


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF 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 FOR THE SUM OF THIRTY-TWO THOUSAND TWO HUNDRED TWENTY-NINE DOLLARS AND FIFTY CENTS (\$32,229.50) (DEPARTMENT OF ECONOMIC & WORKFORCE DEVELOPMENT – DISABILITY DISCRIMINATION)

WHEREAS, Plaintiff Emmanuel Tril (“Tril”) is a person with a mobility disability who utilizes a wheelchair, and who attended a concert at the Paramount Theater on November 26, 2021; and

WHEREAS, Tril claims Tril was unable to view the performers at the concert due to the sight lines at the disabled seating provided to Tril; and

WHEREAS, Tril identifies other accessibility issues at the Paramount Theater, including signage and disabled restroom configurations that allegedly do not comply with applicable regulations; and

WHEREAS, the City of Oakland owns the Paramount Theater; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise the claim of Tril in the amount of Thirty-Two Thousand Two Hundred Twenty-Nine Dollars and Fifty Cents (\$32,229.50), with \$7,500.00 allocated to Tril’s damages, attorneys’ fees and costs, and \$24,729.50 allocated to the costs of remediating accessibility issues; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the claims of Plaintiff Emmanuel Tril in the amount of Thirty-Two Thousand Two Hundred Twenty-Nine Dollars and Fifty Cents (\$32,229.50); 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,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____

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