

CITY OF OAKLAND



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May 18, 2021

HONORABLE CITY COUNCIL
Oakland, California

Subject: Denise Tiffer v. City of Oakland, Mark S. Borsuk Trust No. 1, Suzanne J. Borsuk Krueger Trust No. 1, Sheila Siegel Trust, Zachary D. Schwartz, O'Connor Family Trust, Zachary D. Schwartz, O'Connor Family Trust, Molly D. Siegel, Kimberley M. Siegel, and DOES 1 to 25
Alameda County Superior Court, Case No. RG19017127
City Attorney File No. 32913
(Department of Transportation – Dangerous Condition)

President Fortunato Bas 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 claim for the sum of One Hundred Thousand Dollars and Zero Cents (\$100,000.00), payable to Plaintiff Denise Tiffer, through her attorney the Law Offices of Scott A. Bonzell.

This action against the City of Oakland and others arises out of an alleged trip and fall by Plaintiff Denise Tiffer on July 7, 2018, on a City sidewalk near the intersection of Piedmont and Linda Avenues in Oakland. Plaintiff alleges the sidewalk was in a dangerous condition and caused her to fall and dislocate and break her shoulder, requiring surgery and further medical treatment, with a resulting wage loss. The City has determined that settlement in the amount of \$100,000.00, without admitting liability and to avoid further litigation, is in the best interest of the City.

The Council authorized settlement of this case in Closed Session on Thursday, April 15, 2021 (moved by Councilmember Dan Kalb and seconded by Councilmember Noel Gallo - 8 Ayes).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker". The signature is written in a cursive, flowing style.

BARBARA J. PARKER
City Attorney

Assigned Attorney
Michael Quirk