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CITY OF OAKLAND



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Office of the City Attorney  
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July 19, 2011

**HONORABLE CITY COUNCIL**  
Oakland, California

President Reid and Members of the City Council:

**Subject:**     Ollie Walker v. City of Oakland  
Alameda County Superior Court Case No. RG09487084  
Our Matter No. 27031 (Public Works Agency)

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 Twenty-Five Thousand Dollars (\$25,000.00), payable to Ollie Walker and her attorney, Edmond R. Pietraczyk.

This action arises out of a trip and fall accident on the sidewalk at Martin Luther King Jr. Way on August 19, 2008 which, it is alleged, was caused by a dangerous condition of public property. Settlement of this matter is recommended to avoid the risk of a more adverse jury verdict. This was not a closed session item

Respectfully submitted,

  
BARBARA J. PARKER  
Acting City Attorney

Attorney assigned:  
Carolyn O. Tsai

Doc. No.: 822214

# OAKLAND CITY COUNCIL

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

COT:csa

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF OLLIE WALKER v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG09487084, CITY ATTORNEY'S FILE NO. 27031, IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00). (PWA)**

**WHEREAS**, on August 19, 2008 Plaintiff Ollie Walker tripped and fell on a sidewalk and suffered personal injuries and has filed a lawsuit alleging that a dangerous condition of public property caused the 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 Ollie Walker v. City of Oakland, Alameda County Superior Court Case No. RG09487084, City Attorney File No. 27031, for the sum of Twenty-Five Thousand Dollars (\$25,000.00), payable to Ollie Walker and her attorney, Edmond R. Pietraczyk; 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 Twenty-Five Thousand Dollars (\$25,000.00) be made payable to Ollie Walker and her attorney, Edmond R. Pietraczyk.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2011

**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