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2010 JUL -9 AM 8:24

CITY OF OAKLAND



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

Office of the City Attorney
John Russo
City Attorney

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July 20, 2010

HONORABLE CITY COUNCIL

Oakland, California

**Subject: Juanita Johnson v. City of Oakland
Alameda County Superior Court No. RG08-412871
City Attorney File No. 26525 (Office of Public Works)**

President Brunner 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. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Fifty-Five Thousand Dollars and No Cents (\$55,000.00) payable to Plaintiff Juanita Johnson and George Holland, her attorney.

This action arises from a trip and fall accident on February 17, 2008 caused by an exposed streetlight base. This matter was not considered in closed session.

Respectfully submitted,

A handwritten signature in black ink that reads "John A. Russo".

JOHN A. RUSSO
City Attorney

Attorney Assigned:
JAMES F. HODGKINS

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OAKLAND

BWH
Approved as to Form and Legality

2010 JUL -9 AM 8:25 OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

BWH
JFH

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JUANITA JOHNSON v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08-412871, IN THE AMOUNT OF \$55,000.00 AS A RESULT OF A TRIP AND FALL ACCIDENT OVER AN EXPOSED STREETLIGHT BASE. (OFFICE OF PUBLIC WORKS)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Juanita Johnson v. City of Oakland, City Attorney's File No. 26525, for the sum of Fifty-Five Thousand Dollars and No Cents (\$55,000.00); 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 Fifty-Five Thousand Dollars and No Cents (\$55,000.00) be payable to Plaintiff Juanita Johnson and George Holland, her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

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

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