

  
City Attorney's Office

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE CASE OF NGA THI THUY LE, NINA NGUYEN V. CITY OF OAKLAND, NICOLE MONIQUE CARDEN AND DOES 1 - 20, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20072159, CITY ATTORNEY FILE NO. 33156 FOR A TOTAL SUM OF THIRTY FIVE THOUSAND DOLLARS AND NO CENTS (\$35,000.00) (DEPARTMENT OF TRANSPORTATION – AUTO ACCIDENT)**

**WHEREAS**, on the morning of August 26, 2018 a City of Oakland-owned white Toyota Prius driven by City of Oakland parking enforcement officer Nicole Carden collided with two pedestrians in the crosswalk across East 18th Street on the south side of 4th Avenue; and

**WHEREAS**, the two pedestrians, Plaintiffs Nga Thi Thuy Le and Nina Nguyen, had a green light while crossing the street; and

**WHEREAS**, Plaintiffs filed *Le, et al. v. City of Oakland, et al.*, Alameda County Superior Court Case No. RG20072159 against the City of Oakland and Nicole Carden, alleging personal injury claims based upon negligence in operating a motor vehicle; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise Plaintiffs' claims in the amount of \$35,000.00, apportioned \$33,500.00 for Plaintiff Le and \$1,500.00 for Plaintiff Nguyen; now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of *Le, et al. v. City of Oakland, et al.*, Alameda County Superior Court Case No. RG20072159 for the sum of Thirty Five Thousand Dollars and No Cents (\$35,000.00); and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND  
PRESIDENT FORTUNATO BAS

NOES –  
ABSENT –  
ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California