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CITY OF OAKLAND



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

Office of the City Attorney  
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September 17, 2018

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Ferenc Danku v. City of Oakland, et al.**  
**Alameda County Superior Court, Case No. RG17856671**  
**City Attorney File No. 30936**  
**(Department of Transportation – Trip and Fall)**


President Reid and Members of the City Council:

Pursuant to Section 401 of the City Charter, the City Attorney has prepared and requests your approval of a resolution authorizing the compromise and settlement of the above-entitled action in the sum of: Sixty Thousand Dollars and No Cents (\$60,000.00) payable to Ferenc Danku and his attorney Sarah L. Lawrence.

This action arises from a November 10, 2015 trip-and-fall incident on the sidewalk on the 1500 block of West Street. This matter was heard in closed session on Tuesday, July 24, 2018.

The Council authorized settlement of this case in Closed Session on Tuesday, July 24, 2018 (moved by Councilmember Gibson McElhaney and seconded by Councilmember Kaplan – 7 Ayes, 1 Absent).

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
Kevin P. McLaughlin

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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: FERENC DANKU V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG17856671 IN THE AMOUNT OF SIXTY THOUSAND DOLLARS AND NO CENTS (\$60,000.00) ARISING FROM A NOVEMBER 10, 2015 TRIP-AND-FALL INCIDENT ON THE SIDEWALK ON THE 1500 BLOCK OF WEST STREET.

**WHEREAS**, Ferenc Danku allegedly tripped and fell on November 10, 2015 due to an uplifted portion of sidewalk on the 1500 block of West Street; and

**WHEREAS**, Ferenc Danku allegedly suffered injury as a result of the uplifted portion of sidewalk; and

**WHEREAS**, Alameda County Superior Court Case No. RG17856671 was filed against the City of Oakland alleging tort claims for personal injuries; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise Ferenc Danku's claim against it for the sum of Sixty Thousand Dollars and No Cents (\$60,000.00); now, therefore, be it

**RESOLVED**: That the City Attorney is authorized and directed to compromise and settle the case of Ferenc Danku v. City of Oakland, et al., Alameda County Superior Court No. RG17856671 for the sum of Sixty Thousand Dollars and No Cents (\$60,000.00); 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB,  
KAPLAN AND PRESIDENT REID

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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