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[Signature]
City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. 85095 - C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CHITMON V. CITY OF OAKLAND, ALAMEDA SUPERIOR COURT CASE NO. RG12655533, CITY ATTORNEY'S FILE NO. 29018, IN THE AMOUNT OF ONE HUNDRED FIVE THOUSAND DOLLARS (\$105,000.00) (PUBLIC WORKS AGENCY - DANGEROUS CONDITION)

WHEREAS, Plaintiff Eloise Chitmon alleges that she fell into an uncovered storm sewer at 30th and Filbert Streets on November 11, 2011; and

WHEREAS, Plaintiff Eloise Chitmon filed the above referenced action to recover monetary damages for her alleged injuries; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff Eloise Chitmon's claim against it for the sum of One Hundred Five Thousand Dollars and No Cents (\$105,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Eloise Chitmon v. City of Oakland, Alameda Superior Court Case No. RG12655533, City Attorney's File No. 29018, for a sum not to exceed One Hundred Five Thousand Dollars and No Cents (\$105,000.00) payable by the City of Oakland; and be it

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

FURTHER RESOLVED: That the sum of One Hundred Five Thousand Dollars and No Cents (\$105,000.00) be paid to Eloise Chitmon and Sheppard, Uziel, Sussman & Rosen, her attorneys.

IN COUNCIL, OAKLAND, CALIFORNIA, = JUL 15 2014

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN - 8

NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST:

[Signature] for
LATONDA SIMMONS
City Clerk and Clerk of the Council of the City
of Oakland, California