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CITY OF OAKLAND



16 JUL 21 AM 10:09

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July 26, 2016

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Camille Li, by and through her Guardian Ad Litem,
Ella Seil Leung v. Mark H. Chim, Marilyn M. Chim
and the City of Oakland**
Alameda County Superior Court No. RG15763115
City Attorney File No. 30346
(Public Works – Dangerous Condition)


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 Sixty-Two Thousand and Five Hundred Dollars (\$62,500.00), to be paid to the "Law Offices of Joseph W. Campbell and Ella Leung as Guardian Ad Litem for minor Camille Li".

This matter arises from a sidewalk trip and fall on August 1, 2014 street on 9th Street in Oakland. Camille Li, then seven-years-old, suffered a fractured elbow requiring surgery.

The Council authorized settlement of this case in Closed Session on Tuesday, July 19, 2016 (moved by Councilmember Larry Reid and seconded by Councilmember Rebecca Kaplan – 6 Ayes, 2 – Absent, Councilmembers Gallo and Gibson McElhaney).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney Assigned:
Kimberly A. Bliss

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[Signature]
City Attorney's Office

2016 JUL 21 AM 10:11

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CAMILLE LI, BY AND THROUGH HER GUARDIAN AD LITEM, ELLA SEIL GEE LEUNG V. MARK H. CHIM, MARILYN M. CHIM AND CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG15763115, CITY ATTORNEY'S FILE NO. 30346, IN THE AMOUNT OF SIXTY-TWO THOUSAND AND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$62,500.00) (PUBLIC WORKS – DANGEROUS CONDITION)

WHEREAS, Plaintiff Camille Li, by and through her Guardian Ad Litem, Ella Seil Gee Leung, alleges that she sustained injuries resulting from a trip and fall on August 1, 2014; 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 Sixty-Two Thousand and Five Hundred Dollars and No Cents (\$62,500.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Camille Li, by and through her Guardian Ad Litem, Ella Seil Gee Leung v. Mark H. Chim, Marilyn M. Chim and the City of Oakland*, Alameda County Superior Court Case No. RG15763115, City Attorney's File No. 30346, for a sum not to exceed Sixty-Two Thousand and Five Hundred Dollars and No Cents (\$62,500.00) 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; and be it

FURTHER RESOLVED: That the sum of Sixty-Two Thousand and Five Hundred Dollars and No Cents (\$62,500.00) be payable to the "Law Offices of Joseph W. Campbell and Ella Leung as Guardian Ad Litem for minor Camille Li."

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REILLY, GIBSON MCELHANEY

SIDENT

NOES -
ABSENT -
ABSTENTION -

ATTEST: _____

City C

of Oakland, California