

CITY OF OAKLAND



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Office of the City Attorney  
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City Attorney

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October 17, 2006

**HONORABLE CITY COUNCIL – Consent Calendar**  
Oakland, California

**Subject: Pauline Nunes v. City of Oakland, et al.**  
**Alameda County Superior Court No. RG04174124**  
**Our File No. 23881 (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 authorizing and recommends settlement of the above-captioned matter, for the sum of Ten Thousand Dollars and No Cents (\$10,000.00), payable to Plaintiff Pauline Nunes.

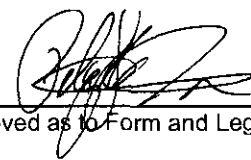
This action arises from plaintiff's injuries and medical expenses incurred as a result of a trip and fall accident on Sixth Street between Washington and Clay Streets on July 21, 2003. This matter was not heard in closed session.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Pelayo A. Llamas, Jr.  
384073



OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

2006 OCT -5 PM 12: 22

RESOLUTION No. \_\_\_\_\_ C.M.S.

PAL/

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF PAULINE NUNES v. CITY OF OAKLAND, et al., SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. RG04174124, IN THE AMOUNT OF \$10,000.00 AS A RESULT OF A TRIP AND FALL ACCIDENT IN THE VICINITY OF SIXTH STREET BETWEEN WASHINGTON AND CLAY STREETS ON JULY 21, 2003 (PUBLIC WORKS AGENCY – TRIP AND FALL ACCIDENT)**

**WHEREAS**, on September 8, 2004, Pauline Nunes filed a lawsuit alleging, *inter alia*, that she tripped and fell after stepping in a hole in the sidewalk on Sixth Street between Washington and Clay Streets, which caused her to sustain personal injuries and medical expenses; and

**WHEREAS**, on September 13, 2006, Pauline Nunes agreed to accept the amount of Ten Thousand Dollars and No Cents (\$10,000.00), subject to Oakland City Council approval, as full settlement of her claims in this referenced action; now therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Pauline Nunes v. City of Oakland, et al., City Attorney's File No. 23881, for the sum of Ten Thousand Dollars and No Cents (\$10,000.00).

**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 Ten Thousand Dollars and No Cents (\$10,000.00) be payable to Plaintiff Pauline Nunes.  
IN COUNCIL, OAKLAND, CALIFORNIA.

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, 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