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11 JUN -8 AM 10:55

CITY OF OAKLAND



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

Office of the City Attorney
John A. Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

June 21, 2011

HONORABLE CITY COUNCIL
Oakland, California

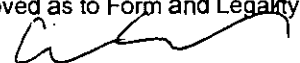
President Larry Reid and Members of the City Council

Subject: Resolution Authorizing Settlement of
Claim of Edward Harder
File Number: C28274

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above entitled claims for the sum of Seven Thousand Eight Hundred and 00/100 Dollars (\$7,800.00), payable to Edward Harder and his attorneys, Dykman and Wester, LLP as a result of injuries sustained due to a trip and fall on a sidewalk in front of 1741 7th Avenue. This was not a closed session item.

Respectfully submitted,


JOHN A. RUSSO
City Attorney



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OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

JAR: EY

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF EDWARD HARDER, IN THE AMOUNT OF \$7800.00. AS A RESULT OF BODILY INJURY SUSTAINED DUE TO A TRIP AND FALL ON AN UPLIFTED SIDEWALK CAUSED BY TREE ROOTS FROM AN OFFICIAL CITY TREE. (Public Works Agency)

WHEREAS, on October 16, 2010, Edward Harder tripped and fell on an uplifted section of sidewalk near 1741 7th Avenue; and has made a claim for injuries against the City of Oakland,

WHEREAS, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City and now,

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claim of Edward Harder, our file number C28274, for the sum of Seven Thousand Eight Hundred and 00/100 Dollars (\$7,800.00), payable to Edward Harder and his attorneys, Dykman and Wester, LLP.

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

FURTHER RESOLVED: That the sum of Seven Thousand Eight Hundred and 00/100 Dollars (\$7,800.00), payable to Edward Harder and his attorneys, Dykman and Wester, LLP. Is approved.

In Council, Oakland, California, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER AND PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LaTonda Simmons
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA