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## CITY OF OAKLAND



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

Office of the City Attorney  
John Russo  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TDD: (510) 839-6451

September 18, 2007

### HONORABLE CITY COUNCIL – CONSENT CALENDAR Oakland, California

Subject: Lau and Liu v. City of Oakland  
Alameda County Superior Court No. RG06-289218  
City Attorney File No. 25293 (OPD)

President De La Fuente and Members of the City Council:

The Office of the City Attorney recommends settlement of the above-captioned matter for the sum of Sixteen Thousand and No Cents (\$16,000.00), \$8,000 payable to plaintiff Jo Tak Lau and the Law Offices of Jee Soo Kim and \$8,000 payable to plaintiff Wei Cheng Lieu and the Law Offices of Jee Soo Kim.

### STATEMENT OF FACTS

This case involves a vehicular accident in the intersection of 14th and Clay Street on February 19, 2006. An Oakland police officer, who was responding to a call but had not activated his siren, entered the intersection against the traffic light and collided with the vehicle driven by Mr. Lau. Mr. Lau and his passenger Mr. Liu were injured. The traffic report established liability on the part of the officer.

### DAMAGES

According to the medical records, both passengers suffered injuries from the collision and the airbags that deployed upon impact. The total medical costs incurred for both plaintiffs were approximately \$10,000, and Mr. Lau also asserted a wage loss claim of \$3,000.

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**RECOMMENDATION**

Based on the foregoing facts, the City Attorney recommends that the City Council approve settlement of this action in the amount of Sixteen Thousand Dollars (\$16,000). Of that sum, \$8,000 would be payable to plaintiff Jo. Tak Lau and his attorney, the Law Offices of Jee Soo Kim and \$8,000 would be payable to Wei Cheng Lieu and his attorney, the Law Offices of Jee Soo Kim.

Respectfully submitted,

*Randolph W. Hill for John Russo*  
JOHN RUSSO  
City Attorney

Assigned Attorney:  
Rachel Wagner

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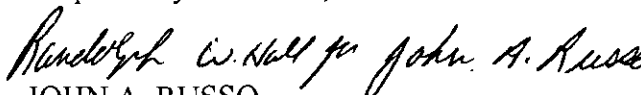
Subject: Lau and Liu v. City of Oakland, et al.  
Alameda County Superior Court No. RG06-289218  
City Attorney File No. 25293 (OPD)

President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution and recommends settlement of the above-entitled action, for the sum of Sixteen Thousand Dollars and No Cents (\$16,000.00), half of such sum (\$8,000) payable to plaintiff Jo Tak Lau and the Law Offices of Jee Soo Kim and the other half (\$8,000) payable to plaintiff Wei Cheng Lei and the Law Offices of Jee Soo Kim.

This action arises from the collision of a police vehicle with the automobile occupied by Messrs. Lau and Liu at the intersection of Fourteenth and Clay Street on February 19, 2006.

Respectfully submitted,

  
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Rachel Wagner

RWA

Approved as to Form and Legality

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OAKLAND CITY COUNCIL

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

RZW

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LAU AND LIU V. CITY OF OAKLAND, et al., SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. RG06289218, IN THE AMOUNT OF \$16,000.00, AS A RESULT OF A VEHICULAR ACCIDENT AT FOURTEENTH AND CLAY STREET, ON FEBRUARY 19, 2006 (OAKLAND POLICE DEPARTMENT)**

**WHEREAS**, on February 19, 2006, a vehicular accident involving a police vehicle occurred at the intersection of Fourteenth and Clay Streets, Oakland, and plaintiffs Jo Tak Lau and Wei Cheng Liu filed a lawsuit alleging that their vehicle was struck during the accident causing each of them to sustain personal injuries and medical expenses; and

**WHEREAS**, Messrs. Lau and Liu agreed to accept the total amount of Sixteen Thousand Dollars and No Cents (\$16,000.00), subject to approval of the Oakland City Council, as full settlement of their 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 Lau and Liu v. City of Oakland, et al., City Attorney's File No. 25293, for the sum of Sixteen Thousand Dollars and No Cents (\$16,000.00); and be it

**FURTHER RESOLVED:** That the sum of Sixteen Thousand Dollars and No Cents (\$16,000.00) be payable as follows: (1) \$8,000 to Plaintiff Jo Tak Lau and his attorney, the Law Offices of Jee Soo Kim and (2) \$8,000 to Plaintiff Wei Cheng Liu and his attorney, the Law Offices of Jee Soo Kim.

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