



16 MAY -5 PM 2:18

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Office of the City Attorney
Barbara J. Parker
City Attorney

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May 17, 2016

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Alexis Herron v. City of Oakland, et al.*
Alameda County Superior Court No. RG14723878
City Attorney File No. 29822
(Public Works – Dangerous Condition)

President Reid and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of the resolution authorizing compromise and settlement of the above-entitled claim for the sum of Six Thousand Five Hundred Dollars and Zero Cents (\$6,500.00), to be paid to the "Law Offices of Brian Larsen and Alexis Herron".

This matter arises from a fall on the sidewalk adjacent to 4512 Market Street in Oakland on July 30, 2012. Plaintiff seeks to recover for economic and non-economic damages.

The Council authorized settlement of this case in Closed Session on Tuesday, May 3, 2016 (moved by Councilmember Larry Reid and seconded by Councilmember Rebecca Kaplan – 7 Ayes, 1 Absent – Councilmember Desley Brooks).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker, for". The signature is written in a cursive style.

BARBARA J. PARKER
City Attorney

Attorney assigned:
Michelle M. Meyers

Dyanne Moreno
City Attorney's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

16 MAY -5 PM 2: 18 OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ALEXIS HERRON V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14723878, CITY ATTORNEY'S FILE NO. 29822, IN THE AMOUNT OF SIX THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS (\$6,500.00) (PUBLIC WORKS – DANGEROUS CONDITION)

WHEREAS, Plaintiff Alexis Herron alleges that she sustained injuries resulting from a fall on the sidewalk adjacent to 4512 Market Street in Oakland on July 30, 2013; and

WHEREAS, Plaintiff filed the above-referenced action to recover monetary damages; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff's claims against it for the sum of Six Thousand Five Hundred Dollars and No Cents (\$6,500.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Alexis Herron v. City of Oakland, et al.*, Alameda County Superior Court Case No. RG14723878, City Attorney's File No. 29822, for a sum not to exceed Six Thousand Five Hundred Dollars and No Cents (\$6,500.00) payable by the City of Oakland; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Six Thousand Five Hundred Dollars and No Cents (\$6,500.00) be payable to the "Law Offices of Brian Larsen and Alexis Herron."

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES -

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the City
of Oakland, California