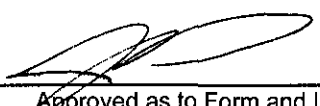


OFFICE OF THE CITY CLERK
OAKLAND


Approved as to Form and Legality
Oakland City Attorney's Office

2006 JUN -7 AM 8:40 OAKLAND CITY COUNCIL

RESOLUTION No. 79959 C.M.S.

GYL

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LUIS SACA v. CITY OF OAKLAND, ET AL., SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. RG05224708, IN THE AMOUNT OF \$14,250.00 AS A RESULT OF TRIP AND FALL ON A CONCRETE STAIR LOCATED OFF THE 29TH AVENUE OVERPASS OVER THE 880 FREEWAY (PUBLIC WORKS - PREMISES LIABILITY)

WHEREAS, on July 5, 2005, Luis Saca, through his Guardian Ad Litem Julio Saca sued the City of Oakland and the California Department of Transportation after the minor plaintiff tripped and fell over a concrete stair on November 4, 2004; and

WHEREAS, on May 30, 2006, after careful and due consideration, the Oakland City Council at closed session authorized settlement of Luis Saca's claims in this referenced matter for the collective amount of Fourteen Thousand and Two Hundred Fifty Dollars and No Cents (\$14,250.00); and

WHEREAS, Luis Saca, through his Guardian ad Litem Julio Saca has agreed to accept the collective amount of Fourteen Thousand and Two Hundred Fifty Dollars and No Cents (\$14,250.00) as full settlement of their claims in this referenced action; and

WHEREAS, the settlement as to Luis Saca, a minor, must be approved by the Superior Court; now therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Luis Saca, a minor, by and through his Guardian ad Litem Julio Saca v. City of Oakland, et al., City Attorney's File No. 24641, for the sum of Fourteen Thousand and Two Hundred Fifty Dollars and No Cents (\$14,250.00), subject to approval by the Superior Court; 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; and be it

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FURTHER RESOLVED: That upon approval by the Superior Court of Luis Saca's minor's compromise, the sum of Fourteen Thousand and Two Hundred Fifty Dollars and No Cents (\$14,250.00) be payable to Julio Saca as Guardian Ad Litem for Luis Saca and Alan M. Scharlach, Esq., his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA.

JUN 20 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN , REID, AND
PRESIDENT DE LA FUENTE — 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:



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