



13 APR -4 PM 4:08

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Office of the City Attorney  
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April 16, 2013

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Companion Property Insurance Company as subrogee of  
Tonya Brown  
City Attorney File No. C29487 (PWA – Vehicle Accident)**


President Kernighan 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 claim for the sum of Seven Thousand Eighty Seven Dollars and Ninety-Two Cents (\$7,087.92) payable to Companion Property and Casualty Insurance Company as subrogee of Tonya Brown.

This action arises out of a November 26, 2012 auto accident in the 1700 Block of MacArthur Boulevard in which a City employee, driving a City vehicle, rear-ended the claimant car. Settlement of this matter is recommended to avoid the risk of litigation. This matter was heard in closed session on Tuesday, April 16, 2013.

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

  
Office of the City Attorney

OFFICE OF THE CITY CLERK  
OAKLAND

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**OAKLAND CITY COUNCIL**

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

BJP:MC

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF COMPANION PROPERTY AND CASUALTY INSURANCE COMPANY AS SUBROGEE OF TONYA BROWN, CITY ATTORNEY'S CLAIM NO. C29487, IN THE AMOUNT OF SEVEN THOUSAND EIGHTY SEVEN DOLLARS AND NINETY-TWO CENTS (7,087.92) (PWA – VEHICLE ACCIDENT)**

**WHEREAS**, on November 26, 2012, the City's auto, driven by a city employee rear ended the stopped claimant vehicle in the 1700 block of MacArthur Ave., and

**WHEREAS**, the claimant filed the above entitled claim seeking damages for said damages, and

**WHEREAS**, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City; now therefore, be it

**RESOLVED**: that the City Attorney is authorized and directed to settle the matter of Companion Property and Casualty Insurance Company as subrogee of Tonya Brown v. City of Oakland, our file C29487, for the sum of Seven Thousand Eighty Seven Dollars and Ninety-Two Cents (\$7,087.92) payable to Companion Property and Casualty Insurance Company as subrogee of Tonya Brown; 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 Seven Thousand Eighty Seven Dollars and Ninety-Two Cents (\$7,087.92) be made payable to Companion Property and Casualty Insurance Company as subrogee of Tonya Brown.

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

**PASSED BY THE FOLLOWING VOTE:**

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

**NOES -**

**ABSENT -**

**ABSTENTION -**

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