

FILED
OFFICE OF THE CITY CLERK
OAKLAND


City Attorney's Office

2019 OCT 24 PM 3: 26

REVISED OAKLAND CITY COUNCIL

RESOLUTION No. 87886' C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SUSAN SCHACHER v. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG17851458, IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND NO CENTS (\$50,000.00) AS A RESULT OF A TRIP AND FALL ACCIDENT ON JUNE 16, 2016 (DEPARTMENT OF PUBLIC WORKS - DANGEROUS CONDITION OF PUBLIC PROPERTY)

WHEREAS, Plaintiff Susan Schacher (76-years-old) alleges that she tripped and fell over a raised tree grate on the sidewalk in front of 3525 MacArthur Boulevard. Plaintiff claims that she suffered a fractured elbow and soft-tissue injuries to her knee.

WHEREAS, Ms. Schacher allegedly sustained injuries requiring medical treatment as a result of this accident; and

WHEREAS, Alameda County Superior Court Action RG17851458 was filed against the City of Oakland alleging negligence; and

WHEREAS, in order to avoid the risk of an adverse jury verdict under the circumstances; now therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Susan Schacher v. City of Oakland, RG17851458, City Attorney's File No. 31531, for the sum of Fifty Thousand Dollars and No Cents (\$50,000.00); 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 **OCT 15 2019**

PASSED BY THE FOLLOWING VOTE:

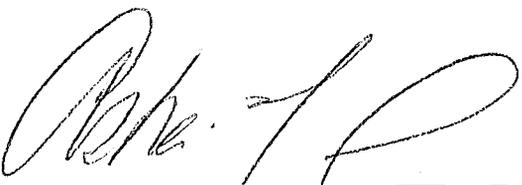
AYES: FORTUNATO BAS, GALLO, GIBSON MCELHANEY, KALB, REID, TAYLOR, THAO AND PRESIDENT KAPLAN - 8

NOES: 0

ABSENT: 0

ABSTENTION: 0

ATTEST:



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