

OFFICE OF THE CITY CLERK

OAKLAND CITY COUNCIL

2006 OCT -5 PM 12: 22

RESOLUTION No. 80198 C.M.S.

PAL/

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF PAULINE NUNES v. CITY OF OAKLAND, et al., SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. RG04174124, IN THE AMOUNT OF \$10,000.00 AS A RESULT OF A TRIP AND FALL ACCIDENT IN THE VICINITY OF SIXTH STREET BETWEEN WASHINGTON AND CLAY STREETS ON JULY 21, 2003 (PUBLIC WORKS AGENCY - TRIP AND FALL ACCIDENT)

WHEREAS, on September 8, 2004, Pauline Nunes filed a lawsuit alleging, *inter alia*, that she tripped and fell after stepping in a hole in the sidewalk on Sixth Street between Washington and Clay Streets, which caused her to sustain personal injuries and medical expenses; and

WHEREAS, on September 13, 2006, Pauline Nunes agreed to accept the amount of Ten Thousand Dollars and No Cents (\$10,000.00), subject to Oakland City Council approval, as full settlement of her claims in this referenced action; now therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Pauline Nunes v. City of Oakland, et al., City Attorney's File No. 23881, for the sum of Ten Thousand Dollars and No Cents (\$10,000.00).

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

FURTHER RESOLVED: That the sum of Ten Thousand Dollars and No Cents (\$10,000.00) be payable to Plaintiff Pauline Nunes. IN COUNCIL, OAKLAND, CALIFORNIA.

OCT 17 2006

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:

Latonda Simmons
LATONDA SIMMONS

City Clerk and Clerk of the Council of the City of Oakland, California