

2015 APR 10 PM 8:48

CITY OF OAKLAND



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City Attorney

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April 21, 2015

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Reynelder Julian v. City of Oakland
Alameda Superior Court Case No. RG14736991
City Attorney File No. 29968
(Oakland Public Works –Trip and Fall)**

President 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 Fifteen Thousand Dollars and no Cents (\$15,000.00), payable to Reynelder Julian and Carl E. Kadlic, her attorney of record.

This action arises out of a trip and fall that occurred on January 25, 2014. Plaintiff was walking in the roadway near 2550 Pleasant Street when she tripped and fell in the street. She sprained her ankle and suffered a small avulsive fracture, requiring medical treatment.

This matter will be considered by the Council in closed session on Tuesday, April 21, 2015.

Respectfully submitted,

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

BARBARA J. PARKER
City Attorney

Attorney assigned:
Tracy Chriss

DRAFT

City Attorney's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

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OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF REYNELDER JULIAN V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14736691, CITY ATTORNEY'S FILE NO. 29968, IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS (\$15,000.00) (OAKLAND PUBLIC WORKS – TRIP AND FALL)

WHEREAS, Reynelder Julian was injured when she tripped and fell in the roadway near 2550 Pleasant Street in the City of Oakland on January 25, 2014; and

WHEREAS, Ms. Julian sustained injuries requiring medical treatment as a result of this accident; and

WHEREAS, Ms. Julian filed Alameda County Superior Court Case No. RG14736691 against the City of Oakland on August 15, 2014 alleging negligence and premises liability; and

WHEREAS, the City has determined that settlement in the amount of Fifteen Thousand Dollars and No Cents (\$15,000.00), 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 compromise and settle the case of Reynelder Julian v. City of Oakland, Alameda County Superior Court Case No. RG14736691, City Attorney's File No. 29968, for the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00); and be it

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

FURTHER RESOLVED: That the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00) be made payable to Reynelder Julian and Carl E. Kadlic, her attorney of record.

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