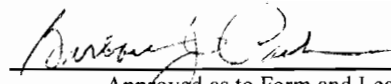


OFFICE OF THE CITY CLERK
OAKLAND


Approved as to Form and Legality

12 APR 18 PM 1:50
OAKLAND CITY COUNCIL

RESOLUTION No. 83797 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF AYE, et al. v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11564053 IN THE AMOUNT OF \$125,000.00 (PUBLIC WORKS AGENCY – STRUCK BY FALLEN TREE LIMB)

WHEREAS: Plaintiff Kyi Aye was struck by a City tree branch in front of 1840 6th Avenue, causing her serious physical injury, and resulting in loss of consortium to her husband, Pa Eh Ko;

WHEREAS: The City has determined to compromise and settle Plaintiffs' claims against it for the sum of One Hundred Twenty-five Thousand Dollars and no Cents (\$125,000.00);

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Aye, et al v. City of Oakland, et al, Alameda County Superior Court No. RG11564053, City Attorney's File No. 27690, for a sum not to exceed One Hundred Twenty-five Thousand Dollars and no Cents (\$125,000.00), payable by the City of Oakland.

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 One Hundred Twenty-five Thousand Dollars and no Cents (\$125,000.00), be paid to Hinton, Alfert, Sumner & Kaufmann in trust for Kyi Aye, Pa Eh Ko and Naw Naw Aye, a minor, by and through her Guardian ad Litem, Wah Blu Soe.

APR 30 2012

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2012

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER AND PRESIDENT REID-8
NOES-0
ABSENT-0
ABSTENTION-0

ATTEST: 
LATONDA SIMMONS

CITY CLERK AND CLERK OF THE
COUNCIL OF THE CITY OF OAKLAND