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CITY OF OAKLAND



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November 3, 2015

HONORABLE CITY COUNCIL
Oakland, California

Subject: Janet Linn v. City of Oakland
Case No. RG13669229

City Attorney File No. 29283, (Oakland 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 a resolution authorizing compromise and settlement of the above-entitled claim for Sixty-Five Thousand Dollars and No Cents (\$65,000.00), payable to Janet Linn (\$60,000) and Kaiser Permanente (\$5,000).

This action arises out of Ms. Linn's injuries which she alleges that she sustained due to the condition of the City's property.

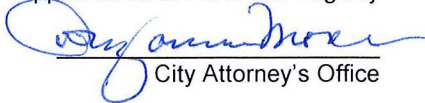
The Council authorized settlement of this case in Closed Session on Tuesday, October 20, 2015 (moved by Councilmember Larry Reid and seconded by Councilmember Noel Gallo - 7 Ayes, 1 Absent – Dan Kalb.

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker". The signature is fluid and cursive.

BARBARA J. PARKER
City Attorney

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City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JANET LINN v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14719094 CITY ATTORNEY'S FILE NO. 29726, IN THE AMOUNT OF SIXTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$65,000.00) (OAKLAND PUBLIC WORKS—DANGEROUS CONDITION)

WHEREAS, Janet Linn alleges that she incurred damages as a result of an injury that she sustained due to the condition of a public property; and

WHEREAS, Janet Linn, filed a personal-injury lawsuit against the City; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Janet Linn's claims against it for the sum of Sixty-Five Thousand Dollars and No Cents (\$65,000.00) payable by the City of Oakland; now, therefore, be it

RESOLVED: That the City of Oakland is authorized and directed to compromise and settle the case of Janet Linn v. City of Oakland, Alameda County Superior Court Case No. RG1471904, City Attorney's File No. 29726, for a sum not to exceed Sixty-Five Thousand Dollars and No Cents (\$65,000.00); 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-Five Thousand Dollars and No Cents (\$65,000.00) be paid as follows: Janet Linn (\$60,000) and Kaiser Permanente (\$5,000).

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

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