

# CITY OF OAKLAND



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February 21, 2023

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Renee Kessler Miller v. City of Oakland, and DOES 1 to 100,  
Inclusive  
Alameda County Superior Court Case No. 21CV002203  
City Attorney File No. 34755  
(Department of Transportation – Dangerous Condition of Public Property)**

Dear 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 the compromise and settlement of the above-entitled claim for the sum of Thirty Thousand Dollars and Zero Cents (\$30,000.00), payable to Plaintiff Renee Kessler Miller, through Miller's attorneys at Lyfe Law, LLP.

Plaintiff Renee Kessler Miller alleges that on June 14, 2021, Miller tripped on a pothole while walking from a street parking space to the sidewalk in front of 6200 Antioch Street. The pothole was partially covered by the left front of Miller's parked car. Miller fell to the ground and was later diagnosed with a right ankle sprain, fracture to the tip of the fibula, and an abnormal proliferation of fibrous tissue in the ankle ligament. The City has determined that settlement in the amount of \$30,000.00 to Miller, 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, February 2, 2023 (moved by Councilmember Noel Gallo and seconded by Councilmember Kevin Jenkins - 6 Ayes, 2 Excused – Councilmember Dan Kalb and Councilmember Treva Reid).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker". The signature is fluid and cursive.

BARBARA J. PARKER  
City Attorney

Assigned Attorney:  
Han Tran

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