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Office of the City Attorney
John A. Russo
City Attorney

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May 4, 2004

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Elizabeth Rowan v. City of Oakland, et al.
Alameda County Superior Court No. 2002-040313
Our File No. 22048 (PUBLIC WORKS AGENCY –
TRIP AND FALL)**

President De La Fuente 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 action for the sum of Fifty-Five Thousand Dollars and No Cents (\$55,000.00) payable to Plaintiff Elizabeth Rowan and Meier & Wolff, her attorney of record.

This case arises out of plaintiff's trip and fall on an uneven sidewalk surface. The settlement is recommended to avoid a potentially much larger adverse jury verdict.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "John A. Russo", written over a horizontal line.

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Arlene M. Rosen
320485

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CITY COUNCIL

MAY 4 2004

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.


AMR/BJW

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ELIZABETH ROWAN V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT NO. 2002-040313, OUR FILE NO. 22048, IN THE AMOUNT OF \$55,000.00 (PUBLIC WORKS AGENCY - TRIP AND FALL)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Elizabeth Rowan v. City of Oakland, et al., City Attorney's File No. 22048, for a sum not to exceed Fifty-Five Thousand Dollars and No Cents (\$55,000.00) made payable to Elizabeth Rowan and Meier & Wolff, her attorney of record.

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

FURTHER RESOLVED: That the sum of Fifty-Five Thousand Dollars and No Cents (\$55,000.00) made payable to Elizabeth Rowan and Meier & Wolff, her attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

320524

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CITY COUNCIL
MAY 4 2004