

CITY OF OAKLAND



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

Office of the City Attorney
Barbara Parker
City Attorney

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

July 20, 2021

HONORABLE CITY COUNCIL
Oakland, California

Subject: Lydia Taheny v. City of Oakland
Alameda County Superior Court Case No. RG18896127
Attorney File No. 32518
(Department of Public Works – Dangerous Condition of Public Property)

President Fortunato Bas and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00), payable to Lydia Taheny.

On July 28, 2017, at around 5:00 p.m., Plaintiff tripped and fell over a tree embedded in the sidewalk near 4070 Piedmont Avenue. Plaintiff suffered a knee injury requiring a knee replacement, was unable to work for nearly two years, and has residual knee problems. Plaintiff sued seeking damages for medical costs of approximately \$10,000 and lost income and other economic losses. Plaintiff claims past medical expenses, past and future wage loss, and pain and suffering.

This settlement will resolve all claims against the City in this matter. The City does not admit liability.

The City Council authorized settlement of this case in Closed Session on Thursday, July 1, 2021 (moved by Councilmember Loren Taylor and seconded by Councilmember Dan Kalb - 8 Ayes, 0 Noes).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Assigned Attorney
Christina Lum