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OAKLAND

Approved as to Form and Legality



City Attorney's Office

2017 MAR -9 PM 3:45

## OAKLAND CITY COUNCIL

RESOLUTION No. 86643 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE RELATED CASES: (1) WORKENESH DEMEKU-OUSMAN V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT NO. RG15788993 IN THE AMOUNT OF TWENTY SIX THOUSAND DOLLARS AND NO CENTS (\$26,000.00) AND (2) ALLSTATE NORTHBROOK INDEMNITY V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT, CASE NO. RG15794570 IN THE AMOUNT OF SEVEN THOUSAND DOLLARS AND NO CENTS (\$7,000.00), FOR A TOTAL SETTLEMENT AMOUNT OF THIRTY-THREE THOUSAND DOLLARS AND NO CENTS (\$33,000.00), AS A RESULT OF AN AUTO COLLISION ON FEBRUARY 13, 2015 (OAKLAND POLICE DEPARTMENT- AUTO COLLISION)**

**WHEREAS**, Workenesh Demeku-Ousman and Oakland Police Officer Remy Binder was involved in an auto collision near W. Grand Ave. and Northgate Ave. in Oakland on February 13, 2015; and

**WHEREAS**, Ms. Demeku-Ousman allegedly suffered damage to her car and sustained injuries requiring medical treatment and was temporarily unable to work, as a result of this accident; and

**WHEREAS**, Ms. Demeku-Ousman's property damage was paid by her insurance, represented by Allstate Northbrook Indemnity; and

**WHEREAS**, Alameda County Superior Court Actions RG15788993 and RG15794570 were filed against the City of Oakland alleging negligence; and

~~**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle Ms. Demeku-Ousman's claim against it for the sum of Twenty Six Thousand Dollars and No Cents (\$26,000.00); and~~

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle Allstate Northbrook Indemnity's claim against it for the sum of Seven Thousand Dollars and No Cents (\$7,000.00); now therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Workenesh Demeku-Ousman v. City of Oakland, et al., Alameda

County Superior Court No. RG15788993 for the sum of Twenty Six Thousand Dollars and No Cents (\$26,000.00), and the related case of Allstate Northbrook Indemnity v. City of Oakland, Alameda County Superior Court, Case No. RG15794570, for the sum of Seven Thousand Dollars and No Cents (\$7,000.00); 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.

MAR 21 2017

IN COUNCIL, OAKLAND, CALIFORNIA

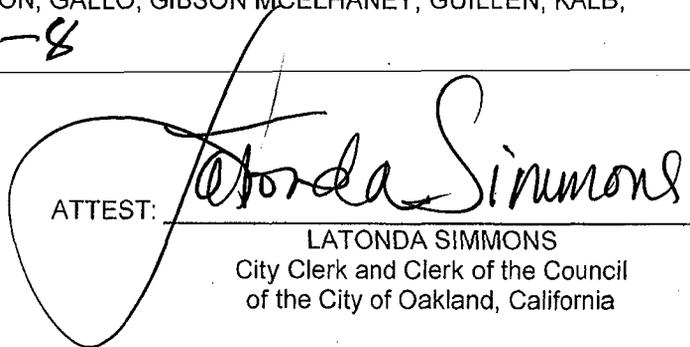
PASSED BY THE FOLLOWING VOTE:

AYES: BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN, AND PRESIDENT REID - 8

NOES: 0

ABSENT: 0

ABSTENTION: 0

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