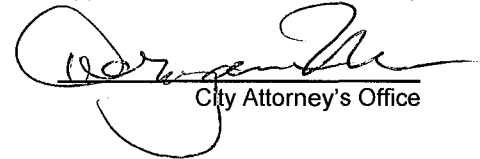


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City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. 86385 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF VONGVISETH SOUMPHOLTHADKY v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE RG15760052 (CONSOLIDATED WITH CALIFORNIA CHARTER SCHOOLS JOINT POWERS V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE RG15764149) IN THE AMOUNT OF FIFTEEN THOUSAND DOLLARS AND NO CENTS (\$15,000.00) AS A RESULT OF TRIP AND FALL PERSONAL INJURY ON OCTOBER 15, 2013 (OAKLAND PUBLIC WORKS - DANGEROUS CONDITION)

WHEREAS, Vongviseth Soumpholthadky was injured when she tripped and fell on a City sidewalk in front of 8425 MacArthur Blvd. in Oakland on October 15, 2013; and

WHEREAS, Mr. Soumpholthadky allegedly sustained injuries requiring medical treatment and was temporarily unable to work, as a result of this accident; and

WHEREAS, Mr. Soumpholthadky's medical expenses and wage loss were partially paid by his employer, California Charter Schools, through worker's compensation; and

WHEREAS, Alameda County Superior Court Actions RG15760052 and RG15764149 were filed against the City of Oakland alleging a dangerous condition of public property; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff Vongviseth Soumpholthadky's claim against it for the sum of Six Thousand Five Hundred Dollars and No Cents (\$6,500.00); and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff California Charter School's claim against it for the sum of Eight Thousand Five Hundred Dollars and No Cents (\$8,500.00); now therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Vongviseth Soumpholthadky v. City of Oakland, Alameda County Superior Court, Case no. RG15760052, City Attorney's File No. 28737 (Consolidate with California Charter Schools Joint Powers v. City of Oakland, Alameda County

Superior Court, Case no. RG15764149, City Attorney's File No. X04136), 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 as may be necessary to effect said settlement; and be it

IN COUNCIL, OAKLAND, CALIFORNIA

OCT 04 2016

PASSED BY THE FOLLOWING VOTE:

AYES: BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND
[REDACTED] → 7

NOES: 0

ABSENT: 0

ABSTENTION: 0

Grased-Gibson McElhargy - 1

ATTEST:

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