

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of **the** City Attorney  
John A. **Russo**  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TTY/TDD: (510) 238 3254,

October 21, 2003

OCT 21 2003

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Tim Twork v. City of Oakland, et al.**  
**Alameda County Superior Court No. 2002-049699**  
**Our File No. 21995 (PUBLIC WORKS AGENCY -**  
**TRIP AND FALL**

President De La Fuente 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 action for the sum of Seventeen Thousand, Five Hundred Dollars and No Cents (\$17,500.00) payable to Plaintiff Tim Twork and Matthew D. Haley, Esq., his attorney of record.

This case arises out of plaintiffs trip over a concrete stump on a City sidewalk. The settlement is recommended to avoid a potentially much larger adverse jury verdict.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Arlene M. Rosen  
31 3055

**10.8CC**  
**ORA/COUNCIL**  
OCT 21 2003

OAKLAND CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_ C.M.S.

*4*

AMR/bjw

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF TIM TWORK V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT NO. 2002-049699, OUR FILE NO. 21995, IN THE AMOUNT OF \$17,500.00 (PUBLIC WORKS AGENCY - TRIP AND FALL)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Tim Twork v. City of Oakland, et al., City Attorney's File No. 21995, for a sum not to exceed Seventeen Thousand, Five Hundred Dollars and No Cents (\$17,500.00) made payable to Tim Twork and Matthew D. Haley, Esq., his attorney of record.

**FURTHER RESOLVED:** That the City Attorney is further authorized and directed to take whatever steps may be necessary to effect said settlement; and be it

**FURTHER RESOLVED:** That the sum of Seventeen Thousand, Five Hundred Dollars and No Cents (\$17,500.00) made payable to Tim Twork and Matthew D. Haley, Esq., his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

**10.8CC**  
**ORA/COUNCIL**

ATTEST: \_\_\_\_\_ **OCT 21 2003**  
CEDA FLOYD

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