

CITY OF OAKLAND



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July 18, 2023

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Rebecca Johnson v. City of Oakland, and DOES 1 – 20, inclusive
Alameda County Superior Court Case No. 21CV004044
City Attorney File No. 34576
(Department of Transportation – Dangerous Condition of Public
Property)**

Dear 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 lawsuit for the sum of One Hundred Seventy Five Thousand Dollars and No Cents (\$175,000.00), payable to Ayala Morgan & Buzzard on behalf of Rebecca Johnson.

This action arises out of Plaintiff Rebecca Johnson’s (“Johnson”) trip and fall over an uplift in the sidewalk on Bay Place near Grand Ave. in Oakland on October 22, 2020. The uplift had allegedly existed for several years. As a result of the fall, Johnson sustained a right femur fracture. Johnson claims past medical expenses, loss of income, and pain and suffering.

The City has determined that settlement in the amount of \$175,000.00, without admitting liability and to avoid further litigation, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, June 21, 2023 (moved by Councilmember Noel Gallo and seconded by Councilmember Treva Reid - 6 Ayes, 2 Absent – Councilmember Kevin Jenkins and Councilmember Janini Ramachandran).

Respectfully submitted,

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

BARBARA J. PARKER
City Attorney

Assigned Attorney:
Christina Lum