

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION No. 82591 C.M.S.
2010 MAR -4 PM 3:37


DDS/bjw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CAROL WERTHEIM v. CITY OF OAKLAND, et al., ALAMEDA COUNTY SUPERIOR COURT NO. RG09448743 OUR FILE NO. 26909, IN THE AMOUNT OF \$35,000.00 (PUBLIC WORKS AGENCY – PERSONAL INJURY)

WHEREAS: Plaintiff Carol Wertheim has filed the above-captioned lawsuit alleging a trip and fall accident that occurred on May 12, 2008 in Oakland, CA.

WHEREAS: Plaintiff Carol Wertheim alleges that she sustained injury and damages caused by her fall; and

WHEREAS: the City of Oakland, without admitting guilt, wrongdoing or liability of any sort whatsoever, believes that it is in the best interest of the City of Oakland to terminate the above-captioned lawsuit through settlement.

THEREFORE BE IT RESOLVED: that the City Attorney is authorized and directed to compromise and settle the case of Carol Wertheim v. City of Oakland, et al., City Attorney's File No. 26909, for a sum not to exceed Thirty-Five Thousand Dollars and No Cents (\$35,000.00) made payable to Plaintiff Carol Wertheim and Jay Chafetz, Esq., her attorney.

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

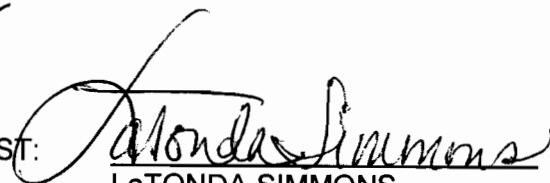
FURTHER RESOLVED: that the sum of Thirty-Five Thousand Dollars and No Cents (\$35,000.00) made payable to Plaintiff Carol Wertheim and Jay Chafetz, Esq., her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA **MAR 16 2010**

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT BRUNNER - 8

NOES - 0
ABSENT - 0
ABSTENTION - 0

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