

OFFICE OF THE CITY ATTORNEY  
CITY OF OAKLAND  
OAKLAND



04 SEP -8 AM 11:31

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Office of the City Attorney  
John A. Russo  
City Attorney

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September 21, 2004

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: *Stephanie Brill v. City of Oakland, et al***  
**Alameda County Superior Court Case No. RG03-080168**  
**Our File No. 22393 – Office of Public Works –**  
**Premises Liability – Trip and Fall on Sidewalk**

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney recommends settlement of the above-entitled matter arising from an incident on January 24, 2002, in which plaintiff tripped and fell on a raised sidewalk in front of 5715 Oak Grove Avenue, Oakland.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Nine Thousand Dollars and No Cents (\$9,000.00), to be made payable to Stephanie Brill and Douglas A. Prutton, Esq., her attorney. This matter has not been previously considered by the Council in closed session.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo", written over a horizontal line.

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Peter Hallifax  
324563

OAKLAND CITY COUNCIL

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

*RW*

RESOLUTION No. \_\_\_\_\_ C.M.S.

2004 SEP -8 AM 11:37

PH/aah

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF STEPHANIE BRILL v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG03-080168, OUR FILE NO. 22393, IN THE AMOUNT OF \$9,000.00. THIS CASE INVOLVES A TRIP AND FALL ACCIDENT ON A BROKEN PORTION OF SIDEWALK. (OFFICE OF PUBLIC WORKS)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Stephanie Brill v. City of Oakland, et al., Alameda County Superior Court Case No. , City Attorney's File No. 22393, for a sum not to exceed a total of Twelve Thousand Five Hundred Dollars and No Cents (\$9,000.00) payable by the City of Oakland to Stephanie Brill and Douglas A. Prutton, 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 Nine Thousand Dollars and No Cents (\$9,000.00) be paid to Stephanie Brill and Douglas A. Prutton, Esq., her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California