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CITY OF OAKLAND



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Office of the City Attorney
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City Attorney

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May 15, 2012

HONORABLE CITY COUNCIL
Oakland, California

President Reid and Members of the City Council:

Subject: Linda Kravitz v. . City of Oakland
Alameda County Superior Court Case No. **RG11556138**
Our Matter No. 27949 (Public Works – Trip and Fall)

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 above-entitled action for the sum of Seventy Five Thousand Dollars and No Cents (\$75,000), payable to Linda Kravitz and her attorney Thomas J. Trachuk.

This action arises out of a trip and fall on December 25, 2009, which, it is alleged, was caused by a dangerous condition of public property. Settlement of this matter is recommended to avoid the risk of a more adverse jury verdict. This matter was heard in closed session on April 30, 2012.

Respectfully submitted,

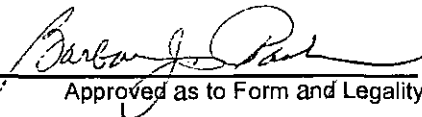
A handwritten signature in cursive script that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Attorney assigned:
Carolyn O. Tsai

Doc. No.: 930996

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Approved as to Form and Legality

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

COT:ljb

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LINDA KRAVITZ vs. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11556138, CITY ATTORNEY'S FILE NO. 27949, IN THE AMOUNT OF SEVENTY FIVE THOUSAND DOLLARS AND NO CENTS (\$75,000.00). (PUBLIC WORKS – TRIP AND FALL)

WHEREAS, on December 25, 2009 Plaintiff Linda Kravitz suffered personal injuries when she tripped and fell in a City-owned parking lot, and

WHEREAS, Plaintiff Linda Kravitz filed the above entitled lawsuit seeking damages for injuries allegedly sustained in the trip and fall accident, and

WHEREAS, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City; and now therefore, be it

RESOLVED: that the City Attorney is authorized and directed to settle the matter of Linda Kravitz vs. City of Oakland, Alameda County Superior Court Case No. RG11556138, City Attorney File No. 27949, for the sum of Seventy Five Thousand Dollars and No Cents (\$75,000) payable to Linda Kravitz and her attorney of record Thomas J. Trachuk, Esq.; 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; and be it

FURTHER RESOLVED: that the sum of Seventy Five Thousand Dollars and No Cents (\$75,000), payable to Linda Kravitz and her attorney Thomas J. Trachuk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, SCHAAF, BRUNNER, and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the
Council of the City of Oakland, California