

OAKLAND CITY COUNCIL

FILED  
OFFICE OF THE CITY CLERK  
RESOLUTION No. 79452 C.M.S.

2005 SEP -6 PM 3:43

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JAMES KYLE v. CITY OF OAKLAND, ALAMEDA SUPERIOR COURT CASE NO. 2002 060357, OUR FILE NO. 22151, IN THE AMOUNTS OF \$240,000 AND \$100,000 THIS CASE INVOLVES AN ALLEGED DANGEROUS CONDITION OF PUBLIC PROPERTY (PUBLIC WORKS AGENCY)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of James Kyle v. City of Oakland, Alameda County Superior Court Case No. 2002 060357 in the amounts of Two Hundred Forty Thousand Dollars (\$240,000), payable to James Kyle and his attorneys, Boxer & Gerson. and One Hundred Thousand Dollars (\$100,000), payable to AC Transit and its attorneys, Laughlin, Falbo & Levy.

**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

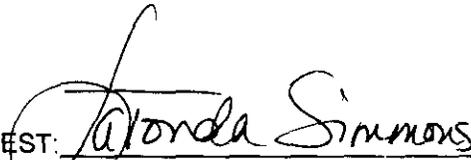
**FURTHER RESOLVED:** That the sums of Two Hundred Forty Thousand Dollars (\$240,000) be paid to James Kyle and his attorneys, Boxer & Gerson. and One Hundred Thousand (\$100,000) be paid to AC Transit and its attorneys, Laughlin, Falbo & Levy.

SEP 20 2005

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_

**PASSED BY THE FOLLOWING VOTE:**

- AYES- ~~BRUNNER~~, CHANG, DE LA FUENTE, ~~WILSON~~, NADEL, REID, ~~QUAN~~, AND KERNIGHAN-6
- NOES- BRUNNER -1
- ABSENT- BROOKS -1
- ABSTENTION-  $\phi$

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