

CITY OF OAKLAND



06 JUL 20 10:23

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Office of the City Attorney
John A. Russo
City Attorney

July 18, 2006

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HONORABLE CITY COUNCIL
Oakland, California

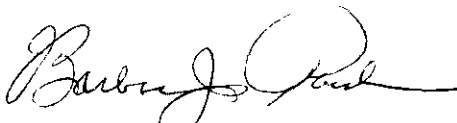
President De La Fuente and Members of the City Council:

**Subject: Catherine Pearson et al. v. City of Oakland, et al.
Alameda County Superior Court Case No. RG04183325
City Attorney File No. 24162 (PWA)**

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommends settlement of the above-captioned matter, for the sum of Twenty Thousand Dollars and No Cents (\$20,000.00), payable to Jon York Client Trust.

This action arises out of February 2004 damages to plaintiffs' house and personal property allegedly as a result of a clogged storm drain inlet on Bristol Drive. The settlement is recommended to avoid continued litigation expense and the risk of an adverse trial result and possibly greater economic exposure for the City.


Respectfully submitted,


for JOHN A. RUSSO
City Attorney

Attorney Assigned:
William E. Simmons

OFFICE OF THE CITY CLERK

2006 JUL 25 PM 3:45


Oakland City Attorney's Office

OAKLAND CITY COUNCIL/REDEVELOPMENT AGENCY

RESOLUTION No. _____ C.M.S.

WES:csa

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CATHERINE PEARSON, ET AL. V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT, CASE NO. RG04183325, IN THE AMOUNT OF \$20,000.00 (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Catherine Pearson, et al. v. City of Oakland, et al., City Attorney's File No. 24162, for the sum of Twenty Thousand Dollars and No Cents (\$20,000.00).

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 Twenty Thousand Dollars and No Cents (\$20,000.00) be paid as settlement to plaintiffs Catherine Pearson and David Pearson, payable to Jon York Client Trust Account.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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