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CITY OF OAKLAND



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Office of the City Attorney
Barbara Parker
City Attorney

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May 6, 2014

HONORABLE CITY COUNCIL
Oakland, California

**Subject: State Farm Insurance Company as subrogee for
Christian Puscasi
City Attorney File No. C29946
(Public Works Agency – Auto Collision)**

President Kernighan 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 the sum of Seventeen Thousand Two Hundred Fifty Two Dollars and Eighty Eight Cents (\$17,252.88), payable to State Farm Insurance Company as subrogee for Christian Puscasi.

This action arises out of an August 5, 2013 accident in which the driver of a City vehicle collided with the vehicle driven by State Farm's insured, in the intersection of Santa Clara and Oakland Avenue.

The Council authorized settlement of this case in Closed Session on Tuesday, April 22, 2014, moved by Councilmember Noel Gallo and seconded by Councilmember Rebecca Kaplan - 8 Ayes.

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara J. Parker".
BARBARA J. PARKER
City Attorney


Office of the City Attorney

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OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF STATE FARM INSURANCE COMPANY AS SUBROGEE FOR CHRISTIAN PUSCASI, CITY ATTORNEY'S CLAIM NO. C29946, IN THE AMOUNT OF SEVENTEEN THOUSAND TWO HUNDRED FIFTY TWO DOLLARS AND EIGHTY EIGHT CENTS (\$17,252.88) (PUBLIC WORKS AGENCY - AUTO COLLISION)

WHEREAS, claimant alleges that on August 5, 2013, the driver of a City vehicle collided with the vehicle driven by State Farm's Insured, and

WHEREAS, the claimant filed the above entitled subrogation claim seeking settlement for said damages, and

WHEREAS, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City; now therefore, be it

RESOLVED: that the City Attorney is authorized and directed to settle the claim of State Farm Insurance Company as subrogee for Christian Puscasi, our file C29946, for the sum of Seventeen Thousand Two Hundred Fifty Two Dollars and Eighty Eight Cents (\$17,252.88), 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

FURTHER RESOLVED: that the sum of Seventeen Thousand Two Hundred Fifty Two Dollars and Eighty Eight Cents (\$17,252.88) be made payable to State Farm Insurance Company as subrogee for Christian Puscasi.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST

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