

CITY OF OAKLAND



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May 21, 2024

HONORABLE CITY COUNCIL
Oakland, California

Subject: Philip Woodruff v. City of Oakland, 2900 College Associates LLC, County of Alameda, California Department of Transportation, and DOES 1-50, Inclusive, et al.

Alameda County Superior Court, Case No. RG2111459
City Attorney File No.34569
(Department of Transportation – Dangerous Condition)

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 Thirty Thousand Dollars and Zero Cents (\$30,000.00), payable to Plaintiff Philip Woodruff (“Woodruff”), in a manner specified by Plaintiff’s counsel.

Woodruff alleges that on October 28, 2020, Woodruff tripped on an uneven sidewalk in front of 4050 Piedmont Avenue in Oakland, California. Woodruff alleges that the sidewalk was deteriorated and there was an uplift causing them to fall forward.

Woodruff tore their left rotator cuff and underwent arthroscopic surgery to repair it. Woodruff’s past medical expenses are approximately \$53,000.00. Additionally, Woodruff claims damages for pain and suffering.

The City has determined that settlement of Woodruff’s claim against the City for the sum of Thirty Thousand Dollars and No Cents (\$30,000.00) on behalf of the City, without admitting liability and to avoid further litigation, is in the best interest of the City; and the adjacent property owner, defendant 2900 College Ave. LLC is contributing Ninety Five Thousand Dollars and No Cents (\$95,000.00) to the settlement for a total settlement amount of One Hundred Twenty Five Thousand Dollars and No Cents (\$125,000.00).

The Council authorized settlement of this case in Closed Session on Thursday, May 2, 2024 (moved by President Pro Tempore Dan Kalb and seconded by Councilmember Treva Reid - 6 Ayes, 2 Absent – Councilmember Janani Ramachandran and Councilmember Noel Gallo).

Respectfully submitted,

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

BARBARA J. PARKER
City Attorney

Assigned Attorney:
Lorena Matei