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OAKLAND

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CITY OF OAKLAND



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Office of the City Attorney  
John Russo  
City Attorney

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September 22, 2009

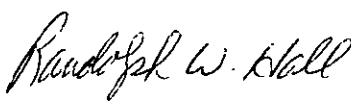
**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Sandra Marion v. City of Oakland**  
**Alameda County Superior Court No. RG08-381272**  
**City Attorney File No. 26032 (Public Works Agency – Trip and Fall)**

President Brunner 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 action for the sum of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) payable to Plaintiff Sandra Marion and Michael R. Audley, Esq., her attorney.

This action arises out of a trip and fall accident near the intersection of Broadway Avenue and 22<sup>nd</sup> Street on July 18, 2007. The settlement is recommended to avoid the risk of an adverse trial result and potentially greater economic exposure for the City. This matter was not discussed at closed session.

Respectfully submitted,  
  
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
JENNIFER N. LOGUE

OFFICE OF THE CITY CLERK  
OAKLAND

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Approved as to Form and Legality

# OAKLAND CITY COUNCIL

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

JAR:JNL *flw H*

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SANDRA MARION v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08-381272, IN THE AMOUNT OF \$7,500.00 AS A RESULT OF A TRIP AND FALL ACCIDENT NEAR THE INTERSECTION OF BROADWAY AVENUE AND 22ND STREET. (PUBLIC WORKS AGENCY)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Sandra Marion v. City of Oakland, City Attorney's File No. 26032, for the sum of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00); 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; and be it

**FURTHER RESOLVED:** That the sum of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) be payable to Plaintiff Sandra Marion and Michael R. Audley, Esq, her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_

**PASSED BY THE FOLLOWING VOTE:**

- AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER
- NOES-
- ABSENT-
- ABSTENTION-

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