

2025 SEP 25 PM 3:19

FILED
OFFICE OF THE CITY CLERK
OAKLAND
CITY ATTORNEY'S OFFICE**OAKLAND CITY COUNCIL****RESOLUTION NO. 90876 C.M.S.**

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO SETTLE THE CASE OF TY WHITEHEAD V. CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND DOES 1 THROUGH 100, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG18896233, CITY ATTORNEY FILE NO. 32322, BY PAYMENT IN THE AMOUNT OF SEVEN MILLION DOLLARS AND NO CENTS (\$7,000,000.00) (DEPARTMENT OF TRANSPORTATION – DANGEROUS CONDITION)

WHEREAS, Plaintiff Ty Whitehead alleges that he suffered a serious traumatic brain injury as a result of falling from his bicycle when it hit a pothole on Skyline Boulevard on March 25, 2017; and

WHEREAS, Whitehead filed the lawsuit entitled *Ty Whitehead v. City of Oakland, County of Alameda, State of California, and Does 1 through 100*, Alameda County Superior Court Case No. RG18896233; and

WHEREAS, the City prevailed on its motion for summary judgment, which was affirmed by the California Court of Appeal, but later reversed by the California Supreme Court; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; 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 *Ty Whitehead v. City of Oakland, County of Alameda, State of California, and Does 1 through 100*, Alameda County Superior Court Case No. RG18896233, for the sum of Seven Million Dollars and No Cents (\$7,000,000.00); and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

OCT 7 2025

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

1 Excused - Houston

ATTEST:



ASHA REED

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