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CITY OF OAKLAND



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Office of the City Attorney
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October 7, 2008

HONORABLE CITY COUNCIL
Oakland, California

Subject: Bella Feldman v. City of Oakland, et al.

**Alameda County Superior Court Case No. RG07329150
City Attorney File No. 25658 (Public Works Agency)**

President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution and recommends settlement of the above-entitled action, for the sum of Twenty Thousand Dollars and No Cents (\$20,000.00), payable to Bella Feldman and her attorney, Stephen H. Cornet.

This action arises from injuries suffered in a trip and fall accident on West MacArthur Boulevard near the Telegraph Avenue. This matter was not a closed session item.

Respectfully submitted,

A handwritten signature in cursive script that reads "John A. Russo".

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Stephen Q. Rowell

Approved as to Form and Legality:

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RWN
Oakland City Attorney's Office

08 SEP 25 AM 11:08 **OAKLAND CITY COUNCIL**

Resolution No. _____ C.M.S.

JAR: sqr

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF BELLA FELDMAN IN THE AMOUNT OF TWENTY THOUSAND DOLLARS AND NO CENTS (\$20,000.00), AS A RESULT OF BODILY INJURIES SUSTAINED IN A TRIP AND FALL ACCIDENT ON NOVEMBER 3, 2006. (PUBLIC WORKS AGENCY)

WHEREAS: Bella Feldman claims to have sustained personal injuries as the result of a dangerous condition of public property;

WHEREAS: Settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict.

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claim of Bella Feldman, our file number 25658, for the sum of Twenty Thousand Dollars and No Cents (\$20,000.00), payable to Bella Feldman and Stephen H. Cornet, her attorney.

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 Twenty Thousand Dollars and No Cents (\$20,000.00), be paid to Bella Feldman and Stephen H. Cornet, her attorney.

In Council, Oakland, California, _____, 2008

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LaTonda Simmons
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA