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Office of the City Attorney  
Barbara Parker  
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May 7, 2013

HONORABLE CITY COUNCIL  
Oakland, California

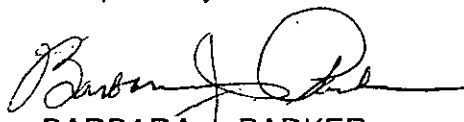
Subject: Jacqueline Dixon v. City of Oakland, Et Al  
Case No. RG11-559368  
City Attorney File No. 27573 (Public Works Agency – Trip and Fall)

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 Sixty-One Thousand Six-Hundred Sixty-Seven Dollars and no/cents (\$61,667.00), payable to Jacqueline Dixon and Stephen H. Cornet, her attorney. The co-defendants in the action, Balco Properties and Mandela Properties are contributing an additional amount of One-Hundred Twenty-Three Thousand Three-Hundred Thirty-Three Dollars (\$123,333.00) for a total settlement of One-Hundred Eighty-Five Thousand Dollars (\$185,000.00).

This action arises out of a trip and fall that occurred on June 10, 2009 on a City sidewalk at 2859 Mandela Parkway. Ms. Dixon was walking to a business at this location when she fell on an uneven sidewalk, causing her to fall and sustain serious injuries that required medical treatment. This matter was heard in closed session on Tuesday, May 7, 2013.

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney assigned:  
Charles E. Vose

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
Office of the City Attorney

2013 APR 25 PM 3:50 **OAKLAND CITY COUNCIL**

RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JACQUELINE DIXON v. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11-559368, IN THE AMOUNT OF SIXTY-ONE THOUSAND SIX-HUNDRED SIXTY-SEVEN DOLLARS AND NO CENTS (\$61,667.00) AS A RESULT OF A FALL ON A CITY SIDEWALK AT 2859 MANDELA PARKWAY ON JUNE 10, 2009 (PUBLIC WORKS AGENCY – TRIP AND FALL)**

**WHEREAS**, Plaintiff Jacqueline Dixon fell on a City sidewalk at 2859 Mandella Parkway on June 10, 2009 causing her to sustain serious injuries that required medical treatment; and

**WHEREAS**, Alameda County Superior Court Case No. RG11-559368 resulted from this incident; and;

**WHEREAS**, It is in the City's best interest to settle this case to avoid the possibility of an adverse jury verdict;

**NOW, THEREFORE, BE IT RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Jacqueline Dixon v. City of Oakland, et al., Alameda County Superior Court Case Number RG11-559368, City Attorney's Office File No. 27573, for the sum of **Sixty-One Thousand Six-Hundred Sixty-Seven Dollars and No Cents (\$61,667.00)**; 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-One Thousand Six- Hundred Sixty-Seven Dollars and No Cents (\$61,667.00)** be payable to Plaintiff Jacqueline Dixon and **Stephen H. Cornet**, her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES -  
ABSENT -  
ABSTENTION -

ATTEST: \_\_\_\_\_

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