


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 CLAUDINE JONES V. CITY OF OAKLAND, JOSEPH D. EVINGER, SARA A. EVINGER, AND DOES ONE THROUGH TWENTY, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG21087883, CITY ATTORNEY'S FILE NO. 33578, IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS AND ZERO CENTS (\$300,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION)

WHEREAS, Plaintiff alleges that on March 1, 2019, she tripped and fell on a City sidewalk near the intersection of Chabot and Ivanhoe Roads in Oakland, due to an alleged dangerous condition of public property; and

WHEREAS, Plaintiff suffered a broken femur due to her fall, which required surgery and further medical treatment, and which allegedly resulted in chronic pain; and

WHEREAS, Superior Court of the State of California, County of Alameda, Case No. RG21087883, was filed against the City of Oakland and others, alleging against the City a claim for dangerous condition of public property; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

WHEREAS, the City admits no wrongdoing or liability; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Claudine Jones v. City of Oakland, Joseph D. Evinger, Sara A. Evinger, and DOES One through Twenty, Alameda County Superior Court Case No. RG21087883, City Attorney's File No. 33578, for the sum of Three Hundred Thousand Dollars and Zero Cents (\$300,000.00); and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps as may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California