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OFFICE OF THE CITY CLERK
OAKLAND

22 JUL 19 AM 10:48

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 89350 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF AMRO AL NABULSI V. CITY OF OAKLAND, COUNTY OF ALAMEDA, AND DOES 1 TO 100, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG19035880, CITY ATTORNEY FILE NO. 33304, IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$50,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION)

WHEREAS, Plaintiff Amro Nabulsi alleges that on October 23, 2018, Plaintiff was injured while he rode a motorcycle on Telegraph Avenue near 28th Street due to a pothole that Plaintiff alleges is a dangerous condition on public property; and

WHEREAS, Plaintiff allegedly suffered a fracture of the left femur and a torn ACL, due to this incident; and

WHEREAS, Superior Court of the State of California, County of Alameda, Case No. RG19035880, was filed against the City of Oakland, alleging a claim for dangerous condition of public property; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

WHEREAS, the City admits no wrongdoing or liability; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Amro Al Nabulsi v. City of Oakland, County of Alameda, and DOES 1 to 100, Inclusive, Alameda County Superior Court Case No. RG19035880, City Attorney's File No. 33304, for the sum of Fifty Thousand Dollars and Zero Cents (\$50,000.00); 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUL 19 2022

PASSED BY THE FOLLOWING VOTE:

AYES - ~~DAVE~~, GALLO, KALB, ~~KAPLAN~~, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS - 6

NOES - 0
ABSENT - 0
ABSTENTION - 0

2 Excused - Fitz & Kaplan

ATTEST:



ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California