

2022 SEP 30 PM 4: 06

FILED
OFFICE OF THE CITY CLERK
OAKLAND

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 89423 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF KATE DIDECH V. CITY OF OAKLAND, AND DOES 1 TO 20, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG19030982, CITY ATTORNEY FILE NO. 33141, IN THE AMOUNT OF SIXTY FIVE THOUSAND DOLLARS AND ZERO CENTS (\$65,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION OF PUBLIC PROPERTY)

WHEREAS, Plaintiff Kate Didech alleges that on July 8, 2018, Plaintiff was injured while Plaintiff rode an electric scooter on Vernon Street near Vernon Terrace due to a sinkhole that Plaintiff alleges is a dangerous condition on public property; and

WHEREAS, Plaintiff allegedly suffered a fracture of the bony tip of the right elbow due to this incident; and

WHEREAS, Plaintiff filed Alameda County Superior case number RG19030982, 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 Kate Didech v. City of Oakland, and DOES 1 through 20, Inclusive, Alameda County Superior Court Case No. RG19030982, City Attorney's File No. 33141, for the sum of Sixty Five Thousand Dollars and Zero Cents (\$65,000.00); and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take steps that may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

OCT 4 2022

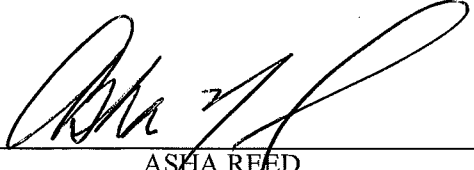
PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, ~~CONNER~~ KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS - 7

NOES - ~~0~~
ABSENT - ~~0~~
ABSTENTION - ~~0~~

Excused - 1 Gallo

ATTEST:


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