

## SETTLEMENT AND AGREEMENT

IT IS STIPULATED and AGREED, by and between the parties, CITY OF BAYONNE (hereinafter "the City") and JOHN PAFF (hereinafter "Paff" or "Plaintiff"), that the matter of John Paff v. City of Bayonne, et al. (HUD-L-5203-15), setting forth violations of N.J.S.A. 47:1A-1, et seq., is hereby settled with prejudice under the following terms and conditions:

1. The City agrees to pay attorney's fees in the amount of \$5,000.00 to Pashman Stein, P.C., attorneys for the Plaintiff, John Paff.

2. It is understood by the parties that the City's response to Plaintiff's October 20, 2015 request for access did not clearly convey the specific basis for withholding certain government records, in accordance with N.J.S.A. 47:1A-5(g).

3. The City acknowledges that by not clearly conveying the specific basis for withholding such records, Plaintiff was unable to properly assess the exemptions asserted by the City in its partial denial of access, and as a result filed an Order to Show Cause and Verified Complaint on December 23, 2015 alleging the above-referenced violations.

4. The Plaintiff acknowledges that, after reviewing the Document Index filed as part of the City's January 28, 2016 response to the aforementioned Order to Show Cause, the City did not withhold any records required to be released under OPRA.

5. The Plaintiff represents he has had a full opportunity to review this Settlement Agreement and to discuss it with his attorney. He further represents he has

carefully read and fully understands the provisions of this Settlement Agreement, and that he is freely and voluntarily entering into this Settlement Agreement.

6. This Agreement is made and entered in the State of New Jersey and shall be interpreted, enforced, and governed under the Laws of the State of New Jersey.

**IN WITNESS WHEREOF**, Paff and the City have executed this Settlement Agreement on the date indicated below.

DATED: February 22, 2016

FOR THE CITY OF BAYONNE:



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WILLIAM P. OPEL  
Assistant Corporation Counsel

FOR THE PLAINTIFF:



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CJ GRIFFIN,  
Pashman Stein, P.C.