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CITY OF OAKLAND



ONE FRANK OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara J. Parker  
City Attorney

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February 21, 2012

HONORABLE CITY COUNCIL  
Oakland, California

Subject: James Kanalakis v. City of Oakland, et al.  
Alameda County Superior Court No. RG08-372279  
City Attorney File No. 25770 (Trip and Fall – Public Works Agency)

President Raid 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 action. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) payable to Plaintiff James Kanalakis.

This action arises from an incident on January 22, 2007, wherein Mr. Kanalakis tripped and fell over exposed bolts from an uncovered light standard base near 10850 MacArthur Blvd. This matter was not heard in closed session.

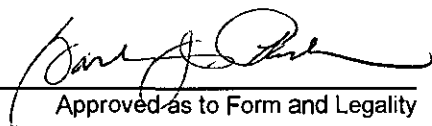
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker', written in a cursive style.

BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
JAMES F. HODGKINS

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Approved as to Form and Legality

# OAKLAND CITY COUNCIL

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

JFH

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JAMES KANALAKIS V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08-372279 IN THE AMOUNT OF \$7,500.00 AS A RESULT OF A TRIP AND FALL ACCIDENT AT NEAR 10850 MACARTHUS BLVD. (OFFICE OF PUBLIC WORKS – OPW- TRIP AND FALL)**

**WHEREAS:** James Kanalakis was injured when he tripped and fell on exposed bolts from an uncovered light standard base; and

**WHEREAS:** Mr. Kanalakis sustained serious injuries requiring medical treatment as a result of this accident; 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 James Kanalakis v. City of Oakland, City Attorney's File No. 25770, for the sum of **Seven Thousand, Five Hundred Dollars and No Cents (\$7,500.00)**; 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 **Seven Thousand, Five Hundred Dollars and No Cents (\$7,500.00)** be payable to Plaintiff James Kanalakis.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2012

PASSED BY THE FOLLOWING VOTE:

AYES- DE LA FUENTE, KERNIHGAN, NADEL, BRUNNER, SCHAAF, BROOKS, KAPLAN and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

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