OFFICE OF THE CITY CLERK OF OAKLAND



09 JAN -7 PM 2: 28
ONE-FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John A. Russo
City Attorney
Jannie Wong, Deputy City Attorney

January 20, 2009

(510) 238-3601 FAX: (510) 238-6500

TTY/TDD: (510) 238-3254

(510) 238-6513

HONORABLE CITY COUNCIL Oakland, California

President De La Fuente and Members of the City Council:

Subject:

Joseph and Linelle Pennetta v. City of Oakland, et al.
Alameda County Superior Court Action No. RG06268108
City Attorney File No. X02866 (CEDA)

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommends settlement of the above-captioned matter, for the sum of Twenty Thousand Dollars and No Cents (\$20,000.00), payable to Plaintiffs Joseph and Linelle Pennetta and their attorney, Alan Mayer, Esq.

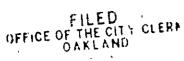
This action arises from a landslide on plaintiffs' property located at 34 Oval Road, which was allegedly caused by the discharge of water from Mountain Boulevard.

The settlement was approved by the City Council at Closed Session on January 6, 2009.

Respectfully submitted.

JOHN A. RUSSO City Attorney

Attorney Assigned: Jannie L. Wong



2009 JAN -8 PM 3: 52

Approved as to Form and Legality Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Res	olution No	C.M.S.	
ATTORNE JOSEPH A AL., ALAN RG062681 ARISES FI LOCATED ALLEGED FROM MO APPROVE	AND LINELLE PENNETTA MEDA COUNTY SUPERIO 08 IN THE AMOUNT OF S	D SETTLE THE CASE OF A V. CITY OF OAKLAND, ET OR COURT CASE NO. B 20,000.00. THIS ACTION PLAINTIFFS' PROPERTY DUND DECEMBER 2004, ISCHARGE OF WATER THE SETTLEMENT WAS	
the case of <u>Joseph and Li</u>	nelle Pennetta v. City of O 108, City Attorney's File N	orized and directed to compromise and so akland, et al., Alameda County Superior o. X02866 in the amount of Twenty	
	LVED: That the City Attorne necessary to effect said s	ney is further authorized and directed to t settlement; and be it	take
		venty Thousand Dollars and No Cents a and Alan Mayer, Esq., their attorney.	
IN COUNCIL, OAKLAND,	CALIFORNIA,		
PASSED BY THE FOLLO	WING VOTE:		
•	ERNIGHAN, NADEL, QUA DE LA FUENTE	N, BROOKS, REID, CHANG, and	
NOES-			
ABSENT-			
ABSTENTION-			
	ATTEST:		
		LATONDA SIMMONS City Clerk and Clerk of the Council of the City of Oakland, California	
	DATE OF ATTI	ESTATION:	