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09 APR -6 PM 2:21

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Office of the City Attorney
John A. Russo
City Attorney

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April 21, 2009

HONORABLE CITY COUNCIL
Oakland, California

President Jane Brunner and Members of the City Council

Subject: Resolution Authorizing Settlement of
Claim of California Fair Plan as subrogee of Lewis A. Borders
File Number: C26963

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled claims for the sum of Twenty Three Thousand One Hundred Sixty Eight Dollars and 77 Cents (\$23,168.77), payable to California Fair Plan as subrogee of Lewis A. Borders for property damage to a building caused by a City vehicle on October 9, 2008. (Oakland Police Department) This was not a closed session item.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO
City Attorney


Oakland City Attorney's Office

CITY OF THE CITY OF OAKLAND
OAKLAND

OAKLAND CITY COUNCIL

05 APR 2009 PM 2:22

Resolution No. _____ C.M.S.

JAR: EGP

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CALIFORNIA FAIR PLAN AS SUBROGEE OF LEWIS A. BORDERS, IN THE AMOUNT OF TWENTY THREE THOUSAND ONE HUNDRED SIXTY EIGHT DOLLARS AND SEVENTY SEVEN CENTS (\$23,168.77), AS A RESULT OF PROPERTY DAMAGES SUSTAINED IN AN AUTOMOBILE COLLISION INVOLVING A CITY VEHICLE ON OCTOBER 9, 2008. (POLICE SERVICES AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of California Fair Plan as subrogee of Lewis A. Borders, our file number C26963, for the sum of Twenty Three Thousand One Hundred Sixty Eight Dollars and 77 Cents (\$23,168.77), payable to California Fair Plan as subrogee of Lewis A. Borders.

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 Twenty Three Thousand One Hundred Sixty Eight Dollars and 77 Cents (\$23,168.77), to be paid to California Fair Plan as subrogee of Lewis A. Borders.

In Council, Oakland, California, _____, 19____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN,
REID AND PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LaTonda Simmons
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA