

# CITY OF OAKLAND



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May 5, 2026

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Andrew Marshall-Buselt v. City of Oakland  
Alameda County Superior Court, Case No. 24CV088303  
City Attorney File No. 37037  
(Department of Transportation – Dangerous Condition)**

President Kevin Jenkins 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 compromise and settlement of the above-entitled lawsuit for the sum of Five Hundred Twelve Thousand Five Hundred Dollars and Zero Cents (\$512,500.00), payable to Plaintiff and their counsel.

This action arises from Plaintiff Andrew Marshall-Buselt's claim that on October 17, 2023, Marshall-Buselt fell off a bicycle while riding over a depression on East 21<sup>st</sup> Street, near 26th Avenue. This part of East 21 Street is a designated bicycle route. Marshall-Buselt alleges injuries to the face, suffering lacerations and nerve damage, and the left hand, fracturing three fingers and suffering nerve damage to the hand. Marshall-Buselt alleges that the depression constituted a dangerous condition of public property for which the City is liable, and claims past and future medical expenses, lost wages, and general damages for pain and suffering. The City has determined that settlement in the amount of \$512,500.00, 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, April 16, 2026 (moved by Councilmember Noel Gallo and seconded by Councilmember Carroll Fife - 5 Ayes, 1 Excused – Councilmember Rowena Brown, 2 Abstentions – Councilmember Ken Houston and Councilmember Janani Ramachandran).

Respectfully submitted,

  
RYAN RICHARDSON  
City Attorney

Attorney Assigned:  
Christina Lum

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