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CITY OF OAKLAND



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September 17, 2013

HONORABLE CITY COUNCIL
Oakland, California


Subject: GEICO Direct as Subrogee for Anthony Paone
City Attorney File No. C29582 (Pubic Works Agency – Auto Collision)

President Kernighan and Members of the City Council:

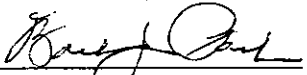
Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for the sum of Six Thousand Two Hundred Forty Five Dollars and Forty-Three Cents (\$6,245.43), payable to GEICO Direct as subrogee for Anthony Paone.

This action arises out of a March 12, 2013 automobile accident involving a City vehicle. We recommend settlement of this matter to avoid the risk of litigation. This matter was heard in closed session on September 17, 2013.

Respectfully submitted,


BARBARA J. PARKER
City Attorney

1145901


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OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

BJP

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF GOVERNMENT EMPLOYEES INSURANCE COMPANY (GEICO) DIRECT AS SUBROGEE FOR ANTHONY PAONE CITY ATTORNEY'S CLAIM NO. C29582, IN THE AMOUNT OF SIX THOUSAND TWO HUNDRED FORTY FIVE DOLLARS AND FORTY-THREE CENTS (\$6,245.43) (PUBLIC WORKS AGENCY - AUTO COLLISION)

WHEREAS, claimant alleges auto collision on March 12, 2013, the driver of a City vehicle collided with the vehicle driven by GEICO's insured, and

WHEREAS, GEICO filed the above entitled subrogation claim seeking settlement 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 GEICO Direct as subrogee for Anthony Paone, our file C29582, for the sum of Six Thousand Two Hundred Forty Five Dollars and Forty-Three Cents (\$6,245.43), 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 Six Thousand Two Hundred Forty Five Dollars and Forty-Three Cents (\$6,245.43) be made payable to GEICO Direct as subrogee for Anthony Paone.

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