

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND



09 NOV 23 PM 3:37

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

Office of the City Attorney
John A. Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TTY/TDD: (510) 238-3254

December 8, 2009

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Flora Krasnovsky Shepherd and Paul John Shepherd v.
City of Oakland, et al.
Alameda County Superior Court No. RG07309931
Our File No. 25249 (PUBLIC WORKS AGENCY -
PERSONAL INJURY)**

President Brunner and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommending settlement of the above-captioned matter for the sum of Twenty-Eight Thousand Dollars and No Cents (\$28,000.00) made payable to Plaintiff Flora Krasnovsky Shepherd and Robert G. Schock, Esq., her attorney.

This action arises out of plaintiff's trip and fall on an uneven portion of the sidewalk at 1998 Mountain Blvd., Oakland, California, on October 4, 2005. This matter was not presented at Closed Session.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John A. Russo', written over a horizontal line.

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Demetrius D. Shelton
611600

OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION NO. _____

C.M.S.

2009 NOV 24 PM 6:02

DDS/bjw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF FLORA KRASNOVSKY SHEPHERD and PAUL JOHN SHEPHERD v. CITY OF OAKLAND, et al., ALAMEDA COUNTY SUPERIOR COURT NO. RG07309931, OUR FILE NO. 25249, IN THE AMOUNT OF \$28,000.00 (PUBLIC WORKS AGENCY – PERSONAL INJURY)

WHEREAS: Plaintiff Flora Krasnovsky Shepherd has filed the above-captioned lawsuit alleging tripping and falling on an uneven portion of the sidewalk at 1998 Mountain Blvd., Oakland, California, on October 4, 2005.

WHEREAS: Plaintiff Flora Krasnovsky Shepherd alleges that she sustained injury and damages caused by the trip and fall; and

WHEREAS: the City of Oakland, without admitting guilt, wrongdoing or liability of any sort whatsoever, believes that it is in the best interest of the City of Oakland to terminate the above-captioned lawsuit through settlement.

THEREFORE BE IT RESOLVED: that the City Attorney is authorized and directed to compromise and settle the case of Flora Krasnovsky Shepherd and Paul John Shepherd v. City of Oakland, et al., City Attorney's File No. 25249, for a sum not to exceed Twenty-Eight Thousand Dollars and No Cents (\$28,000.00) made payable to Plaintiff Flora Krasnovsky Shepherd and Robert G. Schock, Esq., her attorney.

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 Twenty-Eight Thousand Dollars and No Cents (\$28,000.00) made payable to Plaintiff Flora Krasnovsky Shepherd and Robert G. Schock, Esq., her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID,
AND PRESIDENT BRUNNER

NOES -
ABSENT -
ABSTENTION -

ATTEST:

LaTONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California