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CITY OF OAKLAND



ONE FRANK OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John Russo
City Attorney

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March 1, 2011

HONORABLE CITY COUNCIL
Oakland, California

Subject: Doree Johnson v. City of Oakland, et al.
Alameda County Superior Court No. RG09-465477
City Attorney File No. 26915 (OPW)

President Reid 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 action. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Thirty-five Thousand Dollars and No Cents (\$35,000.00) payable to Plaintiff Doree Johnson and Matthew D. Haley, her attorney.

This action arises from an incident on May 17, 2007, wherein Ms. Johnson tripped and fell over a portion of upraised sidewalk adjacent to 4529 Martin Luther King Jr. Way. This matter was not heard in closed session.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo", written over a horizontal line.

JOHN A. RUSSO
City Attorney

Attorney Assigned:
JAMES F. HODGKINS

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James F. ...
Approved as to Form and Legality

OAKLAND CITY COUNCIL

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RESOLUTION No. _____ C.M.S.

LFH
LFH

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DOREE JOHNSON v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG09-465477 IN THE AMOUNT OF \$35,000.00 AS A RESULT OF A TRIP AND FALL ACCIDENT ADJACENT TO 4529 MARTIN LUTHER KING JR. WAY. (OFFICE OF PUBLIC WORKS - OPW)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Doree Johnson v. City of Oakland, City Attorney's File No. 26915, for the sum of Thirty-five Thousand Dollars and No Cents (\$35,000.00); 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 Thirty-five Thousand Dollars and No Cents, (\$35,000.00) be payable to Plaintiff Doree Johnson and Matthew D. Haley, her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2011

PASSED BY THE FOLLOWING VOTE:

- AYES- DE LA FUENTE, KERNIHGAN, NADEL, BRUNNER, SCHAAF, BROOKS, KAPLAN and PRESIDENT REID
- NOES-
- ABSENT-
- ABSTENTION-

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