

# CITY OF OAKLAND



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October 4, 2022

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Kate Didech v. City of Oakland, and DOES 1 to 20, Inclusive**  
Alameda County Superior Court Case No. RG19030982  
City Attorney File No. 33141  
(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 claim for the sum of Sixty-Five Thousand Dollars and Zero Cents (\$65,000.00), payable to Plaintiff Kate Didech, through Plaintiff's attorneys, Bennett & Johnson, LLP.

Plaintiff alleges that on July 8, 2018, Plaintiff was riding an electric scooter on Vernon Street near Vernon Terrace when the scooter's front tire became stuck in a sinkhole. Plaintiff fell and was later diagnosed with a closed, displaced fracture of the bony tip of the right elbow. The City has determined that settlement in the amount of \$65,000.00 to Plaintiff, without admitting liability and to avoid further litigation, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, September 15, 2022 (moved by Councilmember Noel Gallo and seconded by Councilmember Carroll Fife - 6 Ayes and 2 Absent – President Pro Tempore Sheng Thao and Council President Nikki Fortunato Bas).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Barbara J. Parker", written in a cursive style.

BARBARA J. PARKER  
City Attorney

Assigned Attorney:  
Han Tran