

# CITY OF OAKLAND



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December 21, 2021

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Claudine Jones v. City of Oakland, Joseph D. Evinger, Sara A. Evinger, and DOES One through Twenty  
Alameda County Superior Court, Case No. RG21087883  
City Attorney File No. 33578  
(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 Three Hundred Thousand Dollars and Zero Cents (\$300,000.00), payable to Plaintiff Claudine Jones, through her attorneys the Mastrangelo Law Offices.

This action against the City of Oakland and others arises out of an alleged trip and fall by Plaintiff Claudine Jones on March 1, 2019, on a City sidewalk near the intersection of Chabot and Ivanhoe Roads in Oakland. Plaintiff alleges a City tree in a planting strip near the uneven sidewalk caused the sidewalk to lift upward. Plaintiff's foot struck the uplifted sidewalk and she fell forward, landing on her left hip and breaking her femur. Plaintiff had surgery to stabilize her fractured femur, followed by inpatient recovery, and subsequently in-home nursing and physical therapy. Plaintiff now walks with a limp and alleges chronic pain following her treatment. The City has determined that settlement in the amount of \$300,000.00, without admitting liability and to avoid further litigation, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, December 16, 2021 (moved by Councilmember Dan Kalb and seconded by Vice Mayor Rebecca Kaplan - 8 Ayes).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara Parker".

BARBARA PARKER  
City Attorney

Assigned Attorney  
Michael Quirk

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