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OFFICE OF THE CITY ATTORNEY
OAKLAND

CITY OF OAKLAND



09 JUL -9 PM 2:36

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Office of the City Attorney
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July 21, 2009

HONORABLE CITY COUNCIL
Oakland, California


**Subject: Trina Lieras and Alfredo Lieras v. City of Oakland, et al.
Alameda County Superior Court No. RG07350247
Our File No. 25825 (PUBLIC WORKS AGENCY-
PERSONAL INJURY)**

President Brunner and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommending settlement of the above-captioned matter for the sum of Ninety-Nine Thousand, Six Hundred, Seventy Dollars and No Cents (\$99,670.00) made payable to Plaintiffs Trina Lieras and Alfredo Lieras and Philip T. Prince, Esq., their attorney.

This action arises out of plaintiff's trip and fall on an uneven and cracked walkway at 496 Lake Park Avenue on October 8, 2006.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

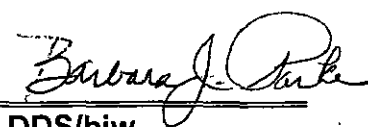
Attorney Assigned:
Demetrius D. Shelton
572312

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 JUL -9 PM 5: 14

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.


DDS/bjw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF TRINA LIERAS and ALFREDO LIERAS v. CITY OF OAKLAND, et al., ALAMEDA COUNTY SUPERIOR COURT NO. RG07350247 OUR FILE NO. 25825, IN THE AMOUNT OF \$99,670.00 (PUBLIC WORKS AGENCY – PERSONAL INJURY)

WHEREAS: Plaintiff Trina Lieras has filed the above-captioned lawsuit alleging that a dangerous condition of City of Oakland property, to wit a cracked and uneven portion of sidewalk located at 496 Lake Park Avenue caused her to trip and fall; and

WHEREAS: Plaintiff Trina Lieras alleges that she sustained injury and damages caused by the trip and fall; and

WHEREAS: The City of Oakland, without admitting guilt, wrongdoing or liability of any sort whatsoever, believes that it is in the best interest of the City of Oakland to terminate the above-captioned lawsuit through settlement.

THEREFORE BE IT RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Trina Lieras, et al. v. City of Oakland, et al., City Attorney's File No. 25825, for a sum not to exceed Ninety-Nine Thousand, Six Hundred, Seventy Dollars and No Cents (\$99,670.00) made payable to Plaintiffs Trina Lieras and Alfredo Lieras and Philip T. Prince, Esq., their attorney.

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

FURTHER RESOLVED: That the sum of Ninety-Nine Thousand, Six Hundred, Seventy Dollars and No Cents (\$99,670.00) made payable to Plaintiffs Trina Lieras and Alfredo Lieras and Philip T. Prince, Esq., their attorney.

IN COUNCIL, OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS

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

DATE OF ATTESTATION: _____