

CITY OF OAKLAND



04 DEC -8 PM 1:37

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

Office of the City Attorney
John A. Russo
City Attorney
Jannie Wong, Deputy City Attorney

(510) 238-3601
FAX: (510) 238-6500
TTY/TDD: (510) 238-3254
(510) 238-6513

December 21, 2004

HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council:

**Subject: John Foston s v. City of Oakland, et al.
Alameda County Superior Court Action No. RG 04137181
City Attorney File No. 23695 (Public Works Agency)**

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommends settlement of the above-captioned matter, for the sum of Twenty-Two Thousand Five Hundred Dollars and No Cents (\$22,500.00) payable to plaintiff John Foston and Stephen H. Cornet, Esq. his attorney.

This action arises from plaintiff's injury on July 16, 2003 arising out of a bicycle accident in the vicinity of Broadway Terrace and Pinewood Road. The settlement was approved by the City Council at closed session on December 7, 2004.

Respectfully submitted,

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

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Jannie L. Wong

FILED
OFFICE OF THE CITY CLERK
OAKLAND
2004 DEC -8 PM 4: 22

OAKLAND CITY COUNCIL/REDEVELOPMENT AGENCY

RESOLUTION No. _____ C.M.S.



JLW:kj

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE JOHN FOSTON v. CITY OF OAKLAND, ET AL., SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. RG 04137181, IN THE AMOUNT OF \$22,500.00 AS A RESULT OF A BICYCLE ACCIDENT IN THE VICINITY OF BROADWAY TERRACE AND PINWOOD ROAD, OAKLAND, ON JULY 16, 2003 (PUBLIC WORKS AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of John Foston v. City of Oakland, City Attorney's File No. 23695, for the sum of Twenty-Two Thousand Five Hundred Dollars and No Cents (\$22,500.00).

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 Twenty-Two Thousand Five Hundred Dollars and No Cents (\$22,500.00) payable to plaintiff John Foston and Stephen H. Cornet, Esq. his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, MAYNE, NADEL, REID, QUAN, 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