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OFFICE OF THE CITY ATTORNEY
OAKLAND

CITY OF OAKLAND



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December 13, 2016

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Lamar Green v. City of Oakland*
Alameda County Superior Court No. RG15775898
City Attorney File No. 30605
(Oakland Public Works – Dangerous Condition)

President Gibson McElhaney and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of the resolution authorizing compromise and settlement of the above-entitled claim for the sum of Twenty-Eight Thousand Dollars (\$28,000.00).

This matter arises from a trip and fall 10th Street on March 6, 2015.

The Council authorized settlement of this case in Closed Session on Tuesday, November 29, 2016 (moved by Councilmember Desley Brooks and seconded by Councilmember Larry Reid – 8 Ayes).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney assigned:
Michelle M. Meyers


City Attorney's Office

16 DEC -1 PM 2:46

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LAMAR GREEN V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG15775898, CITY ATTORNEY'S FILE NO. 30605, IN THE AMOUNT OF TWENTY-EIGHT THOUSAND DOLLARS AND ZERO CENTS (\$28,000.00) (OAKLAND PUBLIC WORKS – DANGEROUS CONDITION)

WHEREAS, Plaintiff Lamar Green alleges that he sustained injuries resulting from a trip and fall on a pothole in the roadway on 10th Street in Oakland on March 6, 2015; and

WHEREAS, Plaintiff filed the above-referenced action to recover monetary damages; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff's claims against it for the sum of Twenty-Eight Thousand Dollars and No Cents (\$28,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Lamar Green v. City of Oakland*, Alameda County Superior Court Case No. RG15775898, City Attorney's File No. 30605, for a sum not to exceed Twenty-Eight Thousand Dollars and No Cents (\$28,000.00) payable by the City of Oakland; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council of the City
of Oakland, California