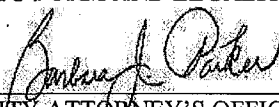


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND  
22 MAR -3 PM 4:49

APPROVED AS TO FORM AND LEGALITY

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. 89075 C.M.S.

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**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF REBECCA THOMAS V. CITY OF OAKLAND, AND DOES 1 THROUGH 20, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20065500, CITY ATTORNEY'S FILE NO. 34110, IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION)**

**WHEREAS**, Plaintiff Rebecca Thomas alleges that on January 19, 2020, Plaintiff fell and was injured on Mountain Boulevard, in front of 1201 Mountain Boulevard due to a deteriorated part of an asphalt berm that Plaintiff alleges is a dangerous condition on public property; and

**WHEREAS**, Plaintiff allegedly suffered injury to the head, resulting in post-concussion syndrome, and injury to the knees, requiring total knee replacement surgery of the right knee, due to Plaintiff's fall; and

**WHEREAS**, Superior Court of the State of California, County of Alameda, Case No. RG20065500, was filed against the City of Oakland, alleging a claim for dangerous condition on public property; and

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

**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 Rebecca Thomas v. City of Oakland, and DOES 1 through 20, Alameda County Superior Court Case No. RG20065500, City Attorney's File No. 34110, for the sum of Fifty Thousand Dollars and Zero Cents (\$50,000.00); 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,

MAR 15 2022

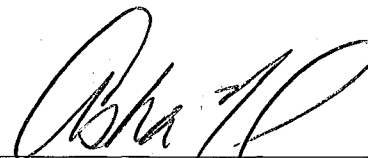
PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, ~~WILSON~~ KALB, KAPLAN, REID, TAYLOR, ~~WILSON~~ AND  
PRESIDENT FORTUNATO BAS - 6

NOES - 0  
ABSENT - 0  
ABSTENTION - 0

Excused - 2 Gallo & Thane

ATTEST:



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