

CITY OF OAKLAND



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February 7, 2023

HONORABLE CITY COUNCIL
Oakland, California

Subject: Carolyn Levy v. City of Oakland, and DOES 1-100
Alameda County Superior Court Case No. RG18913570
City Attorney File No. 32579
(Department of Transportation – Dangerous Condition of Public Property)

Dear 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 the compromise and settlement of the above-entitled claim for the sum of Two Hundred Thousand Dollars and No Cents (\$200,000.00), payable to Plaintiff in a manner specified by Plaintiff's counsel.

This claim arises from an incident that occurred on October 27, 2017 on the sidewalk located on 3rd Street between Clay Street and Washington Street, in front of ConneXion in Oakland, California. Plaintiff Carolyn Levy was walking down the sidewalk when Plaintiff tripped and fell on an uneven portion of the sidewalk that was uplifted due to tree roots. Plaintiff alleges that Plaintiff suffered injuries as a result of the fall, including a fractured ankle that required surgery. Plaintiff alleges that the uneven portion of sidewalk is a dangerous condition of public property and claims general and economic damages as a result of injuries Plaintiff suffered. The City does not admit wrongdoing or liability.

The City Council authorized settlement of this case in Closed Session on Thursday, May 5, 2022 (moved by Councilmember Loren Taylor and seconded by Councilmember Treva Reid – 7 Ayes and 1 Absent – Councilmember Noel Gallo).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker". The signature is written in a cursive, flowing style.

BARBARA J. PARKER
City Attorney

Assigned Attorney:
Lorena Matei

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