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OAKLAND

CITY OF OAKLAND



05 MAY -4 AM 11:29

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

Office of the City Attorney  
John A. Russo  
City Attorney

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FAX: (510) 238-6500  
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May 17, 2005

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Margaret Morris v. City of Oakland, et al.**  
**Alameda County Superior Court No. 835121-6**  
**Our File No. 21903 - Public Works Agency**

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from a landslide for a total sum of Twenty Thousand Dollars and No Cents (\$20,000.00), to be made payable to Margaret Morris and Larry Lulofs, Esq., her attorney.

Plaintiff alleges that her property was damaged by a landslide on February 14, 2000, necessitating slope stabilization repairs. Due to the risk of an adverse jury verdict, settlement is recommended in the amount of Twenty Thousand Dollars and No Cents (\$20,000.00), to be made payable to Margaret Morris and Larry Lulofs, Esq., her attorney. This was not a closed session matter.

Respectfully submitted,

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

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Maria Bee

340018

10.400  
ORA/COUNCIL

MAY 17 2005

OAKLAND CITY COUNCIL

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

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OAKLAND

2005 MAY 4 AM 11:50  
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**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MARGARET MORRIS v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. 835121-6, OUR FILE NO. 21903, IN THE AMOUNT OF \$20,000.00. THIS CASE INVOLVES CLAIMS OF A LANDSLIDE. (PUBLIC WORKS AGENCY)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Margaret Morris v. City of Oakland, et al., Alameda County Superior Court Case No. 835121-6, City Attorney's File No. 21903, for a sum not to exceed a total of Twenty Thousand Dollars and No Cents (\$20,000.00) payable by the City of Oakland to Margaret Morris and Larry Lulofs, Esq., her attorney.

**FURTHER RESOLVED:** That the City Attorney is further authorized and directed to take whatever steps 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 to Margaret Morris and Larry Lulofs, Esq., her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2005

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
Interim City Clerk and Interim Clerk of  
the Council of the City of Oakland,  
California

10.4 CE  
ORA/COUNCIL