

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

09 DEC 18 PM 4:09

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  
TTY/TDD: (510) 238-3254

January 5, 2010

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Ernest White v. City of Oakland.**  
**Alameda County Superior Court No. RG0 8375382**  
**Our File No. 26153 (PUBLIC WORKS AGENCY –**  
**TRIP AND FALL)**

President Brunner 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 for the sum of Nine Thousand Two Hundred Dollars and No Cents (\$9,200.00) payable to Plaintiff Ernest White and Ladva Law Firm, his attorney.

This case arises out of plaintiff's trip and fall on an uneven and cracked sidewalk in front of 826 58<sup>th</sup> Street on September 7, 2007. This settlement is recommended to avoid a potentially much larger adverse jury verdict. This was not a closed session item.

Respectfully submitted,

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


JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Arlene Rosen  
613318

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

09 DEC 18 PM 4:09

Approved as to Form and Legality

  
Oakland City Attorney's Office

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

AMR:dw

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ERNEST WHITE v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT No. RG08375382, CITY ATTORNEY FILE NO. 26153, IN THE AMOUNT OF \$9,200.00. THIS CASE INVOLVES A TRIP AND FALL IN FRONT OF 826 58<sup>th</sup> STREET, OAKLAND, CALIFORNIA (PWA)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of ERNEST WHITE v. CITY OF OAKLAND, ET AL., Alameda County Superior Court Case No. RG08375382, City Attorney's File No. 26153, for the sum of Nine Thousand Two-Hundred Dollars and No Cents (\$9,200.00), payable to Ernest White and the Ladva Law Firm.

**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 Nine Thousand Two Hundred Dollars and No Cents (\$9,200.00) be paid to Ernest White and the Ladva Law Firm.

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

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

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