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FILED
OFFICE OF THE CITY CLERK
OAKLAND

Barbara J. Parker
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 89997 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MARC SIMS V. CITY OF OAKLAND, TANYA XANTHENE WILLIAMS, AND DOES 1 TO 20, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG21086848, CITY ATTORNEY FILE NO. 34230, IN THE AMOUNT OF ONE HUNDRED TWELVE THOUSAND DOLLARS AND ZERO CENTS (\$112,000.00) (DEPARTMENT OF TRANSPORTATION - NEGLIGENCE)

WHEREAS, Plaintiff Marc Sims alleges that on March 13, 2020, Sims was riding a motorcycle eastbound on Edgewater Drive traveling to work; and

WHEREAS, a Department of Transportation ("DOT") employee was driving a City van in the opposite direction westbound on Edgewater Drive and Sims alleges the City employee made a sudden left turn with the van across Sims' lane of travel, causing Sims to collide into the passenger side of the van; and

WHEREAS, Sims alleges that doctors diagnosed Sims with a traumatic brain injury and two fractured bones and a torn ligament in the right hand; and

WHEREAS, Sims underwent surgery to repair the fractures and torn ligament; and

WHEREAS, Sims filed Alameda County Superior Case No. RG21086848 against the City of Oakland and Tanya Xanthene Williams, alleging a claim for negligence; 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 Marc Sims v. City of Oakland, Tanya Xanthe Williams, and DOES 1 to 20, Alameda County Superior Court Case No. RG21086848, City Attorney File No. 34230, for the sum of One Hundred Twelve Thousand Dollars and Zero Cents (\$112,000.00); 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: **DEC 05, 2023**

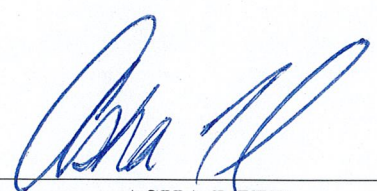
AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS 8

NOES 0

ABSENT 0

ABSTENTION 0

ATTEST: _____



ASHA REED

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