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CITY OF OAKLAND



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February 2, 2016

HONORABLE CITY COUNCIL
Oakland, California

Subject: Catherine Looper v. City of Oakland, and Does 1 to 20
Case No. RG14736572
City Attorney File No.29734
(Oakland Public Works Department – Motor Scooter Accident)

President McElhaney 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 Seventy Five Dollars and No Cents (\$7,500.00), payable to Catherine Looper and The Dolan Law Firm, her attorneys of record.

This action arises out of Ms. Looper's injuries that she sustained due to a dangerous condition of the City's property.

The Council authorized settlement of this case in Closed Session on Tuesday, January 19, 2016 (moved by Councilmember Rebecca Kaplan and seconded by Councilmember Abel Guillén - 6 Ayes, 2 Absent – Councilmembers Dan Kalb and Larry Reid).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Attorney Assigned:
David Pereda

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OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMROMISE AND SETTLE THE CASE OF CATHERINE LOOPER V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14736572, CITY ATTORNEY'S FILE NO. 29734, IN THE AMOUNT OF SEVENTY FIVE THOUSAND DOLLARS (\$75,000) (PUBLIC WORKS – MOTOR SCOOTER ACCIDENT)

WHEREAS, Plaintiff Catherine Looper alleges that on March 17, 2013 her motor scooter struck a depression in the roadway on Golf Links Road between Elysian Fields Drive and Venetia Road causing her to lose control of her motor scooter and crash into a guardrail; and

WHEREAS, Plaintiff filed the above referenced action to recover damages for her alleged injuries; and

WHEREAS, the City has determined that settlement in the amount of Seventy Five Thousand Dollars and No Cents (\$75,000.00), without an admission of liability, is in the best interest of the City; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Catherine Looper v. City of Oakland, Alameda County Superior Court Case No. RG14736572, City Attorneys File No. 29734, for the sum of Seventy Five Thousand Dollars and No Cents (\$75,000.00) payable to Catherine Looper and The Dolan Law Firm, her attorneys of record; 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