

**JULY 16, 2020**

**CLOSED SESSION REPORTED OUT FINAL DECISION**

Date of Meeting: *Tuesday, July 16, 2020*

Litigation Negotiations  
NAME OF ACTION:

**David Gregory, et al. v. Chor Nar Siu Ng, et al.**  
**Alameda County Superior Court Case No. RG16843631**

**And Related Cases:**

**Matthew Bholka, et al. vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17851011**

**David Calvera vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17869151**

**Dennis Cline, et al. vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17862635**

**Sadao Dennis vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17863866**

**Emilie Grandchamps, et al. vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17849318**

**John Georges Igaz vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17863541**

**Robert Jacobitz vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17863858**

**Nicole Kelber vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17861368**

**Adam Kennon vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17866657**

**Aaron Marin vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17863850**

**Samuel Maxwell vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17853077**

**Gene McArty, et al. vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17856893**

**Yrjo Timonen, et al. vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17851540**

**Maria Vega, et al. vs. Chor Nar Siu Ng, City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG17845597**

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

The council authorized settlement in the amount of: **\$32,700,000.00**

This case arose out of incidents occurring in: **December 2016**

**FACTS/ISSUES:**

The Oakland City Council authorized settlement of the lawsuits filed on behalf of 32 of the 36 people who tragically lost their lives in the December 2016 Ghost Ship fire. The total settlement is \$32.7 million. The settlement will be allocated, with \$23.5 million for the families of the fire victims who perished, and \$9.2 million for plaintiff Sam Maxwell, who survived the fire but will live with severe, lifelong injuries and major medical expenses.

This was a horrific tragedy that deeply impacted every corner of our community. Mayor Schaaf, the City Council, City Attorney and City Administrator express their deepest sympathies to Mr. Maxwell and the families, whose losses are unimaginable.

The City continues to assert, as the agreement provides, that it is not liable for these tragic losses. The City decided to settle this case because of the cost-benefit analysis. The City's total insurance coverage is \$22 million. The criminal case against the Master Leaseholder of the warehouse, Derick Almena, is ongoing, and a retrial is scheduled to begin in October 2020.

Motion Made by: **Councilmember Gallo**

Motion Seconded by: **Councilmember Kaplan**

**AYES:** Fortunato Bas, Gallo, Gibson McElhaney, Kalb, Reid, Taylor, Thao and President Kaplan= **8**

**NOES:** Fortunato Bas, Gallo, Gibson McElhaney, Kalb, Reid, Taylor, Thao and President Kaplan=

**ABSENT:** Fortunato Bas, Gallo, Gibson McElhaney, Kalb, Reid, Taylor, Thao and President Kaplan=

**ABSTENTIONS:** Fortunato Bas, Gallo, Gibson McElhaney, Kalb, Reid, Taylor, Thao and President Kaplan=

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