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10 MAR -3 PM CITY OF OAKLAND



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Office of the City Attorney  
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City Attorney

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March 16, 2010

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Juan Serrano v. City of Oakland, Port of Oakland  
Alameda County Superior Court No. RG08-384314  
City Attorney File No. 26451 (Public Works Agency)**

President Brunner 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. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Five Hundred Thousand Dollars and No Cents (\$500,000.00) payable to Plaintiff Juan Serrano and Joseph W. Campbell, his attorney.

This action arises from a worksite accident wherein Mr. Serrano fell into an open storm drain on Skyline Blvd. This matter was previously approved for settlement in closed session on March 2, 2010.

Respectfully submitted,

JOHN A. RUSSO  
City Attorney

Attorney Assigned: JAMES F. HODGKINS

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OAKLAND

  
Approved as to Form and Legality

# OAKLAND CITY COUNCIL

2010 MAR -4 PM 3:37

RESOLUTION No. \_\_\_\_\_ C.M.S.

JFH

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JUAN SERRANO v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08-384314, IN THE AMOUNT OF \$500,000.00 AS A RESULT OF A SLIP AND FALL INTO A STORM DRAIN RESULTING IN INJURY (PUBLIC WORKS AGENCY)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Juan Serrano v. City of Oakland, City Attorney's File No. 26451, for the sum of Five Hundred Thousand Dollars and No Cents (\$500,000.00); and be it

**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 Five Hundred Thousand Dollars and No Cents (\$500,000.00) be payable to Plaintiff Juan Serrano and Joseph W. Campbell, his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- DE LA FUENTE, KERNIHGAN, NADEL, REID, QUAN, BROOKS, CHANG and PRESIDENT BRUNNER  
NOES-  
ABSENT-  
ABSTENTION-

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

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