

CITY OF OAKLAND



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December 5, 2023

HONORABLE CITY COUNCIL
Oakland, California

Subject: Marc Sims v. City of Oakland, Tanya Xanthene Williams, and DOES 1 to 20
Alameda County Superior Court Case No. RG21086848
City Attorney File No. 34230
(Department of Transportation – Negligence)

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 lawsuit for the sum of One Hundred Twelve Thousand Dollars and Zero Cents (\$112,000.00), payable to Plaintiff Marc Sims (“Sims”), through Sims’ attorneys at TORKLAW, APC.

Plaintiff Marc Sims alleges that on March 13, 2020, Sims was riding a motorcycle eastbound on Edgewater Drive traveling to work. A Department of Transportation (“DOT”) employee was driving a City van in the opposite direction westbound on Edgewater Drive. Sims alleges the City employee made a sudden left turn with the van across Sims’ lane of travel, causing Sims to collide into the passenger side of the van.

Sims alleges that doctors diagnosed Sims with a traumatic brain injury and two fractured bones and a torn ligament in the right hand. Sims underwent surgery to repair the fractures and torn ligament. The City has determined that it is the City’s best interest to settle Sims’ case for the payment of \$112,000.00 to Sims, without admitting liability and to avoid further litigation.

The City Council authorized settlement of this case in Closed Session on Thursday, November 2, 2023 (moved by Councilmember Treva Reid and seconded by Councilmember Noel Gallo – 7 Ayes, 1 Excused – Carroll Fife).

Respectfully submitted,

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

BARBARA J. PARKER
City Attorney

Assigned Attorney:
Han Tran

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