

15 NOV -5 PM 1:53

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
Barbara J. Parker
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

November 17, 2015

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Barbara Campbell-Merriouns v. City of Oakland, et al.*
Alameda County Superior Court No. RG14732663
City Attorney File No. 29941
(Public Works – Dangerous Condition)

President Reid and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of the resolution authorizing compromise and settlement of the above-entitled claim for the sum of Twenty-Five Thousand Dollars (\$25,000.00), to be paid to the "Law Offices of George Holland and Barbara Campbell-Merriouns".

This matter arises from a trip and fall on a dangerous condition near the entrance of the Downtown Oakland Senior Center on September 24, 2013. Ms. Campbell-Merriouns alleges she suffered a fractured hip as a result of her fall.

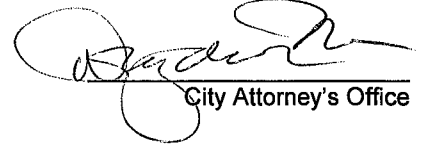
The Council authorized settlement of this case in Closed Session on Tuesday, November 3, 2015 (moved by Councilmember Campbell-Washington and seconded by Councilmember Kaplan – 7 Ayes, 1 Absent, Councilmember Brooksc).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker', written in a cursive style.

BARBARA J. PARKER
City Attorney

Attorney assigned:
Michelle M. Meyers


City Attorney's Office

15 NOV -5 PM 1:59

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF BARBARA CAMPBELL-MERRIIONS V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14732663, CITY ATTORNEY'S FILE NO. 29941, IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) (PUBLIC WORKS – DANGEROUS CONDITION)

WHEREAS, Plaintiff Barbara Campbell-Merriouns alleges that she sustained injuries resulting from a trip and fall near the entrance of the Downtown Oakland Senior Center; and

WHEREAS, Plaintiff Barbara Campbell-Merriouns filed the above referenced action to recover monetary damages for her alleged injuries; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff Barbara Campbell-Merriouns's claim against it for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Barbara Campbell-Merriouns v. City of Oakland, Alameda County Superior Court Case No. RG14732663, City Attorney's File No. 29941, for a sum not to exceed Twenty-Five Thousand Dollars and No Cents (\$25,000.00) payable by the City of Oakland; 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 Twenty-Five Thousand Dollars and No Cents (\$25,000.00) be payable to the "Law Offices of George Holland and Barbara Campbell-Merriouns".

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, 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