

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2010 MAY -6 PM 5:31

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CA 94612

Office of the City Attorney  
John A. Russo  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TDD: (510) 839-6451

May 18, 2010

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Maria Moreira v. City of Oakland**  
**Alameda County Superior Court No. RG09-443833**  
**City Attorney File No. 26863 (Public Works Agency – Trip and Fall)**

President Brunner and Members of the City Council:

Pursuant to §401 of the Charter, and the action of the Council at its May 18, 2010, closed session, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action in the total sum of Fifteen Thousand Dollars and No Cents (\$15,000.00), payable to Plaintiff Maria Moreira and Daniel J. Ready, Esq., her attorney.

This action arises out of the plaintiff's trip and fall on broken asphalt in front of her home at 3743 Park Blvd. Way in Oakland.

This settlement is recommended as a compromise of this matter and to avoid exposure to a possibly larger adverse jury verdict.

Respectfully submitted,

A handwritten signature in cursive script that reads "John A. Russo".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
William E. Simmons

654898

RWH

OAKLAND CITY COUNCIL

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

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

~~2010 MAY 6 PM 5:05~~

JAR: WES

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MARIA MOREIRA V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT NO. RG09-443833, CITY ATTORNEY FILE NO. 26863 IN THE AMOUNT OF \$15,000.00 (PUBLIC WORKS AGENCY)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case Maria Moreira v. City of Oakland, Alameda County Superior Court No. RG09-443833, in the amount of Fifteen Thousand Dollars and No Cents (\$15,000.00), payable by the City of Oakland.

**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 Fifteen Thousand Dollars and No Cents (\$15,000.00), made payable to Plaintiff Maria Moreira and Daniel J. Ready, Esq., her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2010

**PASSED BY THE FOLLOWING VOTE:**

AYES:

NOES:

ABSENT-

ABSTENTION-

ATTEST:

\_\_\_\_\_  
LATONDA SIMMONS  
CITY CLERK AND CLERK OF THE COUNCIL  
OF THE CITY OF OAKLAND, CALIFORNIA