.67. No settlement was paid to the claimant.

Thank you!

