



Approved as to Form and Legality

OFFICE OF THE CITY CLERK
OAKLAND CITY COUNCIL

2007 SEP 27 PM 4:53
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RESOLUTION No. _____ **C.M.S.**

IVF

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MITCHELL-CHAVEZ V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG05248338, OUR FILE NO. 24802 IN THE AMOUNT OF \$15,000.00 (PUBLIC WORKS) AS A RESULT OF A TRIP AND FALL ACCIDENT IN THE VICINITY OF COLLEGE AVE. AND LAWTON ST., OAKLAND, ON JANUARY 12, 2005.

WHEREAS, on December 23, 2005, Diana Mitchell-Chavez filed a lawsuit alleging that she tripped and fell in the vicinity of College Ave. and Lawton Street, causing her to sustain personal injuries and medical expenses; and

WHEREAS, in June 2007, Diana Mitchell-Chavez agreed to accept the amount of Fifteen Thousand Dollars and No Cents (\$15,000.00), subject to approval of the Oakland City Council, as full settlement of her claims against the City in this referenced action; it is hereby

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Diana Mitchell-Chavez v. City of Oakland, et al., City Attorney's File No. 24802, for the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00); and be it

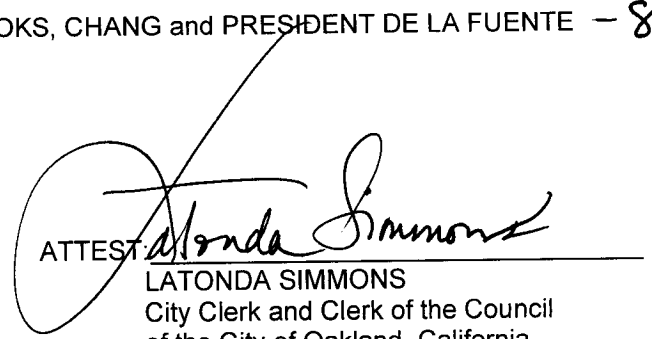
FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps as may be necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00) be payable to Plaintiff Diana Mitchell-Chavez and Jay Chafetz, her attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, **OCT 2 2007**

PASSED BY THE FOLLOWING VOTE:

- AYES- BRUNNER, KERNIHGAN, NADEL, REID, QUAN, BROOKS, CHANG and PRESIDENT DE LA FUENTE - 8
- NOES- 0
- ABSENT- 0
- ABSTENTION- 0

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