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CITY OF OAKLAND



2003 OCT 23 PM 12:04

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November 4, 2003

HONORABLE CITY COUNCIL
Oakland, California


Subject: Gertrude Schiffman vs. City of Oakland
Alameda County Superior Court No. 2001-034700
Our File No. 21420

President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney recommends settlement of the above-entitled matter arising out of an alleged dangerous condition of a sidewalk on a city street. Plaintiff Gertrude Schiffman tripped and fell on an uneven and broken section of sidewalk on MacArthur Boulevard in the afternoon of March 19, 2001, breaking her elbow and sustaining other damage to her arm and hand.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended for the sum of Forty-Seven Thousand Four Hundred and Fifty Dollars (\$47,450.00), to be made payable to Ms. Gertrude Schiffman and her counsel.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

Attorney Assigned:
RACHEL WAGNER

314211

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ORA/COUNCIL
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OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. _____ C.M.S.



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RZW/rzw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF GERTRUDE SCHIFFMAN V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT NO. 2001-034700, OUR FILE NO. 21420, A PERSONAL INJURY CASE IN THE AMOUNT OF \$47,450.00 (PUBLIC WORKS). MS. SCHIFFMAN TRIPPED AND FELL ON A SIDEWALK ON MACARTHUR BOULEVARD.

WHEREAS, Ms. Gertrude Schiffman alleges that on March 19, 2001, she tripped and fell on a sidewalk at 4017-4025 MacArthur Boulevard, sustaining a broken elbow and injuries to her arm and hand, therefore be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Gertrude Schiffman v. City of Oakland, City Attorney's File No. 21420, for a sum not to exceed a total of Forty-Seven Thousand Four Hundred Fifty Dollars and No Cents (\$47,450.00), to be made payable to Gertrude Schiffman and her attorney of record, Jeffrey Trowbridge; and be it

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 Forty-Seven Thousand Four Hundred Fifty Dollars and No Cents (\$47,450.00) be made payable to Gertrude Schiffman and Jeffrey Trowbridge, her attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

10.7 CC
ORA/COUNCIL
NOV - 4 2003

ATTEST: _____

CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California