

CITY OF OAKLAND



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October 18, 2022

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Sami Jabaji, an individual v. The City of Oakland; a public entity; The County of Alameda, a public entity; California Department of Transportation dba Caltrans; a public entity; State of California, a public entity and DOES 1 - 20, inclusive
Alameda County Superior Court Case No. RG19046209
City Attorney File No. 33548
(Department of Transportation – Dangerous Condition)**

President Fortunato Bas 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 claim for the sum of Seven Hundred Forty-Five Thousand Dollars and Zero Cents (\$745,000.00), payable to Plaintiff Sami Jabaji's attorneys: Harris Personal Injury Lawyers, Inc.

This action against the City of Oakland arises out of a June 20, 2019 bicycle accident involving Plaintiff Sami Jabaji, who crashed their bicycle when it became lodged in a sinkhole located on Harrison Street, between Moss Avenue and MacArthur Boulevard, in Oakland.

Jabaji claims they suffered a traumatic brain injury and various orthopedic injuries including a broken clavicle, which required surgery and further medical treatment, and allegedly resulted in chronic pain. Jabaji claims a herniated spinal disc injury resulted in chronic pain and will require a future discectomy surgery. Jabaji alleges frequent headaches since the day of the accident, and Jabaji's neurologist opines those headaches are the result of a traumatic brain injury. The City has determined that settlement in the amount of \$745,000.00, without admitting liability and to avoid further litigation, is in the City's best interest.

The City Council authorized settlement of this case in closed session on Thursday, October 6, 2022 (moved by Councilmember Noel Gallo and seconded by Dan Kalb - 7 Ayes, 1 Absent – Council President Pro Tem Sheng Thao).

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Assigned Attorney
Michael Quirk
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