

CITY OF OAKLAND



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Office of the City Attorney
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City Attorney

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September 30, 2003

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Janae Carter v. City of Oakland, et al*
Alameda County Superior Court Case No. 2002-072353
Our File No. 22812 – Office of Public Works
Trip & Fall Injury/Premises Liability

03 SEP 17 PM 1:48

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from an accident on October 9, 2001 in which plaintiff tripped and fell on uneven pavement in front of 2137 MacArthur Boulevard, Oakland

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Thirty Thousand Dollars and No Cents (\$30,000), to be made payable to Janae Carter and Steven L. Weiner, Esq., her attorney of record.

Respectfully submitted,

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Peter Hallifax

310526

10.13CC
ORA/COUNCIL
SEP 30 2003

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

PH/aah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JANAЕ CARTER v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. 2002-072353, OUR FILE NO. 22812, IN THE AMOUNT OF \$30,000.00. (OFFICE OF PUBLIC WORKS)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of June Allison v. City of Oakland, et al., United States District Court Case No. 2002-072353, City Attorney's File No. 22812, for a sum not to exceed a total of Thirty Thousand Dollars and No Cents (\$30,000.00) payable by the City of Oakland to Janae Carter and Steven L. Weiner, Esq., her attorney of record.

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 Thirty Thousand Dollars and No Cents (\$30,000.00) be paid to Janae Carter and Steven L. Weiner, Esq., her attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

310534

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ORA/COUNCIL

SEP 30 2003