

CITY OF OAKLAND



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

Office of the City Attorney  
John A. Russo  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TDD: (510) 839-6451

May 2, 2006

HONORABLE CITY COUNCIL  
Oakland, California

President De La Fuente and Members of the City Council

Subject: Resolution Authorizing Settlement of  
Claim of Stuart Fishman  
File Number: C25076

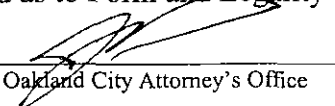
Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claim for the sum of Nine Thousand One Hundred Forty Six Dollars and 24 Cents (\$9,146.24), payable to Stuart Fishman and Ellen Ruth Fenichel, his attorney of record, as a result of sewer flood damage to claimant's property on September 3, 2005. The flooding was caused by a failed City sewer main. (Public Works Agency) This was not a closed session item.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo", written over a horizontal line.

JOHN A. RUSSO  
City Attorney

OFFICE OF THE CITY CLERK  
OAKLAND

  
Oakland City Attorney's Office

2006 APR 20 PM 2:13 OAKLAND CITY COUNCIL

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

JAR: end

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF STUART FISHMAN IN THE AMOUNT OF NINE THOUSAND ONE HUNDRED FORTY SIX DOLLARS AND 24 CENTS (\$9,146.24), AS A RESULT OF PROPERTY DAMAGE SUSTAINED DUE TO A SEWER FLOOD CAUSED BY A FAILED CITY SEWER MAIN ON SEPTEMBER 3, 2005. (PWA)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the claim of Stuart Fishman, our file number C25076, for the sum of Nine Thousand One Hundred Forty Six Dollars and 24 Cents (\$9,146.24), payable to Stuart Fishman and Ellen Ruth Fenichel, his attorney of record.

**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 Nine Thousand One Hundred Forty Six Dollars and 24 Cents (\$9,146.24), be paid to Stuart Fishman and Ellen Ruth Fenichel, his attorney of record.

In Council, Oakland, California, \_\_\_\_\_, 2006

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, 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