


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 RAY MUELLER V. CITY OF OAKLAND AND DOES 1 THROUGH 10, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 25CV125388, CITY ATTORNEY FILE NO. 37431, IN THE AMOUNT OF FORTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$45,000.00) (DEPARTMENT OF TRANSPORTATION - DANGEROUS CONDITION OF PUBLIC PROPERTY)

WHEREAS, Plaintiff Ray Mueller alleges that on June 7, 2024, Mueller fell off a bicycle while riding down Montclair Avenue near Park Boulevard and suffered a head injury; and

WHEREAS, Mueller attributes the fall to a pothole in the street and alleges that this pothole was a dangerous condition of public property of which the City had actual notice; and

WHEREAS, Mueller seeks damages for past medical expenses, lost wages, and pain and suffering; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case, and has determined, without admitting fault or liability, that settlement of the lawsuit is in the best interest of the City; 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 *Ray Mueller v. City of Oakland and Does 1 through 10, inclusive*, Alameda County Superior Court Case No. 25CV125388, for the sum of Forty-Five Thousand Dollars and Zero Cents (\$45,000.00); and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps as may be necessary to effectuate this settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND
PRESIDENT JENKINS

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California