

Approved as to Form and Legality

# OAKLAND CITY COUNCIL

RESOLUTION NO. 83317 C.M.S.

RWH: ssi

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF BERND FIEBIG v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG10493987, CITY ATTORNEY'S FILE NO. 27014, IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$25,000.00). MR. FIEBIG'S INJURIES RESULTED FROM A TRIP AND FALL ON A CITY OF OAKLAND SIDEWALK (OPW)**

**WHEREAS**, on July 31, 2008, Plaintiff Bernd Fiebig sustained significant injury when he tripped and fell on a City of Oakland sidewalk; and

**WHEREAS**, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City; and now therefore, be it

**RESOLVED**: that the City Attorney is authorized and directed to compromise and settle the case of Bernd Fiebig v. City of Oakland., Alameda County Superior Court Case No. RG 10493987, City Attorney File No. 27014, for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) payable to Plaintiff Bernd Fiebig and Matthew D. Haley, his attorney of record; 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; and be it

**FURTHER RESOLVED**: that the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) payable to Plaintiff Bernd Fiebig and Matthew D. Haley, his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, MAY 3 2011, 2011

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, ~~KAPLAN~~, KERNIGHAN, NADEL, SCHAAF, BRUNNER, and PRESIDENT REID - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- Kaplan-1

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