


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF FILMON HAGOS V. THE CITY OF OAKLAND, A PUBLIC ENTITY, THE COUNTY OF ALAMEDA, A PUBLIC ENTITY, FIRST PRESBYTERIAN CHURCH OF OAKLAND, A NONPROFIT RELIGIOUS CORPORATION; AND DOES 1 THROUGH 50, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 23CV046388, CITY ATTORNEY FILE NO. 36395, IN THE SUM OF TWO HUNDRED AND FIFTY THOUSAND DOLLARS AND ZERO CENTS (\$250,000.00), PAYABLE TO FILMON HAGOS AND HIS ATTORNEYS AT HARRIS PERSONAL INJURY LAWYERS (OAKLAND DEPARTMENT OF TRANSPORTATION – DANGEROUS CONDITION)

WHEREAS, Plaintiff Filmon Hagos (“Hagos”) alleges that on April 22, 2023, Hagos was walking in front of the First Presbyterian Church at 2619 Broadway in Oakland when Hagos tripped and fell on a sidewalk defect; and

WHEREAS, Hagos claims injuries including a fractured right ankle, broken right fibula bone, Complex Regional Pain Syndrome, and emotional distress, and seeks recovery for medical bills, and pain and suffering; and

WHEREAS, Hagos filed a lawsuit in the Superior Court of the State of California, County of Alameda, Case No. 23CV046388, alleging dangerous condition of public property and premises liability causes of action against the City and the First Presbyterian Church of Oakland; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

WHEREAS, the City admits no wrongdoing, fault or liability; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of *Filmon Hagos v. City of Oakland, et al.*, Alameda County Superior Court Case No. 23CV046388, for the sum of Two Hundred and Fifty Thousand Dollars and Zero Cents (\$250,000.00); 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 – BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG,
PRESIDENT JENKINS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California