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OAKLAND

CITY OF OAKLAND



09 JUL -9 PM 2:36

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

Office of the City Attorney  
John A. Russo  
City Attorney  
Jannie Wong, Deputy City Attorney

July 21, 2009

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HONORABLE CITY COUNCIL  
Oakland, California

President De La Fuente and Members of the City Council:

**Subject: Karen Lameiro v. The Swig Company, et al.  
Alameda County Superior Court Action No. RG08370345  
City Attorney File No. 26519**

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommends settlement of the above-captioned matter, for the sum of Thirty Thousand Dollars and No Cents (\$30,000.00), payable to Plaintiff Karen Lameiro and her attorney, Albert G. Stoll, Jr., Esq.

This action arises from plaintiff's injury on December 1, 2006 arising out of a trip and fall accident in the vicinity of 344 20<sup>th</sup> Street, which was allegedly caused by a dangerous condition of public sidewalk. The settlement was approved by the City Council at closed session on June 16, 2009.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "John A. Russo".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Jannie L. Wong

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Approved as to Form and Legality

Oakland City Attorney's Office

2009 JUL -9 PM 5:10 OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF KAREN LAMEIRO V. THE SWIG COMPANY, et al., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08370345 IN THE AMOUNT OF \$30,000. THIS ACTION ARISES FROM A TRIP AND FALL ACCIDENT IN THE VICINITY OF 344 20<sup>th</sup> STREET ON DECEMBER 1, 2006, ALLEGEDLY BECAUSE OF A DEFECT IN THE SIDEWALK. THE SETTLEMENT WAS APPROVED BY THE CITY COUNCIL AT CLOSED SESSION ON JULY 7, 2009 (PUBLIC WORKS AGENCY)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Karen Lameiro v. The Swig Company and Capmark Investments LP., et al., Alameda County Superior Court Case No. RG08370345, City Attorney's File No. 26519 in the amount of Thirty Thousand Dollars and No Cents (\$30,000.00).

**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 Thirty Thousand Dollars and No Cents (\$30,000.00) be paid to Karen Lameiro and Albert G. Stoll, Jr., Esq. her attorney.

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

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, DE LA FUENTE and  
PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

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

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

DATE OF ATTESTATION: \_\_\_\_\_