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CITY OF OAKLAND



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

Office of the City Attorney  
Barbara J. Parker  
City Attorney

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June 5, 2012

HONORABLE CITY COUNCIL  
Oakland, California

Subject: Kyrha Mariah Dahan v. City of Oakland  
Alameda County Superior Court No. RG11-565182  
City Attorney File No. 28018 (Public Works Agency – Trip and Fall)

President Reid 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 the City Attorney to compromise and settle the above-entitled action. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Eighteen Thousand Five Hundred Dollars and No Cents (\$18,500.00) payable to Plaintiff Kyrha Mariah Dahan and Michael Pierce Singen, her attorney.

This action arises from trip and fall accident on June 22, 2010. Ms. Dahan was injured when she tripped on a portion of pavement adjacent to 1615 Chestnut Street that had allegedly been damaged by the roots of a City tree. Ms. Dahan suffered injuries as a result of this incident resulting in medical treatment and claims for pain and suffering.

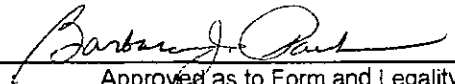
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker', written in a cursive style.

BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
CHARLES E. VOSE

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OAKLAND

  
Approved as to Form and Legality

# OAKLAND CITY COUNCIL

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RESOLUTION NO. \_\_\_\_\_ C.M.S.

CEV

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF KYRHA MARIAH DAHAN v. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11-565182, IN THE AMOUNT OF \$18,500.00 AS A RESULT OF A TRIP- AND FALL ADJACENT TO 1615 CHESTNUT STREET IN OAKLAND ON JUNE 22, 2010 (PUBLIC WORKS AGENCY – TRIP AND FALL)**

**WHEREAS:** Th at Plaintiff Kyrha Mariah Dahan tripped and fell on a City of Oakland sidewalk adjacent to 1615 Chestnut Street on June 22, 2010; and

**WHEREAS:** Th at Alameda County Superior Court Case No. RG11-565182 resulted from this incident wherein Plaintiff alleges that the sidewalk where she fell constituted a dangerous condition of public property; and

**WHEREAS:** It is in the City's best interest to settle this case to avoid the possibility of an adverse jury verdict;

**NOW, THEREFORE, BE IT RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Kyrha Mariah Dahan v. City of Oakland, City Attorney's File No. 28018, for the sum of Eighteen Thousand Five Hundred Dollars and No Cents (\$18,500.00); and be it

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

**FURTHER RESOLVED:** That the sum of Eighteen Thousand Five Hundred Dollars and No Cents (\$18,500.00) be payable to Plaintiff Kyrha Mariah Dahan and Michael Pierce Singen, her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

PASSED BY THE FOLLOWING VOTE:

- AYES- DE LA FUENTE, KERNIHGAN, NADEL, BRUNNER, SCHAFF, BROOKS, KAPLAN and PRESIDENT REID
- NOES-
- ABSENT-
- ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California