

CITY OF OAKLAND



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February 3, 2026

HONORABLE CITY COUNCIL
Oakland, California

Subject: Tiffany Nault v. Malcolm and Ann Plant, and DOES 1-50
Alameda County Superior Court Case No. 24CV069134
City Attorney File No. 36396
(Department of Transportation – Dangerous Condition)

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 Seventy-Five Thousand Dollars (\$75,000.00).

On September 23, 2022, at approximately 12:00 p.m., Plaintiff Tiffany Nault tripped on a two-inch uplifted section of the sidewalk near 402 Hudson Street. Nault alleges they suffered a fractured right lateral tibia and tore the meniscus of the left knee, and claims medical expenses of \$333,222.00 and general damages for pain and suffering. Nault did not sue the City, but sued the adjacent property owners, who in turn sued the City and claim that the lift on the sidewalk constituted a dangerous condition of public property for which the City is liable. The City has determined that settlement in the amount of \$75,000.00, 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 Tuesday, January 20, 2025 (moved by Councilmember Ken Houston and seconded by Councilmember Noel Gallo - 7 Ayes, 1 Excused – Councilmember Carroll Fife).

Respectfully submitted,


RYAN RICHARDSON
City Attorney

Assigned Attorney:
Hans I. Moore