

[Signature]
Office of the City Attorney

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OFFICE OF THE CITY CLERK
OAKLAND

2013 MAY 23 PM 5:56

OAKLAND CITY COUNCIL

RESOLUTION No. 84421 C.M.S.

COT:ljg

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CHARLES TONEY v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG12632052, CITY ATTORNEY'S FILE NO. 29022, IN THE AMOUNT OF TWELVE THOUSAND DOLLARS AND NO CENTS (\$12,000.00) (PUBLIC WORKS AGENCY – TRIP AND FALL)

WHEREAS, on November 16, 2011 Plaintiff Toney Charles suffered personal injuries when he tripped and fell on a City sidewalk at 5157 Fairfax Avenue, and

WHEREAS, the Plaintiff filed the above entitled lawsuit seeking damages for injuries allegedly sustained in the trip and fall accident, 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 matter of Charles Toney v. City of Oakland, Alameda County Superior Court Case No. RG12632052, City Attorney File No. 29022, for the sum of Twelve Thousand Dollars and No Cents (\$12,000.00) payable to plaintiff Charles Toney and his attorney of record Brian L. Larsen, 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 Twelve Thousand Dollars and No Cents (\$12,000.00) be made payable to plaintiff Charles Toney and his attorney of record Brian L. Larsen.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 4 2013, 20

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KARLAN, SCHAAF, REID AND PRESIDENT KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST.

[Signature]
LATONDA SIMMONS

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