

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CALIFORNIA 94612

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March 15, 2022

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Frank K. Berfield v. Frederick Wynn; Greenwich Logistics, LLC, a Delaware Corporation, dba 1-800 Courier; 1-800 Courier Brokers, LLC, a Delaware Corporation; City of Oakland; and DOES 1 through 100**  
**Alameda County Superior Court Case No. RG20063846**  
**City Attorney File No. 33849**  
**(Oakland Department of Transportation – Dangerous Condition of Public Property)**

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 lawsuit for the sum of: Two Hundred Thousand Dollars and No Cents (\$200,000.00), payable to Ongaro PC in trust for Frank Berfield.

This action arises from a June 30, 2019 collision between a motorcycle and a van at the intersection of Grass Valley Road and Sun Valley Drive in Oakland, California. The collision occurred on a portion of Grass Valley Road that is lined on both sides by numerous eucalyptus trees. Plaintiff Frank Berfield alleged that the trees interfered with the lines of sight of the driver of the motorcycle, Frank Berfield, and the driver of the van, Frederick Wynn. Plaintiff alleges that Plaintiff suffered a broken right ankle and broken right forearm, dislocated right hand, and cuts and bruises in the accident. Plaintiff claims approximately \$135,000 in past medical expenses, future medical expenses, and approximately \$180,000 in past wage loss, as well as pain and suffering.

The City Council authorized settlement of this case in Closed Session on Thursday, February 24, 2022 (moved by Councilmember Noel Gallo and seconded by Councilmember Treva Reid - 8 Ayes).

Respectfully submitted,

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

BARBARA J. PARKER  
City Attorney

Assigned Attorney:  
Kevin P. McLaughlin