

FILED
OFFICE OF THE CITY CLERK
OAKLAND

Approved as to Form and Legality

Oakland City Attorney's Office

11 JUN -8 AM 10:55

OAKLAND CITY COUNCIL

Resolution No. 83409 C.M.S.

JAR: EY

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF EDWARD HARDER, IN THE AMOUNT OF \$7800.00. AS A RESULT OF BODILY INJURY SUSTAINED DUE TO A TRIP AND FALL ON AN UPLIFTED SIDEWALK CAUSED BY TREE ROOTS FROM AN OFFICIAL CITY TREE. (Public Works Agency)

WHEREAS, on October 16, 2010, Edward Harder tripped and fell on an uplifted section of sidewalk near 1741 7th Avenue; and has made a claim for injuries against the City of Oakland,

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,

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claim of Edward Harder, our file number C28274, for the sum of Seven Thousand Eight Hundred and 00/100 Dollars (\$7,800.00), payable to Edward Harder and his attorneys, Dykman and Wester, LLP.

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

FURTHER RESOLVED: That the sum of Seven Thousand Eight Hundred and 00/100 Dollars (\$7,800.00), payable to Edward Harder and his attorneys, Dykman and Wester, LLP. Is approved.

In Council, Oakland, California, JUN 21 2011, 20

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER 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