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Approved as to Form and Legality

  
Oakland City Attorney's Office

# OAKLAND CITY COUNCIL

Resolution No. 81754 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JOSEPH AND LINELLE PENNETTA V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG06268108 IN THE AMOUNT OF \$20,000.00. THIS ACTION ARISES FROM A LANDSLIDE ON PLAINTIFFS' PROPERTY LOCATED AT 34 OVAL ROAD AROUND DECEMBER 2004, ALLEGEDLY BECAUSE OF THE DISCHARGE OF WATER FROM MOUNTAIN BOULEVARD. THE SETTLEMENT WAS APPROVED BY THE CITY COUNCIL AT CLOSED SESSION ON JANUARY 6, 2009. (CEDA)

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Joseph and Linelle Pennetta v. City of Oakland, et al., Alameda County Superior Court Case No. RG06268108, City Attorney's File No. X02866 in the amount of Twenty Thousand Dollars and No Cents (\$20,000.00).

**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 Twenty Thousand Dollars and No Cents (\$20,000.00) be paid to Joseph and Linelle Pennetta and Alan Mayer, Esq., their attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 20 2009

PASSED BY THE FOLLOWING VOTE:


AYES- BRUNNER, KERNIGHAN, NADEL, QUAN, ~~BROOKS, REID, GENE~~<sup>Kaplan</sup>, and  
~~PRESIDENT~~ DE LA FUENTE - 6

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- Brooks, Reid - 2

ATTEST:   
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California

DATE OF ATTESTATION: \_\_\_\_\_