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08 JUN -4 PM 3: 34

CITY OF OAKLAND



ONE FRANK OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John Russo
City Attorney

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June 17, 2008

HONORABLE CITY COUNCIL
Oakland, California

Subject: Arlene Reiff v. City of Oakland; et al.
Alameda County Superior Court No. RG07312065
City Attorney File No. 25586 (Public Works Agency – Trip and Fall)

President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action for the sum of Thirty Four Thousand One Hundred Forty Two Dollars and No Cents (\$34,142.00) payable to Plaintiff Arlene Reiff and Tesfaye W. Tsadik, her attorney.

This action arises out of plaintiff's trip and fall on the sidewalk in front of 4125 Piedmont Avenue on August 3, 2006. Co-defendants Piedmont Lane Gallery and Maurice Martinez are contributing \$ 16,500.00 to the settlement for a total of \$ 50,642.00. The settlement is recommended to avoid the risk of an adverse trial result and potentially greater economic exposure for the City. This matter was heard in closed session on May 20, 2008.

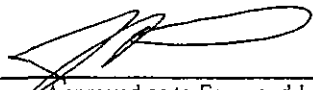
Respectfully submitted,

A handwritten signature in black ink, appearing to be 'John A. Russo', written over a horizontal line.

JOHN A. RUSSO
City Attorney

Attorney Assigned:
JENNIFER N. LOGUE

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Approved as to Form and Legality

OAKLAND CITY COUNCIL

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RESOLUTION No. _____ C.M.S.

JNL

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ARLENE REIFF v. CITY OF OAKLAND; ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG07312065, IN THE AMOUNT OF \$34,142.00 AS A RESULT OF A TRIP AND FALL ACCIDENT AT OR NEAR 4125 PIEDMONT AVENUE. (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Arlene Reiff v. City of Oakland, et al., City Attorney's File No. 25586, for the sum of Thirty Four Thousand One Hundred Forty Two Dollars and No Cents (\$34,142.00); 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; and be it

FURTHER RESOLVED: That the sum of Thirty Four Thousand One Hundred Forty Two Dollars and No Cents (\$34,142.00) be payable to Plaintiff Arlene Reiff and Tesfaye W. Tsadik, her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20____

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, KERNIHGAN, NADEL, REID, QUAN, BROOKS, CHANG and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California