

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
Barbara Parker
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

September 21, 2015

HONORABLE CITY COUNCIL
Oakland, California

Subject: State Farm Mutual Automobile Ins. Co. v. Jean Quan, et al.
Alameda County Superior Court No. RG15762054
City Attorney File No. X04132
(Mayor - Subrogation Claim)


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 the resolution authorizing compromise and settlement of the above-entitled claim for the sum of Ten Thousand Five Hundred Dollars (\$10,500.00), to be paid to State Farm Mutual Automobile Insurance Company.

This action arises out of a motor vehicle accident between Plaintiff Lakisha Lovely and former Mayor Jean Quan on June 8, 2014 at the intersection of 26th Street and Market Street. State Farm Mutual Automobile Insurance Company insured Ms. Lovely at the time of the accident. State Farm Mutual Automobile Insurance Company seeks to recover for the property damage to Ms. Lovely's vehicle.

The Council authorized settlement of this case in Closed Session on Tuesday, September 8, 2015 (moved by Councilmember Abel Guillen and seconded by Councilmember Rebecca Kaplan - 5 Ayes, 3 Absent, Councilmembers Brooks, Gallo and Reid).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney assigned:
Michelle M. Mevers

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF STATE FARM MUTUAL AUTOMOBILE INS. CO. V. JEAN QUAN, CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG15762054, CITY ATTORNEY'S FILE NO. X04132, IN THE AMOUNT OF TEN THOUSAND FIVE HUNDRED DOLLARS (\$10,500.00) (MAYOR - SUBROGATION CLAIM)

WHEREAS, State Farm Mutual Automobile Insurance Company was the automobile insurer for Lakisha Renee Lovely. Ms. Lovely alleges that she sustained injuries resulting from a motor vehicle accident with former Mayor Jean Quan; and

WHEREAS, State Farm Mutual Automobile Insurance Company filed the above referenced subrogation action against Jean Quan and the City of Oakland to recover for the property damage to Ms. Lovely's car; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle State Farm Mutual Automobile Insurance Company's claim for the sum of Ten Thousand Five Hundred Dollars and No Cents (\$10,500.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of State Farm Mutual Automobile Ins. Co. v. Jean Quan, City of Oakland, Alameda County Superior Court Case No. RG15762054, City Attorney's File No. X04132, for a sum not to exceed Ten Thousand Five Hundred Dollars and No Cents (\$10,500.00) payable by the City of Oakland; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Ten Thousand Five Hundred Dollars and No Cents (\$10,500.00) be payable to State Farm Mutual Automobile Insurance Company.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND
PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -