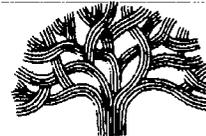


18 SEP 20 PM 1:48

CITY OF OAKLAND



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

Office of the City Attorney
Barbara J. Parker
City Attorney

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October 2, 2018

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Michael Lewis and Lisa Lewis v. City of Oakland*
Alameda County Superior Court No. RG16842881
City Attorney File No. 31268
(Office of Public Works – Wrongful Death)

Dear Council President Reed 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 One Million Seven Hundred and Fifty Thousand dollars (\$1,750,000.00).

This matter arises from tragic events which led to the death of sixteen-year-old Jack Lewis on December 4, 2015 at Lakeside Park wherein the decedent was killed by a tree limb that broke from a tree.

The Council authorized settlement of this case in Closed Session on Monday, September 17, 2018 (moved by Councilmember Kaplan and seconded by Councilmember Gallo – 7 Ayes and 1 Absent (Councilmember Brooks)).

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Attorney Assigned:
Michelle M. Meyers

George P. ...
City Attorney's Office

FILED
OFFICE OF THE CITY CLERK
OAKLAND

18 SEP 20 11:41 AM
OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF *MICHAEL LEWIS AND LISA LEWIS V. CITY OF OAKLAND*, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG16842881, CITY ATTORNEY'S FILE NO. 31268, IN THE AMOUNT OF ONE MILLION SEVEN HUNDRED AND FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$1,750,000.00) (OFFICE OF PUBLIC WORKS - WRONGFUL DEATH)

WHEREAS, this matter arises from tragic events which led to the death of sixteen-year-old Jack Lewis on December 4, 2015 at Lakeside Park wherein the decedent was killed by a tree limb that broke from a tree.

WHEREAS, Plaintiffs filed the above-referenced action to recover monetary damages; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiffs' claims against it for the sum of One Million Seven Hundred and Fifty Thousand Dollars and No Cents (\$1,750,000.00); now, therefore, be it.

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Michael Lewis and Lisa Lewis v. City of Oakland*, Alameda County Superior Court Case No. RG16842881, City Attorney's File No. 31268, for a sum not to exceed One Million Seven Hundred and Fifty Thousand Dollars and No Cents (\$1,750,000.00) 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.

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