

Barry J. Park
City Attorney's Office

15 APR 16 PM 2:03

OAKLAND CITY COUNCIL

RESOLUTION NO 85502 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JOHN YUE V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14732692, CITY ATTORNEY'S FILE NO. 29453, IN THE AMOUNT OF EIGHTY THOUSAND DOLLARS (\$80,000.00) (PUBLIC WORKS DEPARTMENT – MOTOR VEHICLE ACCIDENT)

WHEREAS, Plaintiff John Yue alleges that on August 22, 2012, he was struck by a City vehicle, driven by a City employee at Seventh and Madison Streets; and

WHEREAS, Plaintiff filed the above referenced action to recover monetary damages for his alleged injuries; and

WHEREAS, the City has determined that settlement in the amount of Eighty Thousand Dollars and No Cents (\$80,000.00), 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 John Yue v. City of Oakland, Alameda County Superior Court Case No. RG14732692, City Attorney's File No 29453, for the sum of Eighty Thousand Dollars and No Cents (\$80,000.00) payable to John Yue and Terry D. Buller, his attorney of record; 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 Eighty Thousand Dollars and No Cents (\$80,000.00) be made payable to John Yue and Terry D Buller, his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, **APR 21 2015**

PASSED BY THE FOLLOWING VOTE

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~REID~~ AND PRESIDENT GIBSON MCELHANEY - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

ATTEST *Latonda Simmons*
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California