

OAKLAND CITY COUNCIL

77839

RESOLUTION NO. _____ C.M.S.

RZW/rzw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JOAN AMY V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT NO. 2002-048185, OUR FILE NO. 21932, A DANGEROUS CONDITION CASE IN THE AMOUNT OF \$197,596.00 (OFFICE OF PUBLIC WORKS). MS. AMY SUFFERED SEVERE BREAKS TO HER LEG IN A TRIP-AND-FALL ON A SIDEWALK AT 215 ATHOL AVENUE ON APRIL 17, 2001.

WHEREAS, Ms. Amy suffered fractures to her leg in a trip and fall on a sidewalk at 215 Athol Avenue, Oakland on April 17, 2001, therefore be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Joan Amy v. City of Oakland, City Attorney's File No. 21932, for a sum not to exceed a total of One Hundred Ninety-Seven Thousand Five Hundred Ninety-Six Dollars and No Cents (\$197,596.00), \$162,596 to be made payable to Joan Amy and William Balin, Esq. her attorney of record and \$35,000 to be made payable to John Hancock Assignment Company as an annuity; and be it

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 One Hundred Ninety-Seven Thousand Five Hundred Ninety-Six Dollars and No Cents (\$197,596.00) be made payable in two parts, (1) \$162,596.00 to Joan Amy and William Balin, Esq., her attorney of record and (2) \$35,000 to be made payable to John Hancock Assignment Company.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 03 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE -8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California