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CITY OF OAKLAND



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April 19, 2016

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Rochelle Fuller v. City of Oakland  
Alameda County Superior Court Case No. RG15756788  
City Attorney File No. 30200  
(Oakland Public Works – Trip and Fall)**

President McElhaney 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 Six Thousand Five Hundred Dollars and No Cents (\$6,500.00), payable to Rochelle Fuller and Michael C. Cohen, her attorney.

This action arises out of a trip and fall that occurred on May 26, 2014 in front of 4105 Allendale Street in the City of Oakland. Ms. Fuller sustained injuries to her face, hands and knees, requiring medical treatment.

The Council authorized settlement of this case in Closed Session on Tuesday, April 5, 2016 (moved by Councilmember Kaplan and seconded by Councilmember Gallo - 8 Ayes).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker".

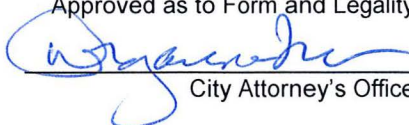
BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
Tracy Chriss

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# OAKLAND CITY COUNCIL

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

Approved as to Form and Legality  
  
City Attorney's Office

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ROCHELLE FULLER V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG15756788, CITY ATTORNEY'S FILE NO. 30200, IN THE AMOUNT OF SIX THOUSAND FIVE HUNDRED DOLLARS (\$6,500.00) (OAKLAND PUBLIC WORKS – TRIP AND FALL)**

**WHEREAS**, Rochelle Fuller was injured when she tripped and fell on the sidewalk in front of 4105 Allendale Street in the City of Oakland on May 26, 2014; and

**WHEREAS**, Ms. Fuller sustained injuries requiring medical treatment as a result of this accident; and

**WHEREAS**, Ms. Fuller filed Alameda County Superior Court Case No. RG15756788 against the City of Oakland on January 30, 2015 alleging premises liability; and

**WHEREAS**, the City has determined that settlement in the amount of Six Thousand Five Hundred Dollars and No Cents (\$6,500.00), 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 compromise and settle the case of Rochelle Fuller v. City of Oakland, Alameda County Superior Court Case No. RG15756788, City Attorney's File No. 30200, for the sum of Six Thousand Five Hundred Dollars and No Cents (\$6,500.00); 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 Six Thousand Five Hundred Dollars and No Cents (\$6,500.00) be made payable to Rochelle Fuller and Michael C. Cohen, her attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON  
MCELHANEY

NOES –

ABSENT –

ABSTENTION –

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