


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF HOA NGUYEN; MICHELLE NGUYEN; JOHN NGUYEN, BY AND THROUGH HIS FATHER AND GUARDIAN, HOA NGUYEN; AND ELLIE NGUYEN, BY AND THROUGH HER MOTHER AND GUARDIAN, TRANG NGUYEN V. LILIA VARGASDORALLA; OAKLAND UNIFIED SCHOOL DISTRICT; CITY OF OAKLAND, STATE OF CALIFORNIA, AND DOES 1 THROUGH 100, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20079412, CITY ATTORNEY'S FILE NO. 34068, IN THE AMOUNT OF ONE HUNDRED SEVENTY THOUSAND DOLLARS AND ZERO CENTS (\$170,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION OF PUBLIC PROPERTY)

WHEREAS, Plaintiffs allege that on October 1, 2019, Plaintiff Ellie Nguyen and decedent Huong Truong were struck in the crosswalk at 22nd Avenue and Foothill Boulevard by a vehicle driven by Defendant Lilia Vargasdoralla, and due to an alleged dangerous condition of public property; and

WHEREAS, Plaintiff Ellie Nguyen suffered bodily injuries, including lacerations and abrasions, and decedent Huong Truong was killed; and

WHEREAS, Plaintiffs filed Superior Court of the State of California, County of Alameda, Case No. RG20079412 against the City of Oakland and others, alleging a claim against the City for dangerous condition of public property; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

WHEREAS, the City admits no wrongdoing or liability; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Hoa Nguyen; Michelle Nguyen; John Nguyen, by and through his father and guardian Hoa Nguyen; and Ellie Nguyen, by and through her mother and guardian Trang Nguyen v. Lilia Vargasdoralla; Oakland Unified School District; City of Oakland; State of California, and Does 1 through 100, Alameda County Superior Court Case No. RG20079412, City Attorney’s File No. 34068, for the sum of One Hundred Seventy Thousand Dollars and Zero Cents (\$170,000.00); 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California