

CITY OF OAKLAND



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Office of the City Attorney  
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City Attorney

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September 30, 2003

SEP 30 2003 10:35 AM

**HONORABLE CITY COUNCIL**  
Oakland, California

President De La Fuente and Members of the City Council:

**Subject: Oregon Mutual Insurance Company vs. City of Oakland  
Alameda County Superior Court Case No. 2002-072752  
City Attorney File No. 22361 (Public Works Agency)**

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommends settlement of the above-captioned matter, for the sum of Twenty-Five Thousand Dollars (\$25,000.00), payable to plaintiff Oregon Mutual Insurance Company and Michael Audley, Esq.

This action arises from a backup of raw sewage into a residence at 6148 Hillmont Avenue on July 23, 2003.

Respectfully submitted,

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Jannie L Wong

10.14CC  
ORA/COUNCIL  
SEP 30 2003

# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

*Handwritten signature and stamp*  
10/03/03 PM 3:56

JLW:se

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF OREGON MUTUAL INSURANCE COMPANY vs. CITY OF OAKLAND, ET AL., SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. 2002-072752 IN THE AMOUNT OF \$25,000.00 (PUBLIC WORKS AGENCY)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Oregon Mutual Insurance Company vs. City of Oakland, et al., City Attorney's File No. 22361, for the sum not to exceed the total of Twenty-Five Thousand Dollars and No Cents (\$25,000.00);

**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 Twenty-Five Thousand Dollars and No Cents (\$25,000.00) be payable to plaintiff Oregon Mutual Insurance Company and Michael Audley, Esq., attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

*Handwritten:* 10.14 CC  
**ORA/COUNCIL**  
SEP 30 2003

ATTEST: \_\_\_\_\_

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