



CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LYNN MLADJOV AND VASSIL MLADJOV V. CITY OF OAKLAND AND DOES 1 TO 100, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20082462, CITY ATTORNEY'S FILE NO. 34128, IN THE AMOUNT OF EIGHTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$85,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION OF PUBLIC PROPERTY)**

**WHEREAS**, Plaintiff Lynn Mladjov alleges that on April 17, 2020, Plaintiff was injured while walking on the sidewalk near 644 Trestle Glen Road due to a sidewalk uplift that Plaintiff alleges is a dangerous condition of public property; and

**WHEREAS**, Plaintiff Lynn Mladjov allegedly suffered a fracture of the radial head of the right elbow, torn labrum (cartilage) of the right shoulder, and sprained finger due to this incident; and

**WHEREAS**, Plaintiff Lynn Mladjov underwent surgery for the elbow fracture; and

**WHEREAS**, Plaintiff Vassil Mladjov alleges loss of consortium for decreased marital emotional support and companionship and household services from wife Lynn Mladjov during Lynn Mladjov's recovery; and

**WHEREAS**, Plaintiffs Lynn Mladjov and Vassil Mladjov filed Alameda County Superior case number RG20082462 against the City of Oakland, alleging a claim for dangerous condition of public property; and

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

**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 Lynn Mladjov and Vassil Mladjov v. City of Oakland and DOES 1 to 100, Alameda County Superior Court Case No. RG20082462, City Attorney's File No. 34128, for the sum of Eighty Five Thousand Dollars and Zero Cents (\$85,000.00), which is apportioned as \$80,000.00 for Lynn Mladjov and \$5,000.00 for Vassil Mladjov; and be it

**FURTHER RESOLVED:** That the City Attorney is authorized and directed to take whatever steps 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