

2025 JAN 23 AM 8:32
FILED
CITY CLERK

Ryan J. R.
CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 91042 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF TIFFANY NAULT V. MALCOLM AND ANN PLANT, AND DOES 1 THROUGH 50, INCLUSIVE, ALAMEDA COUNTY SUPERIOR COURT CASE NO. 24CV069134, CITY ATTORNEY FILE NO. 36396, BY PAYMENT IN THE AMOUNT OF SEVENTY-FIVE THOUSAND DOLLARS AND ZERO CENTS (\$75,000.00) (DEPARTMENT OF TRANSPORTATION – DANGEROUS CONDITION)

WHEREAS, Plaintiff Tiffany Nault alleges that on September 23, 2022, they sustained physical injury as a result of a fall due to an uplift on the public sidewalk near 402 Hudson Street; and

WHEREAS, Nault filed suit against the adjacent property owners, *Tiffany Nault v. Malcolm and Ann Plant, and DOES 1-50*, Alameda County Superior Court Case No. 24CV069134, and the adjacent property owners filed a cross-complaint against the City, alleging that the City is liable for Nault's injuries because the sidewalk was a dangerous condition of public property; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in the case; 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 cross-complaint against the City in the case of *Tiffany Nault v. Malcolm and Ann Plant, and DOES 1-50*, Alameda County Superior Court Case No. 24CV069134, for the sum of Seventy-Five Thousand Dollars and Zero Cents (\$75,000.00); 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: **FEB - 3 2026**

AYES – BROWN, ~~FIFE~~, GALLO, HOUSTON, RAMACHANDRAN, UNGER, WANG, AND ~~PRESIDENT JENKINS~~ – **5 Ayes**

NOES – ~~0~~
ABSENT – ~~0~~
ABSTENTION – ~~0~~

Excused - 3; Fife, Gallo, Jenkins

ATTEST:

Asha Reed

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