

CITY OF OAKLAND



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

Office of the City Attorney
Barbara Parker
City Attorney

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

July 6, 2021

HONORABLE CITY COUNCIL
Oakland, California

Subject: K.P., a minor, by and through her Guardian ad Litem, Jourdan Murray, and Kennisha Jackson-Cadle v. City of Oakland, Kola Thomas, and DOES 1-30 Alameda County Superior Court Case No. RG20056965 City Attorney File No. 33615 (Parks, Recreation & Youth Development – Negligent Supervision)

President Fortunato Bas 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 claims for the sum of One Hundred Eighty-Five Thousand Dollars and Zero Cents (\$185,000.00), payable to Plaintiff K.P., a minor, and Ninety-Five Thousand Dollars and Zero Cents (\$95,000.00), payable to Plaintiff Kennisha Jackson-Cadle, through their attorneys, the law firm of Casper, Meadows, Schwartz & Cook.

This action arises out of an incident involving Plaintiffs on February 15, 2019, at the Charles Porter Golden Gate Recreation Center. Plaintiffs allege claims for negligence; negligent hiring, retention, training, and supervision; breach of mandatory duty; and negligent infliction of emotional distress. Specifically, Plaintiffs allege that the City operated the Center in noncompliance with state requirements and in an unsafe manner by failing to supervise, or inadequately supervising, children in their care resulting in the minor Plaintiff being physically injured and sexually molested and/or assaulted by another minor child and the minor Plaintiff and minor Plaintiff's parent sustaining damages for past and future pain and suffering, past and future hospital, medical, and professional and incidental expenses and future loss of earning capacity. The City does not admit liability or negligence in supervising or operating the Center.

The Council authorized settlement of this case in Closed Session on Thursday, June 3, 2021 (moved by Councilmember Gallo and seconded by Councilmember Taylor - 8 Ayes, 0 Noes).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Assigned Attorney:
Ben Patterson
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