

FILED  
CITY OF OAKLAND  
OFFICE OF THE CITY CLERK  
OAKLAND



09 OCT 21 PM 3:18

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CA 94612

Office of the City Attorney  
John A. Russo  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TDD: (510) 839-6451

November 3, 2009

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Tina Garfinkel v. City of Oakland**  
**Alameda County Superior Court Case No. RG08421701**  
**File No. 26152 (PWA)**

Dear President Brunner and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution and recommends settlement of the damages claim in the above-entitled matter.

Due to the potential for a higher award from the Court, settlement is recommended in the amount of Twenty-Five Thousand Dollars and No Cents (\$25,000.00), to be made payable to plaintiff Tina Garfinkel and her attorney of record, Dawn Hassell, Esq.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Charles E. Vose

598763

# OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

CEV:cr

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF TINA GARFINKEL v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08421701, CITY ATTORNEY FILE NO. 26152, IN THE AMOUNT OF \$25,000.00. THIS CASE INVOLVES A CLAIM FOR DAMAGES RESULTING FROM A TRIP AND FALL ON A SIDEWALK ADJACENT TO 777 OAKLAND AVENUE, NEAR THE INTERSECTION OF MONTE VISTA AVENUE (PWA)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of TINA GARFINKEL v. CITY OF OAKLAND, Alameda County Superior Court Case No. RG08421701, City Attorney's File No. 26152, for the sum of Twenty-Five Thousand Dollars and No Cents (\$ 25,000.00, payable to plaintiff TINA GARFINKEL and her attorney of record, DAWN HASSELL, ESQ.

**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 Twenty-Five Thousand Dollars and No Cents (\$32,500.00) be paid to plaintiff Tina Garfinkel and her attorney of record, Dawn Hassell.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California