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CITY OF OAKLAND



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February 3, 2015

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Angelika Panameno v. City of Oakland
Alameda Superior Court Case No. RG14712735
City Attorney File No. 29809
(Public Works Department – Dangerous Condition)**

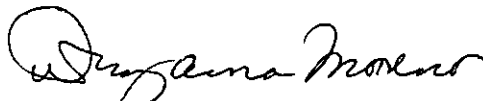
President McElhaney and Members of the City Council:

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 the sum of Twenty Thousand Dollars and No Cents (\$20,000.00), to be paid to The Law Offices of Andrew Wolff, In Trust For Angelika Panameno.

This action arises out of plaintiff Angelika Panameno's September 30, 2013 trip and fall accident on the sidewalk around 1805 Webster St. Plaintiff alleges that the accident was caused by a Dangerous Condition of Public Property under § 835 of California's Government Code.

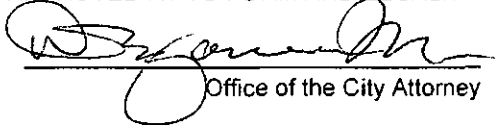
The Council authorized settlement of this case in Closed Session on Tuesday, January 20, 2015 (moved by Councilmember Gallo and seconded by Councilmember Kaplan – 8 Ayes).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney assigned:
Wendy M. Garbers

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Office of the City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ANGELIKA PANAMENO V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14712735, CITY ATTORNEY'S FILE NO. 29809, IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00) (PUBLIC WORKS DEPARTMENT - DANGEROUS CONDITION)

WHEREAS, Plaintiff Angelika Panameno alleges that her September 30, 2013 trip and fall accident was caused by the dangerous condition of the sidewalk; and

WHEREAS, Plaintiff Angelika Panameno filed the above referenced action to recover monetary damages for her alleged injuries; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff Angelika Panameno's claim against it for the sum of Twenty Thousand Dollars and No Cents (\$20,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Angelika Panameno v. City of Oakland, Alameda County Superior Court Case No. RG14712735, City Attorney's File No. 29809, for a sum not to exceed Twenty Thousand Dollars and No Cents (\$20,000.00) payable by the City of Oakland; 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 Twenty Thousand Dollars and No Cents (\$20,000.00) be paid to The Law Offices of Andrew Wolff, In Trust For Angelika Panameno

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