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CITY OF OAKLAND



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

Office of the City Attorney
Barbara Parker
City Attorney

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November 13, 2012

HONORABLE CITY COUNCIL

Oakland, California

President Reid and Members of the City Council:

Subject: Ruby Ng v. City of Oakland
Alameda County Superior Court Case No. RG11589245
City Attorney File No. 28280 (Public Works Agency – Trip and Fall)

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 Thirty-Five Thousand Dollars and No Cents (\$35,000.00), payable to plaintiff Ruby Ng and her attorney Terry Buller.

This action arises out of the July 31, 2010 incident in which Plaintiff Ruby Ng suffered personal injuries when she tripped and fell on a City sidewalk at 241 10th Street. Settlement of this matter is recommended to avoid the risk of a more adverse jury verdict. This matter was heard in closed session on October 16, 2012.

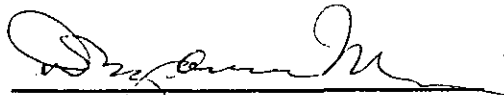
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara Parker for', written over the printed name.

BARBARA PARKER
City Attorney

Attorney assigned:
Carolyn O. Tsai

Doc. No.: 1021847


Approved as to Form and Legality

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OAKLAND CITY COUNCIL

12 OCT 2010 RESOLUTION NO. _____ C.M.S.

COT:ljg

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPHOMISE AND SETTLE THE CASE OF RUBY NG v. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11589245, CITY ATTORNEY'S FILE NO. 28280, IN THE AMOUNT OF THIRTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$35,000.00). (PUBLIC WORKS).

WHEREAS, on July 31, 2010 Plaintiff Ruby Ng suffered personal injuries when she tripped and fell on a City sidewalk at 241 10th Street, and

WHEREAS, the Plaintiff filed the above entitled lawsuit seeking damages for injuries allegedly sustained in the trip and fall accident, and

WHEREAS, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City; and now therefore, be it

RESOLVED: that the City Attorney is authorized and directed to settle the matter of Ruby Ng v. City of Oakland, Alameda County Superior Court Case No. RG11589245, City Attorney File No. 28280, for the sum of Thirty-Five Thousand Dollars and No Cents (\$35,000.00) payable to plaintiff Ruby Ng and her attorney of record Terry Buller, 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; and be it

FURTHER RESOLVED: that the sum of Thirty-Five Thousand Dollars and No Cents (\$35,000.00) be made payable to plaintiff Ruby Ng and her attorney of record Terry Buller.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER, and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the
Council of the City of Oakland, California