



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CA 94612

Office of the City Attorney  
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June 1, 2004

**HONORABLE CITY COUNCIL**  
Oakland, California


**Subject: Jackie Black v. City of Oakland, et al**  
**Alameda County Superior Court Case No. 2001-033771**  
**Our File No. 21743 – Parks and Recreation Department –**  
**Negligence**  
**Date of Incident: July 10, 2001**  
**Date Heard in Closed Session: April 20, 2004**

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

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from an incident on July 10, 2001, wherein it is alleged that a Parks and Recreation employee negligently struck a vehicle occupied by Jackie Black, causing injuries to Mr. Black.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Two Hundred Thousand Dollars and No Cents (\$200,000.00), to be made payable to Jackie Black and Steven Fabbro and Arnold Laub, his attorneys of record.

Respectfully submitted,

  
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
James F. Hodgkins  
321100

10.3CC  
ORA/COUNCIL  
JUN 1 2004

OAKLAND CITY COUNCIL

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



JFH/aah

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JACKIE BLACK v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. 2001-03371, OUR FILE NO. 21743, IN THE AMOUNT OF \$200,000.00. THIS CASE INVOLVES A COLLISION BETWEEN A CITY TRUCK AND PLAINTIFF'S VEHICLE RESULTING IN INJURIES TO PLAINTIFF. (PARKS AND RECREATION DEPARTMENT)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Jackie Black v. City of Oakland, et al., Alameda County Superior Court Case No. 2001-033771, City Attorney's File No. 21743, for a sum not to exceed a total of Two Hundred Thousand Dollars and No Cents (\$200,000.00) payable by the City of Oakland to Jackie Black and Steven Fabbro and Arnold Laub., his attorneys of record.

**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 Two Hundred Thousand Dollars and No Cents (\$200,000.00) be paid to Jackie Black and Steven Fabbro and Arnold Laub, his attorneys of record.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2004

**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

321101

*10.3CC*  
**ORA/COUNCIL**

**JUN 1 2004**