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CITY OF OAKLAND



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Office of the City Attorney
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City Attorney

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May 3, 2011

HONORABLE CITY COUNCIL
Oakland, California


Subject: Bernd Fiebig v. City of Oakland
Alameda County Superior Court Case No. RG 10493987
City Attorney File No. 27014 (OPW)

President Reid 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 action for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) payable to Plaintiff Bernd Fiebig and Matthew D. Haley, his attorney of record.

Mr. Fiebig's injuries resulted from a trip and fall on a City of Oakland sidewalk. This matter was not heard in closed session.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

Attorney Assigned:
Outside counsel/
Randolph W. Hall

Doc No. 805517

Ernest J. Pelt

Approved as to Form and Legality

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OAKLAND CITY COUNCIL

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RESOLUTION NO. _____ C.M.S.

RWH: ssl

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF BERND FIEBIG v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG10493987, CITY ATTORNEY'S FILE NO. 27014, IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$25,000.00). MR. FIEBIG'S INJURIES RESULTED FROM A TRIP AND FALL ON A CITY OF OAKLAND SIDEWALK (OPW)

WHEREAS, on July 31, 2008, Plaintiff Bernd Fiebig sustained significant injury when he tripped and fell on a City of Oakland sidewalk; 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 compromise and settle the case of Bernd Fiebig v. City of Oakland., Alameda County Superior Court Case No. RG 10493987, City Attorney File No. 27014, for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) payable to Plaintiff Bernd Fiebig and Matthew D. Haley, his attorney of record; 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 and No Cents (\$25,000.00) payable to Plaintiff Bernd Fiebig and Matthew D. Haley, his attorney of record.

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