

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
City Attorney's Office

15 APR 24 PM 1:26 **OAKLAND CITY COUNCIL**

Resolution No. 85564 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF YOLANDA COBBS AND MICHELLE LEE V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14720182, CITY ATTORNEY'S FILE NO. 29719, IN THE AMOUNT OF FIFTY-TWO THOUSAND DOLLARS (\$52,000.00) (OAKLAND PUBLIC WORKS – TRIP AND FALL)**

**WHEREAS**, Yolanda Cobbs and Michelle Lee were injured when they tripped and fell on a sidewalk fronting 1411 92<sup>nd</sup> Avenue on August 18, 2013; and

**WHEREAS**, Ms. Cobbs and Ms. Lee sustained injuries requiring medical treatment as a result of this accident; and

**WHEREAS**, Ms. Cobbs and Ms. Lee filed Alameda County Superior Court Case No. RG14720182 against the City of Oakland on April 4, 2014 alleging general negligence and premises liability; and

**WHEREAS**, the City has determined that settlement in the amount of Fifty-Two Thousand Dollars (\$52,000.00), without an admission of liability, is in the best interest of the City; and

**WHEREAS**, the settlement will be divided between the parties: Ms. Cobbs will receive forty-nine thousand dollars (\$49,000.00) in settlement of her claims and Ms. Lee will receive three thousand dollars (\$3,000.00) in settlement of her claims for a total settlement amount of fifty-two thousand dollars (\$52,000.00); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Yolanda Cobbs and Michelle Lee v. City of Oakland, Alameda County Superior Court Case No. RG14720182, City Attorney's File No. 29719, for the sum of Fifty-Two Thousand Dollars and No Cents (\$52,000.00) with Forty-Nine Thousand Dollars (\$49,000.00) payable to Ms. Cobbs, and Michael Wohlstadter, her attorney of record and Three Thousand Dollars (\$3,000.00) payable to Ms. Lee, and Michael Wohlstadter, her attorney of record; and be it

**FURTHER RESOLVED:** That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement

IN COUNCIL, OAKLAND, CALIFORNIA,                      **MAY 19 2015**  
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~REID~~ AND  
PRESIDENT GIBSON MCELHANEY - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

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

*Latonda Simmons for*

LATONDA SIMMONS

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