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CITY OF OAKLAND



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October 21, 2014

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Laurie Krane v. City of Oakland  
Alameda Superior Court Case No. RG13698248  
City Attorney File No. 29557  
(Public Works Department – Dangerous Condition)**

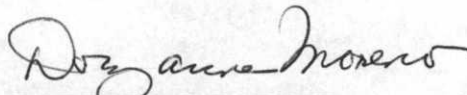
President Kernighan and Members of the City Council:

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 Forty Five Thousand Dollars and no Cents (\$45,000.00), payable to Laurie Krane and Terry D. Buller, Esq., her attorney.

This action arises out of plaintiff Laurie Krane tripping and falling on some uneven sidewalk near the Paramount Theatre on November 4, 2012. Plaintiff alleges that the uneven sidewalk was a Dangerous Condition of Public Property under § 835 of California's Government Code.

The Council authorized settlement of this case in Closed Session on Tuesday, October 7, 2014 (moved by Councilmember Gibson-McElhaney and seconded by Councilmember Kaplan – 8 Ayes).

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney assigned:  
Wendy M. Garbers

*[Signature]*  
City Attorney's Office

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# OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LAURIE KRANE V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG13698248, CITY ATTORNEY'S FILE NO. 29557, IN THE AMOUNT OF FORTY FIVE THOUSAND DOLLARS (\$45,000.00) (PUBLIC WORKS DEPARTMENT – DANGEROUS CONDITION)**

**WHEREAS**, Plaintiff Laurie Krane alleges that she tripped and fell on some uneven sidewalk in front of the Paramount Theatre on November 4, 2012; and

**WHEREAS**, Plaintiff Laurie Krane filed the above referenced action to recover monetary damages for her alleged injuries; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff Laurie Krane's claim against it for the sum of Forty Five Thousand Dollars and No Cents (\$45,000.00); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Laurie Krane v. City of Oakland, Alameda County Superior Court Case No. RG13698248, City Attorney's File No. 29557, for a sum not to exceed Forty Five Thousand Dollars and No Cents (\$45,000.00) 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 Forty Five Thousand Dollars and No Cents (\$45,000.00) be paid to Laurie Krane and Terry D. Buller, Esq., 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