

CITY OF OAKLAND



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July 15, 2025

HONORABLE CITY COUNCIL
Oakland, California

Subject: Michael Curran, Nicole Brown-Booker, on behalf of themselves and all other similarly situated, vs. City of Oakland
Case No. 23-CV-02354 RS
City Attorney File No. 33480
(Department of Transportation – Americans with Disabilities Act Compliance)

President Jenkins 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 by:

- (1) entering into a consent decree for a period of 25 years pertaining to the Americans with Disabilities Act compliance of the City's pedestrian rights of way, including construction and remediation of curb ramps, and maintenance of sidewalks and accessibility of crosswalks;
- (2) stipulating to certification of a class of persons with mobility disabilities allegedly denied full and equal access to the City's pedestrian rights of way;
- (3) payment of thirty-five thousand dollars and zero cents (\$35,000.00) each to the named plaintiffs Michael Curran and Nicole Brown-Booker; and
- (4) payment of up to two million eight thousand dollars and zero cents (\$2,008,000.00) in attorneys' fees and costs to Plaintiffs' counsel.

This case arose out of encounters with allegedly inaccessible portions of the City's pedestrian rights of way by the two named plaintiffs, Michael Curran and Nicole Brown-Booker, and members of a class of persons with mobility disabilities allegedly denied full and equal access to the City's pedestrian rights of way. City survey data shows significant deficiencies in curb ramps and significant damage in sidewalks. Without admitting that it has violated the ADA, the City has determined to settle this lawsuit and enter into a consent decree.

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The City Council authorized settlement of this case in Closed Session on Thursday, June 26, 2025 (moved by Councilmember Charlene Wang and seconded by Councilmember Ken Houston - 7 Ayes, 0 Noes, 1 Absent – Councilmember Carroll Fife).

Respectfully submitted,



RYAN RICHARDSON
City Attorney

Assigned Attorney:
Kevin P. McLaughlin
Lorena Matei