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Office of the City Attorney
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April 21, 2009

HONORABLE CITY COUNCIL – CONSENT CALENDAR
Oakland, California

Subject: Felicia Powell v. City of Oakland
Alameda County Superior Court Case No. RG07332688
City Attorney File No. 25802 (PWA)

President Brunner and Members of the City Council:

Pursuant to §401 of the Charter, the City Attorney has prepared a resolution and requests your approval of same, authorizing compromise and settlement of the above-entitled action in the total sum of Fourteen Thousand Dollars (\$14,000), payable to plaintiff Felicia Powell and Walter L. Davis, Esq., her attorney.

The lawsuit claims personal injury due to a dangerous condition, by which Ms. Powell tripped and fell into a pothole while in a City crosswalk. The settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'J. Russo', written over a horizontal line.

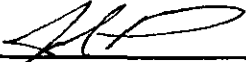
JOHN A. RUSSO
City Attorney

Attorney Assigned:
Rachel Wagner
544878

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 APR -8 PM 3:41

Approved as to Form and Legality


Office of the City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF FELICIA POWELL V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG07332688 IN THE AMOUNT OF \$14,000.00 (Public Works Agency)

WHEREAS: Ms. Powell claims personal injury due to a dangerous condition of a City crosswalk;

WHEREAS: Settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict;

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Felicia Powell v. City of Oakland, Alameda County Superior Court Case No. RG07332688, City Attorney's File No. 25802, for a sum not to exceed a total amount of Fourteen Thousand Dollars and No Cents (\$14,000.00), 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 Fourteen Thousand Dollars and No Cents (\$14,000.00), be paid to Felicia Powell and Walter L. Davis, 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: _____