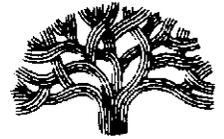


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

15 JAN 22 PM 3:38

CITY OF OAKLAND



ONE FRANK H OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara Parker  
City Attorney

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

February 3, 2015

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Luc Maheu v. City of Oakland, et al.**  
**Alameda County Superior Court Case No. HG13689585**  
**City Attorney File No. 29493**  
**Public Works Department - Dangerous Condition**

President Gibson McElhaney 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 claim for Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00), payable to Luc Maheu.

This action arises out of Mr. Maheu's and Alison Maheu's estate's injuries which Mr. Maheu alleges were sustained as the result of the condition of the City's property.

The Council authorized settlement of this case in Closed Session on Wednesday, November 5, 2014.

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

1553085

15 JAN 22 PM 3:38

  
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 LUC MAHEU V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. HG13689585, CITY ATTORNEY'S FILE NO. 29493, FOR A SUM NOT TO EXCEED TWO HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS (\$250,000.00) (PUBLIC WORKS — DANGEROUS CONDITION)**

**WHEREAS**, Luc Maheu alleges that he incurred damages as a result of an injury that he sustained due to the condition of a public property; and

**WHEREAS**, Luc Maheu, filed a personal-injury, survival, and wrongful death lawsuit against the City; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle Luc Maheu's claims against it for the sum of Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) payable by the City of Oakland; now, therefore, be it

**RESOLVED**: That the City of Oakland is authorized and directed to compromise and settle the case of Luc Maheu v. City of Oakland, Alameda County Superior Court Case No. HG13689585, City Attorney's File No. 29493, for a sum not to exceed Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00); 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 Two Hundred Fifty Thousand Dollars and No Cents (\$250,000.00) be paid to Luc Maheu.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST \_\_\_\_\_

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