

[Signature]
City Attorney's Office

2014 OCT 22 PM 3:09

OAKLAND CITY COUNCIL

Resolution No. 85239 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF NANCY LEE, MONICA LEE, AND SAMANTHA LEE V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG12641451, CITY ATTORNEY'S FILE NO. 28903, IN THE AMOUNT OF TWO MILLION DOLLARS (\$2,000,000.00) (PUBLIC WORKS DEPARTMENT – DANGEROUS CONDITION)

WHEREAS, Plaintiffs allege that Allen Lee's September 24, 2011 bicycle accident on Grizzly Peak Boulevard was caused by the dangerous condition of the road; and

WHEREAS, Plaintiffs Nancy Lee, Monica Lee, and Samantha Lee filed the above referenced action to recover monetary damages for Allen Lee's death; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiffs Nancy Lee's, Monica Lee's, and Samantha Lee's claim against it for the sum of Two Million Dollars and No Cents (\$2,000,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Nancy Lee, Monica Lee, and Samantha Lee v. City of Oakland, Alameda County Superior Court Case No. RG12641451, City Attorney's File No. 28903, for a sum not to exceed Two Million Dollars and No Cents (\$2,000,000.00) 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 Two Million Dollars and No Cents (\$2,000,000.00) be paid to The Law Offices of Gwilliam, Ivary, Chiosso, Cavalli & Brewer, In Trust For Nancy Lee, Monica Lee, and Samantha Lee.

IN COUNCIL, OAKLAND, CALIFORNIA, -

NOV 05 2014

PASSED BY THE FOLLOWING VOTE

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~REID~~, SCHAAF, AND PRESIDENT KERNIGHAN - 7

NOES - 0

ABSENT - Reid - 1

ABSTENTION - 0

ATTEST *[Signature]*
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California