

CITY OF OAKLAND  
OFFICE OF THE CITY ATTORNEY



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Office of the City Attorney  
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City Attorney

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March 16, 2004

**HONORABLE CITY COUNCIL**  
Oakland, California


**Subject: *Toni Weathers v. City of Oakland, et al***  
**Alameda County Superior Court Case No. 2002-072984**  
**Our File No. 22498 – Office of Public Works -**  
**Trip and Fall**

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 January 21, 2002, in which plaintiff tripped and fell in a depression adjacent to the crosswalk while crossing the street.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Fifty Thousand Dollars (\$50,000), to be made payable to Toni Weathers and Candice E. Stoddard, Esq., her attorney.

Respectfully submitted,

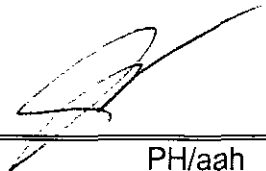
  
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Peter Hallifax  
316794

10.11 CC  
ORA/COUNCIL  
MAR 16 2004

OAKLAND CITY COUNCIL

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



PH/aah

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF TONI WEATHERS v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. 2002-072984, OUR FILE NO. 22498, IN THE AMOUNT OF \$50,000.00. (OFFICE OF PUBLIC WORKS, TRIP AND FALL IN A CITY STREET)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Toni Weathers v. City of Oakland, et al., United States District Court Case No 2002-072984, City Attorney's File No. 22498, for a sum not to exceed a total of Fifty Thousand Dollars and No Cents (\$50,000.00) payable by the City of Oakland to Toni Weathers and Candice E. Stoddard, 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 Fifty Thousand Dollars and No Cents (\$50,000.00) be paid to Toni Weathers and Candice E. Stoddard, Esq., her attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2003

**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

316800

**10.11CC**  
**ORA/COUNCIL**  
**MAR 16 2004**