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CITY OF OAKLAND



11 JUN 23 AM 10:38

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

Office of the City Attorney  
Barbara J. Parker  
Acting City Attorney

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July 5, 2011

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Deborrah Lewis v. City of Oakland, et al.**  
**Alameda County Superior Court No. RG10535198**  
**Our File No. 27519 (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 Twenty-three Thousand, Five Hundred Dollars and No Cents (\$23,500.00) payable to Plaintiff Deborrah Lewis and her attorneys, Miller, Washington & Kim.

This action arises out of a trip and fall on a ridge of eroded asphalt in the street in front of 10628 Acalanes Drive on September 27, 2009. Settlement of this matter is recommended to avoid the risk of a more adverse jury verdict.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara J. Parker".

**BARBARA J. PARKER**  
Acting City Attorney

Attorney Assigned:  
Arlene M. Rosen

820026

2011 JUN 23 PM 12:45

# OAKLAND CITY COUNCIL

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

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LEWIS V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG10535198 IN THE AMOUNT OF \$23,500.00 (PUBLIC WORKS AGENCY – TRIP AND FALL)**

**WHEREAS:** Plaintiff Deborrah Lewis fell on eroded asphalt in the street in front of 10628 Acalanes Drive, causing her to break her right foot and has filed a personal injury action against the City.

**WHEREAS:** The City has determined to compromise and settle Plaintiff Deborrah Lewis' claim against it for the sum of Twenty-three Thousand, Five Hundred Dollars and no Cents (\$23,500.00);

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Lewis v. City of Oakland, Alameda County Superior Court No. RG10535198, City Attorney's File No. 27519, for a sum not to exceed Twenty-three Thousand, Five Hundred Dollars and no Cents (\$23,500.00), 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 Twenty-three Thousand, Five Hundred Dollars and no Cents (\$23,500.00), be paid to Deborrah Lewis and Miller, Washington & Kim, her attorneys.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2011

**PASSED BY THE FOLLOWING VOTE:**

- AYES-
- NOES-
- ABSENT-
- ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
CITY CLERK AND CLERK OF THE  
COUNCIL OF THE CITY OF OAKLAND