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CITY OF OAKLAND



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July 21, 2015

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: William Scott Nicolson v. City of Oakland**  
**Case No. RG14711286**

City Attorney File No. 29640, (Oakland Public Works –Dangerous  
Condition)

President Gibson McElhaney and Members of the City Council:

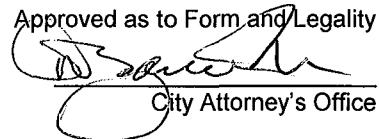
Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for Eighty-Seven Thousand Five Hundred Dollars and No Cents (\$87,500.00), payable to William Scott Nicolson.

This action arises out of Mr. Nicolson's injuries which he alleges that he sustained due to the condition of the City's property.

The Council authorized settlement of this case in Closed Session on Wednesday, May 5, 2015 (moved by Councilmember Anne Campbell-Washington and seconded by Councilmember Rebecca Kaplan - 7 Ayes, 1 Absent – Councilmember Reid.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker', written over a circular stamp or seal.  
BARBARA J. PARKER  
City Attorney

  
City Attorney's Office

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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 WILLIAM SCOTT NICOLSON v. CITY OF OAKLAND ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14711286 CITY ATTORNEY'S FILE NO. 29640, IN THE AMOUNT OF EIGHTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$87,500.00) (OAKLAND PUBLIC WORKS— DANGEROUS CONDITION)**

**WHEREAS**, William Scott Nicolson alleges that he incurred damages as a result of an injury that he sustained due to the condition of a public property; and

**WHEREAS**, William Scott Nicolson, filed a personal-injury lawsuit against the City; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle William Scott Nicolson's claims against it for the sum of Eighty-Seven Thousand Five Hundred Dollars and No Cents (\$87,500.00) payable by the City of Oakland; now, therefore, be it

**RESOLVED:** That the City of Oakland is authorized and directed to compromise and settle the case of William Scott Nicolson v. City of Oakland, Alameda County Superior Court Case No. RG13663115, City Attorney's File No. 29640, for a sum not to exceed Eighty-Seven Thousand Five Hundred Dollars and No Cents (\$87,500.00); 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 Eighty-Seven Thousand Five Hundred Dollars and No Cents (\$87,500.00) be paid to William Scott Nicolson.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

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

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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