

  
CITY ATTORNEY'S OFFICE

## OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

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**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CHRISTOPHER ROBERT SAITES V. CITY OF OAKLAND AND DOES 1 TO 10, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG20050438, CITY ATTORNEY'S FILE NO. 33640, IN THE AMOUNT OF ONE HUNDRED EIGHTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$185,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION)**

**WHEREAS**, Plaintiff alleges that on March 28, 2019, he fell from a scooter he was riding and was injured on Sixth Street near the intersection with Franklin Street in Oakland, due to a pothole that Plaintiff alleges is a dangerous condition on public property; and

**WHEREAS**, Plaintiff allegedly suffered extensive, complex maxillofacial fractures, requiring two surgeries, due to his fall, and will require additional surgeries in the future; and

**WHEREAS**, Superior Court of the State of California, County of Alameda, Case No. RG20050438, was filed against the City of Oakland, alleging a claim for dangerous condition on public property; and

**WHEREAS**, the City has considered all the evidence, litigation costs, and litigation risks in this case;

**WHEREAS**, the City admits no wrongdoing or liability; and

**WHEREAS**, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Christopher Robert Saites v. City of Oakland and DOES 1 to 10, Alameda County Superior Court Case No. RG20050438, City Attorney's File No. 33640, for the sum of One Hundred Eighty Five Thousand Dollars and Zero Cents (\$185,000.00); and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND PRESIDENT  
FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: \_\_\_\_\_  
ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California

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