

# CITY OF OAKLAND



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May 2, 2023

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Emmanuel Tril v. The City of Oakland; Paramount Theatre of the Arts, Inc.; and Does 1 to 50**  
**United States District Court Case No. 3:22-CV-01087-SK**  
**City Attorney File No. 34994**  
**(Department of Economic & Workforce Development – Disability Discrimination)**

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 claims of Plaintiff Emmanuel Tril (“Tril”) in the above-entitled lawsuit for the sum of: Thirty-Two Thousand Two Hundred Twenty-Nine Dollars and Fifty Cents (\$32,229.50).

Tril is a person with a mobility disability and utilizes a wheelchair. Tril attended a concert at the Paramount Theater on November 26, 2021, and claims that due to the sight lines at the disabled seating Tril was provided, Tril was unable to view the performers at the concert. Tril subsequently identified other accessibility issues at the Paramount Theater, including signage and disabled restroom configurations that allegedly do not comply with applicable regulations.

Without admitting liability, the City has determined to compromise Tril’s claim in the amount of Thirty-Two Thousand Two Hundred Twenty-Nine Dollars and Fifty Cents (\$32,229.50). Of that amount \$7,500.00 is allocated to Tril’s damages, attorneys’ fees and costs, and \$24,729.50 is allocated to the costs of remediating accessibility issues.

The City Council authorized settlement of this claim in Closed Session on Thursday, April 20, 2023 (moved by Councilmember Rebecca Kaplan and seconded by Councilmember Treva Reid - 7 Ayes, 1 Absent – Councilmember Noel Gallo).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker". The signature is fluid and cursive.

BARBARA J. PARKER  
City Attorney

Assigned Attorney:  
Kevin P. McLaughlin