

CITY OF OAKLAND



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December 21, 2021

HONORABLE CITY COUNCIL
Oakland, California

**Subject: State Compensation Insurance Fund v. City of Oakland and Does 1 to 50
Alameda County Superior Court, Case No. RG18891438
City Attorney File No. 31864
(Department of Transportation – Dangerous Condition)**

President Fortunato Bas 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 claims for the sum of Forty-Five Thousand Dollars and Zero Cents (\$45,000.00), payable to State Compensation Insurance Fund.

Plaintiff insurer State Compensation Insurance Fund (“SCIF”) brought this workers’ compensation subrogation lawsuit concerning alleged injuries sustained on October 11, 2016 by John Sandoval. SCIF alleges that Sandoval, an employee of the insured employer, Aladdin Bail Bonds, tripped and fell on a City sidewalk adjacent to 5833 Harmon Avenue, near the intersection of Seminary Avenue when Sandoval’s left foot went into a hole in the sidewalk, causing Sandoval to land on the right side and then roll over. Sandoval reported injuries of the right shoulder, right knee, and right wrist and underwent surgery to repair the right rotator cuff. SCIF also claims the injury made Sandoval more susceptible to a subsequent workplace reinjury in May 2018, which required more physical therapy and missed work. SCIF claims it paid total benefits of \$107,462.61 attributable to the injuries and seeks additional general damages for pain and suffering. The City does not admit liability and denies Plaintiff’s allegations.

The City Council authorized settlement of this case in Closed Session on Thursday, December 16, 2021 (moved by Councilmember Sheng Thao and seconded by Vice Mayor Rebecca Kaplan - 8 Ayes).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Assigned Attorney:
Andrew S. Huang

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