

JULY 18, 2017

CLOSED SESSION REPORTING OUT

Date of Meeting: *Tuesday, July 18, 2017*

Litigation Negotiations

NAME OF ACTION:

Edna Dickson and John Dickson v. City of Oakland, et al.

Alameda County Superior Court Case No. RG15756269

This matter is listed as **Item No. 1(c)** on the Closed Session Agenda:

Council authorized receipt of settlement amount of: **\$35,000**

This case arose out of incidents that occurred: **January 1, 2014**

FACTS/ISSUES:

On January 1, 2014, Ms. Edna Dickson suffered a right ankle fracture when her heel became stuck in a crack in the sidewalk on Embarcadero West near Clay Street, in Oakland. Ms. Dickson underwent surgery and physical therapy. Ms. Dickson filed this lawsuit against the City alleging city maintained a dangerous condition, seeking \$450K to for approx. \$1,600 in medical expenses of the rest for pain and suffering. The City filed a cross complaint against the Port of Oakland, alleging the Port has liability. In addition to the City settlement, the Port agreed to pay \$35K. This settlement will resolve all claims in this matter.

Motion Made by: Councilmember Larry Reid

Motion Seconded by: Councilmember Noel Gallo

AYES: ~~Brooks~~, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, ~~Kalb~~, Kaplan and President Reid = 6

NOES: Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid =

ABSENT: ~~Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid~~ = 2

ABSTENTIONS: Brooks, Campbell-Washington, Gallo, Gibson McElhaney, Guillén, Kalb, Kaplan and President Reid =