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FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 91162 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MADISYN CLARK V. CITY OF OAKLAND AND DOES 1 through 100, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 24CV071032, CITY ATTORNEY FILE NO. 36603, IN THE AMOUNT OF FIFTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$55,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION OF PUBLIC PROPERTY)

WHEREAS, Plaintiff Madisyn Clark alleges that on April 29, 2023, Clark fell off a motorized scooter while riding down Embarcadero West between Clay and Jefferson Streets and suffered injury; and

WHEREAS, Clark attributes the fall to a defect in the street and alleges that this defect was a dangerous condition of public property of which the City had constructive notice; and

WHEREAS, Clark seeks damages for past and future medical expenses, lost wages, and pain and suffering; and

WHEREAS, Clark filed Superior Court of the State of California, County of Alameda, Case No. 24CV071032 against the City of Oakland alleging 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 Madisyn Clark v. City of Oakland and Does 1 through 100, Alameda County Superior

Court Case No. 24CV071032 for the sum of Fifty-Five Thousand Dollars and Zero Cents (\$55,000.00); 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, MAY 19 2026

PASSED BY THE FOLLOWING VOTE:

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

NOES - 8

ABSENT - 0

ABSTENTION - 0

1 EXCUSED - FIFE

ATTEST: _____



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