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CITY OF OAKLAND



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

Office of the City Attorney
Barbara J. Parker
City Attorney

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October 4, 2016

HONORABLE CITY COUNCIL

Oakland, California

Subject: Mauricio Calmo v. City of Oakland, et. al.
Alameda County Superior Court No. RG15790241
City Attorney File No. 30042
(Oakland Police Department – Automobile Collision)

President Gibson McElhaney and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of the resolution authorizing compromise and settlement of the above-entitled claim for the sum of Seventeen Thousand and Five Hundred Dollars (\$17,500.00), to be paid as follows:

- Two Thousand and Five Hundred Dollars (\$2,500.00) shall be payable to “Mauricio Calmo”; and
- Fifteen Thousand Dollars (\$15,000.00) shall be payable to “Mauricio Calmo and Southwest Legal Group.”

This matter arises from a motor vehicle accident at the intersection of International Boulevard and 37th Avenue on April 18, 2015. Mr. Calmo alleges that he was injured and that he incurred property damage.

The Council authorized settlement of this case in Closed Session on Tuesday, October 4, 2016.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Barbara J. Parker for'.

BARBARA J. PARKER
City Attorney

Attorney assigned:
David Pereda

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City Attorney's Office

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Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MAURICIO CALMO V. CITY OF OAKLAND, ET. AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG15782631, CITY ATTORNEY'S FILE NO. 30671, IN THE AMOUNT OF SEVENTEEN THOUSAND AND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$17,500.00) (OAKLAND POLICE DEPARTMENT – MOTOR VEHICLE ACCIDENT)

WHEREAS, Plaintiff Mauricio Calmo alleges that he sustained injuries resulting from a motor vehicle accident on April 18, 2015; and

WHEREAS, Plaintiff filed the above-referenced action to recover monetary damages; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff's claims against it for the sum of Seventeen Thousand and Five Hundred Dollars and No Cents (\$17,500.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Mauricio Calmo v. City of Oakland*, et al. Alameda County Superior Court Case No. RG15752631, City Attorney's File No. 30671, for a sum not to exceed Seventeen Thousand and Five Hundred Dollars and No Cents (\$17,500.00) payable by the City of Oakland; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

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