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CITY OF OAKLAND



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

Office of the City Attorney  
John A. Russo  
City Attorney  
Jannie Wong, Deputy City Attorney

May 18, 2004

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HONORABLE CITY COUNCIL  
Oakland, California

President De La Fuente and Members of the City Council:

**Subject: William Welch, et al. v. City of Oakland, et al.  
Alameda County Superior Court Action No. RG03-089823  
City Attorney File No. 22945**

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 One Hundred Thousand Dollars and No Cents (\$100,000.00), payable to Plaintiffs William and Allison Welch and their attorney, Matthew Davis, Esq.

This action arises from plaintiff's injury on May 26, 2002 when the rear wheel of his bicycle lost traction over a metal utility cover while he was descending Tunnel Road. The settlement was approved by the City Council at closed session on May 4, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Jannie L. Wong

10.4CC  
ORA/COUNCIL

MAY 18 2004

RWH

OAKLAND CITY COUNCIL/REDEVELOPMENT AGENCY

RESOLUTION No. \_\_\_\_\_ C.M.S.



JLW:kj:ke

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF WILLIAM WELCH, ET AL. v. CITY OF OAKLAND, ET AL., SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. RG03-089823, IN THE AMOUNT OF \$100,000.00 AS A RESULT OF A TRIP AND FALL ACCIDENT ON TUNNEL ROAD BETWEEN CHARING CROSS ROAD AND HILLER DRIVE, OAKLAND, ON MAY 26, 2002 (PUBLIC WORKS AGENCY)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of William Welch, et al. v. City of Oakland, et al., City Attorney's File No. 22945, for the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00).

**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 One Hundred Thousand Dollars and No Cents (\$100,000.00) be payable to plaintiffs William Welch, Allison Welch and Matthew Davis, Esq., their attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2004

**PASSED BY THE FOLLOWING VOTE:**

- AYES- BROOKS, BRUNNER, CHANG, MAYNE, NADEL, REID, QUAN, WAN, AND PRESIDENT DE LA FUENTE
- NOES-
- ABSENT-
- ABSTENTION-

ATTEST: \_\_\_\_\_

CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California

10.4CC  
OAKLAND CITY COUNCIL

MAY 18 2004