

*[Signature]*  
City Attorney's Office

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
**OAKLAND CITY COUNCIL**  
16 JAN -7 PM 1:45

RESOLUTION No. 85953 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CHRISTOPHER BERG v. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14-733306, IN THE AMOUNT OF SIXTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$65,000.00) AS A RESULT OF A TRIP AND FALL ACCIDENT ON JULY 15, 2013 (OAKLAND PUBLIC WORKS – DANGEROUS CONDITION)**

**WHEREAS**, Christopher Berg was injured when he tripped and fell on an uplifted section of sidewalk in front of 3236 Lakeshore Avenue in the City of Oakland on July 15, 2013; and

**WHEREAS**, Mr. Berg sustained injuries requiring medical treatment and lost wages as a result of this accident; and

**WHEREAS**, Alameda County Superior Court Action RG14-733306 was filed against the City of Oakland and Longs Drugs (CVS) alleging a dangerous condition of public property; and

**WHEREAS**, In order to avoid the risk of an adverse jury verdict under the circumstances; now therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Christopher Berg v. City of Oakland, Et Al, RG14-733306, City Attorney's File No. 29903, for the sum of 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 as may be 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 payable to Plaintiff Christopher Berg and his attorney Scott D. Righthand.

IN COUNCIL, OAKLAND, CALIFORNIA

**JAN 19 2016**

PASSED BY THE FOLLOWING VOTE:

AYES: BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, ~~REID~~ AND PRESIDENT GIBSON MCELHANEY - 7

NOES: 0

ABSENT: 0

ABSTENTION: 0

Excused - Reid - 1

ATTEST:

*[Signature: Latonda Simmons]*  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California