

CITY OF OAKLAND



0300 - File 201

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

Office of the City Attorney
John A. Russo
City Attorney

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December 19, 2006

HONORABLE CITY COUNCIL
Oakland, California

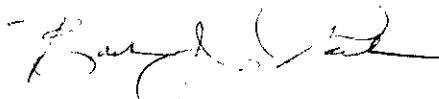
**Subject: Stephen Dunlap v. City of Oakland, et al.
Alameda County Superior Court No. WG05238921
Our File No. 24345 (PUBLIC WORKS AGENCY –
BICYCLE ACCIDENT)**

President De La Fuente and Members of the City Council:

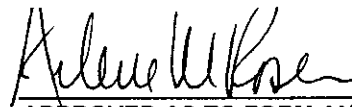
Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action for the sum of Seven Thousand Dollars and No Cents (\$7,000.00) payable to Plaintiff Stephen Dunlap and to Oreck & Oreck, his attorney.

This case arises out of a bicycle accident in which Mr. Dunlap lost control of his mountain bike when he went into a pothole on Foothill Blvd. east of High Street on July 11, 2004. This settlement is recommended to avoid a potentially much larger adverse jury verdict. This settlement was approved by the City Council on December 19, 2006.

Respectfully submitted,


for JOHN A. RUSSO
City Attorney

Attorney Assigned:
Arlene M. Rosen
390632



APPROVED AS TO FORM AND LEGALITY

00 DEC - 7 PM 2:23

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

AMR/bjw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF STEPHEN DUNLAP v. CITY OF OAKLAND, et al., ALAMEDA COUNTY SUPERIOR COURT NO. WG05238921, OUR FILE NO. 24345, IN THE AMOUNT OF \$7,000.00 (PUBLIC WORKS AGENCY - BICYCLE ACCIDENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Stephen Dunlap v. City of Oakland, et al., City Attorney's File No. 24345, for a sum not to exceed Seven Thousand Dollars and No Cents (\$7,000.00) made payable to Plaintiff Stephen Dunlap and Oreck & Oreck, his 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 Seven Thousand Dollars and No Cents (\$7,000.00) made payable to Plaintiff Stephen Dunlap and Oreck & Oreck, his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES-

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LA TONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California