



2013 MAY 23 PM 5:55

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Office of the City Attorney
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City Attorney

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June 4, 2013

HONORABLE CITY COUNCIL
Oakland, California

Subject: Alison Fletcher v. City of Oakland
Alameda County Superior Court Case No. RG12620055
City Attorney File No. 28621 (Public Works Agency – Trip and Fall)

President Kernighan 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 above-entitled action for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00), payable to plaintiff Alison Fletcher and her attorney John D. Winer.

This action arises out of a February 21, 2011 incident in which Plaintiff suffered personal injuries when she tripped and fell on a City sidewalk at 5978 Glen Arms Drive.

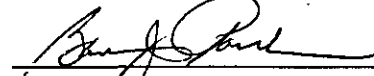
Settlement of this matter is recommended to avoid the risk of a more adverse jury verdict. This matter was heard in closed session on June 4, 2013.

Respectfully submitted,


BARBARA PARKER
City Attorney

Attorney assigned:
Carolyn O. Tsai

FILED
OFFICE OF THE CITY CLERK
OAKLAND


Office of the City Attorney

2013 MAY 23 PM 5:56 OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

COT:ljg

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ALISON FLETCHER v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG12620055, CITY ATTORNEY'S FILE NO. 28621, IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$25,000.00) (PUBLIC WORKS AGENCY – TRIP AND FALL)

WHEREAS, on February 21, 2011 Plaintiff Alison Fletcher suffered personal injuries when she tripped and fell on a City sidewalk at 5978 Glen Arms Drive, and

WHEREAS, the Plaintiff filed the above entitled lawsuit seeking damages for said injuries, 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; now therefore, be it

RESOLVED: that the City Attorney is authorized and directed to settle the matter of Alison Fletcher v. City of Oakland, Alameda County Superior Court Case No. RG12620055, City Attorney File No. 28621, for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00) payable to plaintiff Alison Fletcher and her attorney of record John D. Winer, 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 Twenty-Five Thousand Dollars and No Cents (\$25,000.00) be made payable to plaintiff Alison Fletcher and her attorney of record John D. Winer.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, SCHAAF, REID AND PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California