

CITY OF OAKLAND



2005 DEC -7 PM 2:02

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December 20, 2005

**HONORABLE CITY COUNCIL**

Oakland, California


**Subject: *Bobby Johnson v. City of Oakland, et al***  
**Alameda County Superior Court Case No. RG04-178723**  
**Our File No. 23839 – Office of Public Works –**  
**Trip and Fall on Deteriorated Portion of Crosswalk**

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from an incident on July 6, 2003, in which plaintiff tripped and fell in a large hole in the crosswalk at 10<sup>th</sup> and Poplar Streets. This matter was presented to council in closed session on November 1, 2005

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Seventh-Five Thousand Dollars and No Cents (\$75,000.00), to be made payable to Bobby Johnson and Robert Cheasty, Esq., his attorney.

Respectfully submitted,

  
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Peter Hallifax

346094

OFFICE OF THE CITY CLERK  
2005 OCT 10 10:00 AM  
Oakland City Attorney's Office

# OAKLAND CITY COUNCIL

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

PH:aah

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF BOBBY JOHNSON v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG04-178723, OUR FILE NO. 23839 IN THE AMOUNT OF \$75,000.00. THIS CASE INVOLVES A TRIP AND FALL ACCIDENT ON A DETERIORATED PORTION OF THE CROSSWALK (PUBLIC WORKS AGENCY)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Bobby Johnson v. City of Oakland, Alameda County Superior Court Case No. RG04-178723, City Attorney's File No. 23839, for a sum not to exceed a total amount of Seventy-Five Thousand Dollars and No Cents (\$75,000.00) payable to Bobby Johnson and Robert Cheasty, Esq., his attorney.

**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 Seventy-Five Thousand Dollars and No Cents (\$75,000.00) be paid to Bobby Johnson and Robert Cheasty, Esq., his attorney.

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

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, 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