

CITY OF OAKLAND



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

Office of the City Attorney
Ryan Richardson
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

April 14, 2025

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Emerald Raychell Gilbert v. City of Oakland; County of Alameda;
Family Paths, Inc.; and Does 1 to 20
Case No. 23CV0304478
City Attorney File No. 35574
(Department of Transportation - Dangerous Condition of Public Property)**

President Pro Tempore Gallo 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 lawsuit for the sum of Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00) payable to Emerald Raychell Gilbert (“Gilbert”) and Gilbert’s attorneys at Bauman Law, APLC.

This case arises from an incident on May 1, 2022, in which Gilbert tripped and fell on a sidewalk uplift caused by the roots of a City tree on 18th Street near Martin Luther King Jr. Way. Gilbert fractured three bones in the left ankle, incurred medical bills, and suffered pain and emotional distress.

The Council has determined that settlement in the amount of \$65,000.00, without admitting liability and to avoid further litigation, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, March 20, 2025 (moved by Councilmember Carroll Fife and seconded by Councilmember Ken Houston - 6 Ayes, 2 Absent – Councilmember Janani Ramachandran and Council President Kevin Jenkins (serving as Mayor pursuant to Charter Section 303)).

Respectfully submitted,


RYAN RICHARDSON
City Attorney

Assigned Attorney:
Courtney O’Brien