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Office of the City Attorney
John A. Russo
City Attorney

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December 21, 2004

HONORABLE CITY COUNCIL
Oakland, California

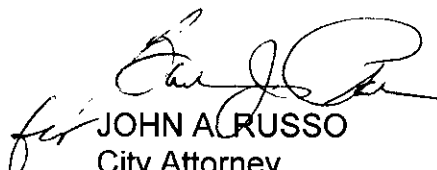
**Subject: Felicia Allen v. Largo Concrete, Inc. et al. and
related cross-action
Alameda County Superior Court No. 2002073499
Our File No. 23112 (PUBLIC WORKS AGENCY-
WRONGFUL DEATH)**

President De La Fuente 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 Seventy-Five Thousand Dollars and No Cents (\$75,000.00) payable to Plaintiff Felicia Allen and Baum & Blake, her attorney.

This case arises out of the death of Reginald Williams, a minor, who was killed after he climbed a City fence at Stonehurst Park to retrieve a ball from the adjacent property of Largo Concrete, a construction yard, on May 14, 2002. The settlement is recommended to avoid a potentially much larger adverse jury verdict. This settlement was approved by the City Council at closed session on December 7, 2004.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

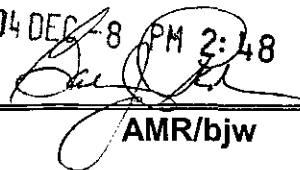
Attorney Assigned:
Arlene Rosen
333585

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

FILED
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AMR/bjw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF FELICIA ALLEN v. LARGO CONCRETE, INC., ET AL. AND RELATED CROSS-ACTION, ALAMEDA SUPERIOR COURT NO. 2002073499, OUR FILE NO. 23112, IN THE AMOUNT OF \$75,000.00 (PUBLIC WORKS AGENCY – WRONGFUL DEATH)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Felicia Allen v. Largo Concrete, Inc., et al. and related cross-action, City Attorney's File No. 23112, for a sum not to exceed Seventy-Five Thousand Dollars and No Cents (\$75,000.00) made payable to Plaintiff Felicia Allen and Baum & Blake, her attorney.

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

FURTHER RESOLVED: That the sum of Seventy-Five Thousand Dollars and No Cents (\$75,000.00) made payable to Plaintiff Felicia Allen and Baum & Blake, her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD

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