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OAKLAND

22 MAR -3 PM 4:49

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 89076 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF IAN DAVIDSON V. CITY OF OAKLAND, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, AND DOES 1-30, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20061509, CITY ATTORNEY'S FILE NO. 33799, IN THE AMOUNT OF ONE HUNDRED SIXTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$165,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION)

WHEREAS, Plaintiff alleges that on August 18, 2019, he fell from Plaintiff's bicycle and was injured on Shepherd Canyon Road, between Paso Robles Drive and Shelterwood Drive, due to a roadway depression that Plaintiff alleges is a dangerous condition of public property; and

WHEREAS, allegedly due to the fall Plaintiff suffered broken bones in the right wrist and forearm, which resulted in several surgeries and further medical treatment; and

WHEREAS, Superior Court of the State of California, County of Alameda, Case No. RG20061509, was filed against the City of Oakland and others, alleging against the City 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 Ian Davidson v. City of Oakland, County of Alameda, State of California, and DOES 1-30, Alameda County Superior Court Case No. RG20061509, City Attorney's File No. 33799, for the sum of One Hundred Sixty-Five Thousand Dollars and Zero Cents (\$165,000.00); 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, ~~WILLIAMS~~, KALB, KAPLAN, REID, TAYLOR, ~~WILLIAMS~~ AND
PRESIDENT FORTUNATO BAS - 6

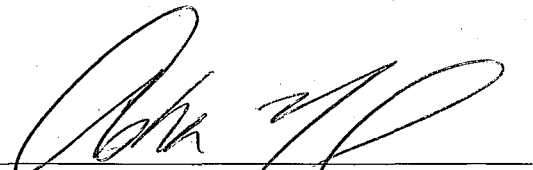
NOES - 0

ABSENT - 0

ABSTENTION - 0

2 Excused - Tracy Gialo

ATTEST:



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