
Office of the City Attorney

13 JUN 27 PM 2:22

OAKLAND CITY COUNCIL

RESOLUTION NO. 84508 C.M.S.

JFH:ah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DENNIS ABBOTT v. U.S. BANK; CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG12-613796, IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$100,000.00) AS A RESULT OF A TRIP AND FALL ACCIDENT ON OR ABOUT SEPTEMBER 19, 2011 (PUBLIC WORKS AGENCY – TRIP AND FALL)

WHEREAS, On or about September 19, 2011, Dennis Abbott tripped and fell on a portion of upheaved sidewalk adjacent to a tree well outside of U.S. Bank located at 1988 Mountain Boulevard, Oakland; and

WHEREAS, Alameda County Superior Court Case No. RG12-613796 resulted from this incident; and

WHEREAS, It is in the City's best interest to settle this case to avoid the possibility of an adverse jury verdict; and

NOW, THEREFORE, BE IT RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Dennis Abbott v. City of Oakland, Alameda County Superior Court Case Number RG12-613796, City Attorney's Office File No. 28714, for the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00); 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 One Hundred Thousand Dollars and No Cents (\$100,000.00) be payable to Plaintiff Dennis Abbott and William S. Berland, Esquire, his attorney.

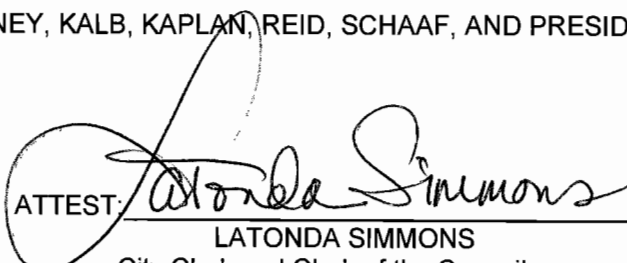
IN COUNCIL, OAKLAND, CALIFORNIA,

JUL 16 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN - 8

NOES - 0
ABSENT - 0
ABSTENTION - 0

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