

CITY OF OAKLAND



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February 3, 2026

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Gosvami Marquez, Miriam Hernandez. City of Oakland, Tommy Nguyen and DOES 1-25
Alameda County Superior Court Case No. 22CV024146
Case No. 23CV055346
City Attorney File No. 35273
(Oakland Police Department – Negligence/Vicarious Liability)**

President Jenkins 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 lawsuit for the sum of One Hundred Twenty-Five Dollars and No Cents (\$125,000.00).

Gosvami Marquez and Miriam Hernandez allege that on December 20, 2022, they were involved in a motor vehicle accident involving Police Officer Tommy Nguyen at the intersection of San Leandro and 66th Avenue in Oakland. They allege that Officer Nguyen negligently drove into the intersection on a red light and collided with a third party, after which the officer's vehicle collided into Hernandez's vehicle. Gosvami Marquez and Miriam Hernandez allege that Officer Nguyen was negligent and that the City of Oakland is liable because the accident occurred while the officer was in the course and scope of employment.

Gosvami Marquez and Miriam Hernandez claim personal injuries related to the accident including neck, shoulder, back sprain, low back disc bulge for Marquez and neck, shoulder and back sprain for Hernandez. They both allege they suffered general damages.

The City has determined that settlement in the amount of One Hundred Twenty-Five Thousand Dollars and No Cents (\$125,000.00) without admitting liability and to avoid further litigation, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, June 26, 2025 (moved by Councilmember Zac Unger and seconded by Councilmember Ken Houston - 6 Ayes, 2 Excused - Councilmembers Carroll Fife and Janani Ramachandran).

Respectfully submitted,


RYAN RICHARDSON
City Attorney

Assigned Attorney:
Lorena Matei
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