

CITY OF OAKLAND
OFFICE OF THE CITY CLERK
OAKLAND



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

Office of the City Attorney
John A. Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

March 16, 2004

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Ruth E. Abrams v. City of Oakland, et al*
Alameda County Superior Court Case No. 2003-078453
Our File No. 22616 – Office of Public Works
Trip & Fall – Premises Liability

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from an incident on May 10, 2002, in which plaintiff tripped and fell on a portion of upraised concrete that abutted an EBMUD utility box in the sidewalk.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00), to be made payable to Ruth E. Abrams and William J. Petzel, Esq., her attorney of record.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo", written over a horizontal line.

JOHN A. RUSSO
City Attorney

Attorney Assigned:
James F. Hodgkins
319341

10.9 CC
ORA/COUNCIL
MAR 16 2004

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.



JFH/aah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF RUTH E. ABRAMS v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. 2003-078453, OUR FILE NO. 22616, IN THE AMOUNT OF \$7,500.00. (PUBLIC WORKS DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Ruth E. Abrams v. City of Oakland, et al., Alameda County Superior Court Case No. 2003-078453, City Attorney's File No. 22616, for a sum not to exceed a total of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) payable by the City of Oakland to Ruth E. Abrams and William J. Petzel, Esq., her 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 Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) be paid to Ruth E. Abrams and William J. Petzel, Esq., her attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

318733

10.9 CC
ORA/COUNCIL
MAR 16 2004