

15 APR -9 PM 2:45

CITY OF OAKLAND



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April 21, 2015

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Chubb Group of Insurance as subrogee for David Curley
City Attorney C29999
(Oakland Police Department – Auto Collision)**

President Gibson McElhaney 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 claim for the sum of Nine Thousand Six Hundred Fifty Four Dollars and Fifty Nine Cents (\$9,654.59), made payable to Chubb Group of Insurance as subrogee for David Curley.

This action arises out of a February 27, 2014 accident in which a City vehicle driver collided with the insured's vehicle traveling on Oak Street, San Francisco, CA. Settlement of this matter is recommended to avoid the risk of litigation.

The Council authorized settlement of this case in Closed Session on Tuesday, April 7, 2015 (moved by Councilmember Kaplan and seconded by Councilmember Gallo - 6 Ayes, 2 Absent – Councilmembers Kalb and Reid).

Respectfully submitted,

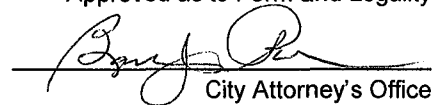
A handwritten signature in black ink that reads "Barbara J. Parker". The signature is fluid and cursive, with a large initial "B" and "P".

BARBARA J. PARKER
City Attorney

Assigned Investigator:
Ellen Dolese

1459668

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City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF CHUBB GROUP OF INSURANCE (CLAIM NO. C29999) IN THE AMOUNT OF NINE THOUSAND SIX HUNDRED FIFTY FOUR DOLLARS AND FIFTY NINE CENTS (\$9,654.59), PAYABLE TO CHUBB GROUP OF INSURANCE AS SUBROGEE FOR DAVID CURLEY (OAKLAND POLICE DEPARTMENT – AUTO COLLISION)

WHEREAS, claimant alleges that on February 27, 2014, a City vehicle driver collided with Chubb Group of Insurance insured's vehicle traveling on Oak Street, San Francisco, CA, and

WHEREAS, the claimant filed the above-entitled claim seeking payment for said damages, 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 claim of Chubb Group of Insurance as subrogee for David Curley, our file number C29999, for the sum of Nine Thousand Six Hundred Fifty Four Dollars and Fifty Nine Cents (\$9,654.59) and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps may be necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Nine Thousand Six Hundred Fifty Four Dollars and Fifty Nine Cents (\$9,654.59), be made payable to Chubb Group of Insurance as subrogee for David Curley.

In Council, Oakland, California,
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT
GIBSON MCELHANEY

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LaTonda Simmons
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA