

  
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 TODD ROSS, CECILIA BROOK, TODD KANE-ROSS, JR., BY AND THROUGH HIS GUARDIAN AD LITEM CHYNA KANE-ROSS, TANIA SANCHEZ-MARTINEZ, BY AND THROUGH HER GUARDIAN AD LITEM REBECCA MARTINEZ, KARINA SANCHEZ-MARTINEZ, BY AND THROUGH HER GUARDIAN AD LITEM REBECCA MARTINEZ, CAMERON KANE-ROSS, BY AND THROUGH HIS GUARDIAN AD LITEM CHYNA KANE-ROSS, SKYLAR KANE-ROSS, BY AND THROUGH HER GUARDIAN AD LITEM CHYNA KANE-ROSS V. CITY OF OAKLAND, GORDON GULLETT, AND DOES 1 TO 10, ALAMEDA COUNTY SUPERIOR COURT CASE NO. HG20053846, CITY ATTORNEY FILE NO. 33718, IN THE SUM OF FIVE HUNDRED FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$550,000.00), PAYABLE TO THE "LAW OFFICES OF BRIAN L. LARSEN IN TRUST FOR TODD ROSS, ET AL." (OAKLAND FIRE DEPARTMENT – MOTOR VEHICLE ACCIDENT)**

**WHEREAS**, Plaintiffs allege that on April 21, 2019, a fire engine driven by on-duty Oakland Fire Department Engineer Gordon Gullett II collided with their vehicle at the intersection of Aileen Street and Lowell Street in Oakland; and

**WHEREAS**, Plaintiffs cumulatively claim a variety of injuries including concussion, wrist, neck, shoulder, and back pain, ongoing post-concussion syndrome including post-traumatic headaches, cognitive impairment, posttraumatic anxiety, and depression, and emotional distress for which they incurred medical bills and face the possibility of future medical expenses as a result of the accident; and

**WHEREAS**, Plaintiffs filed a lawsuit in the Superior Court of the State of California, County of Alameda, Case No. HG20053846, alleging motor vehicle negligence against the OFD engineer and vicarious liability against the City; and

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

**WHEREAS**, the City admits no wrongdoing, fault 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 *Todd Ross, et al. v. City of Oakland, et al.*, Alameda County Superior Court Case No. HG20053846, for the sum of Five Hundred Fifty Thousand Dollars and Zero Cents (\$550,000.00); 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 - BROWN, FIFE, HOUSTON, KAPLAN, RAMACHANDRAN, UNGER, AND  
PRESIDENT PRO TEMPORE GALLO

NOES –

ABSENT – COUNCIL PRESIDENT JENKINS (serving as Mayor pursuant to Charter Section 303)

ABSTENTION –

ATTEST: \_\_\_\_\_

ASHA REED  
City Clerk and Clerk of the Council of the  
City of Oakland, California