

JANUARY 18, 2024

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, January 18, 2024*

NAME OF ACTION:

Ann Berlak v. City of Oakland and Does 1-100, Inclusive
Alameda County Superior Court Case No. 22CV071828

This matter is listed as **Item No. 1(b)** on the Closed Session Agenda:

The council authorized settlement in the amount of **\$120,000.00**.

This case arose out of incidents occurring on **September 17, 2021**.

FACTS/ISSUES:

Plaintiff Ann Berlak alleges that on September 17, 2021, they tripped and fell on uneven pavement while walking on the path around Lake Merritt near Lake Chalet, and suffered extensive injuries including facial fractures and dental trauma. Berlak contends the path was a dangerous condition of public property of which the City had notice prior to her fall.

The City has determined that settlement in the amount of \$120,000.00, without admitting liability and to avoid litigation, is in the City's best interest.

Motion Made by: **Council President Fortunato Bas**

Motion Seconded by: **Councilmember Fife**

AYES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas=7

NOES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =

ABSENT: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =1

ABSTENTIONS: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =