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2010 JUL -9 AM 8:24

CITY OF OAKLAND



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

Office of the City Attorney
John Russo
City Attorney

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June 20, 2010

HONORABLE CITY COUNCIL
Oakland, California

Subject: Cleunice Pereira v. City of Oakland
Alameda County Superior Court No. RG09-441742
City Attorney File No. 26776 (Office of Public Works)

President Brunner and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Forty Thousand Dollars and No Cents (\$40,000.00) payable to Plaintiff Cleunice Pereira and Patrick D. Goggin, her attorney.

This action arises from a collision in which Ms. Pereira was struck by an automobile at the intersection of MacArthur Blvd. and Randolph Ave on March 5, 2008. This matter was not heard in closed session.

Respectfully submitted,

A handwritten signature in black ink, which appears to read "John A. Russo".

JOHN A. RUSSO
City Attorney

Attorney Assigned:
JAMES F. HODGKINS

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2010 JUL -9 AM 8:25

OAKLAND CITY COUNCIL

RWA
Approved as to Form and Legality

RESOLUTION No. _____ C.M.S.

RWA
JFH

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CLEUNICE PEREIRA v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG09-441742, IN THE AMOUNT OF \$40,000.00 AS A RESULT OF A COLLISION BETWEEN MS. PEREIRA AND AN AUTOMOBILE IN THE INTERSECTION OF MACARTHUR BLVD AND RANDOLPH AVE. (OFFICE OF PUBLIC WORKS)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Cleunice Pereira v. City of Oakland, City Attorney's File No. 26776, for the sum of Forty Thousand Dollars and No Cents (\$40,000.00); 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; and be it

FURTHER RESOLVED: That the sum of Forty Thousand Dollars and No Cents (\$40,000.00) be payable to Plaintiff Cleunice Pereira and Patrick D. Goggin, her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

AYES- DE LA FUENTE, KERNIHGAN, NADEL, REID, QUAN, BROOKS, KAPLAN and PRESIDENT BRUNNER
NOES-
ABSENT-
ABSTENTION-

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