

12 MAY -2 PM 3:06

CITY OF OAKLAND



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May 15, 2012

HONORABLE CITY COUNCIL
Oakland, California


Subject: Carmen Domer v. City of Oakland, et al.
Alameda County Superior Court No. RG11555133
Our File No. 27655 (PUBLIC WORKS AGENCY –
TRIP AND FALL)

President Reid and Members of the City Council:

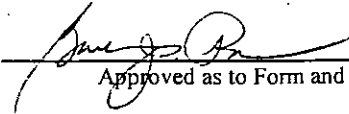
Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action for the sum of Eight Thousand Dollars and No Cents (\$8,000.00) payable to Carmen Domer and the Law Offices of Joseph W. Campbell, her attorneys.

This action arose when Plaintiff Carmen Domer tripped and fell on an uneven section of sidewalk in front of 6200 Antioch Street on September 20, 2009. Settlement of this matter is recommended to avoid the risk of a more adverse jury verdict. This was not a closed session matter.

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney Assigned:
Arlene M. Rosen


Approved as to Form and Legality

12 MAY -2 PM 3:07

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CARMEN DOMER v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG1155133 IN THE AMOUNT OF \$8,000.00 (PUBLIC WORKS AGENCY – TRIP AND FALL)

WHEREAS: Plaintiff Carmen Domer tripped on an uneven section of the sidewalk in front of 6200 Antioch Street, causing her to fall and break her left foot;

WHEREAS: Plaintiff Carmen Domer has filed the above-referenced lawsuit seeking damages arising from this incident;

WHEREAS: The City has determined to compromise and settle Plaintiff's claim against it for the sum of Eight Thousand Dollars and no Cents (\$8,000.00);

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Carmen Domer v. City of Oakland, et al, Alameda County Superior Court No. **RG1155133**, City Attorney's File No. 27786, for a sum not to exceed Eight Thousand Dollars and no Cents (\$8,000.00), payable by the City of Oakland.

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 Eight Thousand Dollars and no Cents (\$8,000.00), be paid to Carmen Domer and the Law Offices of Joseph W. Campbell, her attorneys.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2012

PASSED BY THE FOLLOWING VOTE:

AYES-

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS

**CITY CLERK AND CLERK OF THE
COUNCIL OF THE CITY OF OAKLAND**