

CITY OF OAKLAND



05 MAY 24 PM 2:19

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Office of the City Attorney
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City Attorney
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HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council:

**Subject: Stephen Linden, et al. v. City of Oakland, et al.
Alameda County Superior Court Action No. RG03097055
City Attorney File No. 23078**

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommends settlement of the above-captioned matter, for the sum of Forty Thousand Dollars and No Cents (\$40,000.00), payable to Plaintiffs Stephen Linden and Lauren Doliva and their attorney, Matthew Davis, Esq.

This action arises from a bicycle accident on November 24, 2002 when the front wheel of plaintiff Stephen Linden's bicycle lost traction over a wet spot on Tunnel Road. The settlement was approved by the City Council at closed session on May 17, 2005.

Respectfully submitted,

A handwritten signature in black ink that reads "John A. Russo".

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Jannie L. Wong

10.4cc
ORA/COUNCIL

JUN 07 2005

RWH

OAKLAND CITY COUNCIL/REDEVELOPMENT AGENCY

OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. _____

C.M.S.

05 MAY 24 PM 2: 19

JLW:kj:ke

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF STEPHEN LINDEN, ET AL. v. CITY OF OAKLAND, ET AL., SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. RG03097055, IN THE AMOUNT OF \$40,000.00 AS A RESULT OF A BICYCLE ACCIDENT ON TUNNEL ROAD BETWEEN CHARING CROSS ROAD AND HILLER DRIVE, OAKLAND, ON NOVEMBER 24, 2002 (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Stephen Linden, et al. v. City of Oakland, et al., City Attorney's File No. 23078, for the sum of Forty Thousand Dollars and No Cents (\$40,000.00).

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

FURTHER RESOLVED: That the sum of Forty Thousand Dollars and No Cents (\$40,000.00) be payable to plaintiffs Stephen Linden, Lauren Doliva and Matthew Davis, Esq., their attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, WAN, AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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

10.4 cc
ORA/COUNCIL

JUN 07 2005