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CITY OF OAKLAND



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Office of the City Attorney
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December 18, 2012

HONORABLE CITY COUNCIL
Oakland, California


Subject: Chloe Ann Laube v. City of Oakland
Alameda County Superior Court No. RG11-609016
City Attorney File No. 28561 (Parks & Recreation Agency)

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, settlement is recommended in the sum of Fifty-Five Thousand Dollars and No Cents (\$55,000.00) payable to Plaintiff Chloe Ann Laube and Gregory D. Rueb, her attorney.

This action arises from a trip and fall that occurred on January 27, 2011 at the Redwood Heights Recreation Center. Ms. Laube was attending a City sponsored event at the recreation center when she alleges a cart was pushed into her, causing her to fall and sustain serious injuries that required medical treatment. This matter was heard in closed session on December 4, 2012.

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney Assigned:
CHARLES E. VOSE


Office of the City Attorney

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OAKLAND

2012 DEC -6 PM 3:13

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

CEV

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CHLOE ANN LAUBE v. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11-609016, IN THE AMOUNT OF \$55,000.00 AS A RESULT OF A FALL AT THE REDWOOD HEIGHTS RECREATION CENTER ON JANUARY 27, 2011 (PARKS & RECREATION)

WHEREAS: Plaintiff Chloe Ann Laube fell at the Redwood Heights Recreation Center on January 27, 2011 causing her to sustain injuries; and

WHEREAS: Alameda County Superior Court Case No. RG11-609106 resulted from this incident; 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 Chloe Ann Laube v. City of Oakland, Et Al, City Attorney's File No. 28561, 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 Chloe Ann Laube and Gregory D. Rueb, 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