

  
City Attorney's Office

15 APR -9 PM 2:44

OAKLAND CITY COUNCIL

RESOLUTION No. 85501 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CLIFTON RAINES v. CITY OF BERKELEY, CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG13-686968, IN THE AMOUNT OF TEN THOUSAND DOLLARS AND NO CENTS (\$10,000.00) AS A RESULT OF A TRIP AND FALL INCIDENT ON OR ABOUT OCTOBER 15, 2012 (PWA – DANGEROUS CONDITION/TRIP & FALL)**

**WHEREAS**, Clifton Raines was injured when he tripped and fell on the sidewalk adjacent to 6720 San Pablo Avenue in the City of Oakland on October 15, 2012, and

**WHEREAS**, Mr. Raines sustained injuries requiring medical treatment as a result of this accident; and

**WHEREAS**, Alameda County Superior Court Action RG13-686968 was filed against the City of Oakland, the City of Berkeley, the adjacent property owner Cristin Schatz, and her tenant The Sherwin Williams Company alleging negligence, premises liability and a dangerous condition of public property; and

**WHEREAS**, In order to avoid the risk of an adverse jury verdict under the circumstances; now therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Clifton Raines v. City of Berkeley, City of Oakland, et al, RG13-686968, City Attorney's File No. 29409, for the sum of Ten Thousand Dollars and No Cents (\$10,000 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 Ten Thousand Dollars and No Cents (\$10,000 00) be payable to Plaintiff Clifton Raines and his attorneys The Law Office of Michael Wohlstadter

IN COUNCIL, OAKLAND, CALIFORNIA

APR 21 2015

PASSED BY THE FOLLOWING VOTE

AYES BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~LEE~~ AND PRESIDENT GIBSON  
MCELHANEY-7

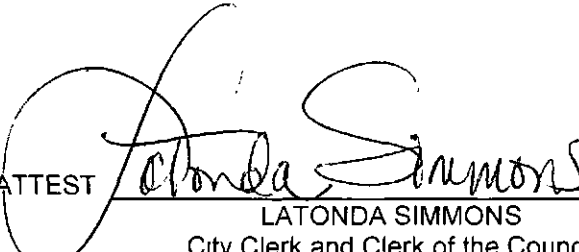
NOES 0

ABSENT 0

ABSTENTION 0

Excused - Reid - 1

ATTEST

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