

Barbara J. Park
Office of the City Attorney

14 NOV 20 PM 12: 54

OAKLAND CITY COUNCIL

RESOLUTION No. 85299 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ANA CASTANEDA V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG13682362, CITY ATTORNEY'S FILE NO. 29368, IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) (PUBLIC WORKS DEPARTMENT – DANGEROUS CONDITION)

WHEREAS, Plaintiff Ana Castaneda alleges that her bicycle accident on July 20, 2012, was caused by a pothole on Grizzly Peak Boulevard; and

WHEREAS, Plaintiff Ana Castaneda filed the above referenced action to recover monetary damages for her alleged injuries; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff Ana Castaneda's claim against it for the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Ana Castaneda v. City of Oakland, Alameda County Superior Court Case No. RG13682362, City Attorney's File No. 29368, for a sum not to exceed One Hundred Thousand Dollars and No Cents (\$100,000.00) 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 One Hundred Thousand Dollars and No Cents (\$100,000.00) be paid to The Law Offices of Gwilliam, Ivory, Chiosso, Cavalli & Brewer, In Trust For Ana Castaneda.

DEC 09 2014

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST.

LATONDA SIMMONS

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