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CITY OF OAKLAND



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Office of the City Attorney
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City Attorney

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April 19, 2016

HONORABLE CITY COUNCIL
Oakland, California

Subject: Squethia Gidden v. City of Oakland
Case No. RG14748541
City Attorney File No. 29614
(Oakland Public Works – Vehicle Collision)

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 a resolution authorizing compromise and settlement of the above-entitled claim for the sum of Nineteen Thousand Three Hundred Twenty Dollars and No Cents (\$19,320.00), payable to Squethia Gidden and her attorney, Alastair R. McCloskey.

This action arises out of a May 1, 2013 motor vehicle accident involving a City Public Works truck which struck the vehicle being driven by plaintiff Squethia Gidden. The plaintiff claims to have suffered injuries and incurred medical expenses as a result. The recommendation to enter into the settlement agreement is based on the City Attorney's assessment of liability and damages and the possibility of an adverse jury verdict were the matter to proceed to trial.

The Council authorized settlement of this case in Closed Session on Tuesday, April 5, 2016 (moved by Councilmember Kaplan and seconded by Councilmember Reid – 8 Ayes).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Attorney Assigned:
William E. Simmons

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OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SQUETHIA GIDDEN V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14748541, CITY ATTORNEY'S FILE NO. 29614, IN THE AMOUNT OF NINETEEN THOUSAND THREE HUNDRED TWENTY DOLLARS AND NO CENTS (\$19,320.00) (OAKLAND PUBLIC WORKS – MOTOR VEHICLE ACCIDENT)

WHEREAS, the Plaintiff was involved in a motor vehicle accident with a Public Works vehicle on May 1, 2013 and has filed a lawsuit in Alameda County Superior Court (Case No. RG14748541) alleging personal injury damages; and

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

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Squethia Gidden v. City of Oakland, et al., Alameda County Superior Court Case No. RG14748541, City Attorney's File No. 29614, for the sum of Nineteen Thousand Three Hundred Twenty Dollars and No Cents (\$19,320.00); 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 Nineteen Thousand Three Hundred Twenty Dollars and No Cents (\$19,320.00) be paid to Squethia Gidden and her attorney, Alastair R. McCloskey.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT MCELHANEY

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California