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CITY OF OAKLAND



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Office of the City Attorney
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City Attorney

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May 17, 2016

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Joanna Stamps v. City of Oakland, et al.*
Alameda County Superior Court No. HG15756338
City Attorney File No. 30184
(Public Works – Dangerous Condition)

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 the resolution authorizing compromise and settlement of the above-entitled claim for the sum of Fourteen Thousand Dollars and Zero Cents (\$14,000.00), to be paid to the “Drake Law Firm and Joanna Stamps”.

This matter arises from trip and fall on the sidewalk adjacent to 957 21st Street in Oakland on January 17, 2014. Plaintiff seeks to recover for economic and non-economic damages.

The Council authorized settlement of this case in Closed Session on Tuesday, May 3, 2016 (moved by Councilmember Rebecca Kaplan and seconded by Councilmember Larry Reid – 7 Ayes, 1 Absent – Councilmember Desley Brooks).

Respectfully submitted,

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

BARBARA J. PARKER
City Attorney

Attorney assigned:
Michelle M. Meyers


City Attorney's Office

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OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JOANNA STAMPS V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. HG15756338, CITY ATTORNEY'S FILE NO. 30184, IN THE AMOUNT OF FOURTEEN THOUSAND DOLLARS (\$14,000.00) (PUBLIC WORKS – DANGEROUS CONDITION)

WHEREAS, Plaintiff Joanna Stamps alleges that she sustained injuries resulting from a trip and fall on the sidewalk adjacent to 957 21st Street in Oakland; and

WHEREAS, Plaintiff Joanna Stamps 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 Joanna Stamps' claim against it for the sum of Fourteen Thousand Dollars and No Cents (\$14,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Joanna Stamps v. City of Oakland, Alameda County Superior Court Case No. HG15756338, City Attorney's File No. 30184, for a sum not to exceed Fourteen Thousand Dollars and No Cents (\$14,000.00) 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 Fourteen Thousand Dollars and No Cents (\$14,000.00) be payable to the "Drake Law Firm and Joanna Stamps".

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the City
of Oakland, California