

**May 2, 2024**

**CLOSED SESSION REPORT OF FINAL ACTION**

Date of Meeting: *Thursday, May 2, 2024*

Litigation Negotiations

**NAME OF ACTION:**

**Philip Woodruff v. City of Oakland, 2900 College Ave. LLC, County of Alameda, California Department of Transportation, and DOES 1-50, Inclusive et al.**  
**Alameda County Superior Court, Case No. RG2111459**

This matter is listed as **Item No. 1 (c)** on the Closed Session Agenda:

The council authorized settlement in the amount of **\$30,000**

This case arose out of incidents occurring on **October 28, 2020**

**FACTS/ISSUES:**

Plaintiff Philip Woodruff (“Woodruff”) alleges that on October 28, 2020, they tripped on an uneven sidewalk in front of 4050 Piedmont Avenue in Oakland, California. Woodruff alleges that the sidewalk was deteriorated and there was an uplift causing them to fall forward.

Woodruff tore their left rotator cuff and had arthroscopic surgery to repair it. Woodruff’s past medical expenses are approximately \$53,000. Additionally, Woodruff claims damages for pain and suffering.

The City determined that settlement in the amount of \$30,000 on behalf of the City to Woodruff, without admitting liability and to avoid further litigation, is in the best interest of the City.

Motion Made by: **Councilmember Kalb**

Motion Seconded by: **Councilmember Reid**

**AYES:** Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas=**6**

**NOES:** Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =

**ABSENT:** Fife, **Gallo**, Jenkins, Kalb, Kaplan, **Ramachandran**, Reid, and President Fortunato Bas =**2**

**ABSTENTIONS:** Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =