

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION NO. 82344 C.M.S.



DDS/bjw

2009 OCT -7 AM 10:14

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LORETTA HONGO v. CITY OF OAKLAND, et al., ALAMEDA COUNTY SUPERIOR COURT NO. RG08379146, OUR FILE NO. 25962, IN THE AMOUNT OF \$24,000.00 (PUBLIC WORKS AGENCY – PERSONAL INJURY)

WHEREAS: Plaintiff Loretta Hongo has filed the above-captioned lawsuit alleging that a dangerous condition of City of Oakland property, to wit a cracked and uneven portion of sidewalk located at 3430 Fruitvale Avenue, Oakland, California caused her to trip and fall; and

WHEREAS: Plaintiff Loretta Hongo alleges that she sustained injury and damages caused by the trip and fall; and

WHEREAS: the City of Oakland, without admitting guilt, wrongdoing or liability of any sort whatsoever, believes that it is in the best interest of the City of Oakland to terminate the above-captioned lawsuit through settlement.

THEREFORE BE IT RESOLVED: that the City Attorney is authorized and directed to compromise and settle the case of Loretta Hongo v. City of Oakland, et al., City Attorney's File No. 25962, for a sum not to exceed Twenty-Four Thousand Dollars and No Cents (\$24,000.00) made payable to Plaintiff Loretta Hongo and John C. Smith, Jr., Esq., her attorney.

FURTHER RESOLVED: that the City Attorney is further authorized and directed to take whatever steps may be necessary to effect said settlement; and be it

FURTHER RESOLVED: that the sum of Twenty-Four Thousand Dollars and No Cents (\$24,000.00) made payable to Plaintiff Loretta Hongo and John C. Smith, Jr., Esq., her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA OCT 20 2009

PASSED BY THE FOLLOWING VOTE:

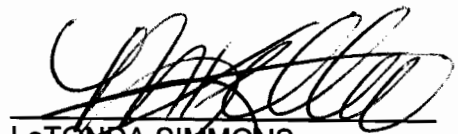
AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT BRUNNER - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



LaTONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California