


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF REBECCA THOMAS V. CITY OF OAKLAND, AND DOES 1 THROUGH 20, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20065500, CITY ATTORNEY'S FILE NO. 34110, IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION)

WHEREAS, Plaintiff Rebecca Thomas alleges that on January 19, 2020, Plaintiff fell and was injured on Mountain Boulevard, in front of 1201 Mountain Boulevard due to a deteriorated part of an asphalt berm that Plaintiff alleges is a dangerous condition on public property; and

WHEREAS, Plaintiff allegedly suffered injury to the head, resulting in post-concussion syndrome, and injury to the knees, requiring total knee replacement surgery of the right knee, due to Plaintiff's fall; and

WHEREAS, Superior Court of the State of California, County of Alameda, Case No. RG20065500, was filed against the City of Oakland, alleging a claim for dangerous condition on public property; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case;

WHEREAS, the City admits no wrongdoing or liability; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Rebecca Thomas v. City of Oakland, and DOES 1 through 20, Alameda County Superior Court Case No. RG20065500, City Attorney's File No. 34110, for the sum of Fifty Thousand Dollars and Zero Cents (\$50,000.00); 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –
ABSENT –
ABSTENTION –

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California