

**JANUARY 21, 2021**

**CLOSED SESSION REPORT OF FINAL ACTION**

Date of Meeting: *Thursday, January 21, 2021*

Litigation Negotiations  
**NAME OF ACTION:**

**Rebecca Reed-Lunn v. City of Oakland, City of Oakland Public Works, County of Alameda and DOES 1-50**  
**Alameda County Superior Court Case No. RG19022470**

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

The council authorized settlement in the amount of **\$98,999.00**.

This case arose out of incidents occurring on **July 9, 2018**.

**FACTS/ISSUES:**

On July 9, 2018, Plaintiff Rebecca Reed-Lunn, a 34-year-old violinist, was riding her bicycle downhill on Vernon Street towards Bay Place. She hit a roadway depression causing her to flip over her handlebars and fall to the ground. Plaintiff landed on her right elbow and right shoulder, suffering a fractured right elbow and an acromioclavicular (AC) joint separation in her right shoulder. Both injuries required surgical repair, and she has undergone extensive physical therapy, and she may suffer lingering effects of the accident.

Ms. Reed-Lunn sued the City, alleging that the depression was a dangerous condition on public property. Ms. Reed-Lunn's alleged special damages at this time are \$64,400, which included out-of-pocket medical costs of \$46,741 and \$17,659 in wage loss. The approved settlement resolves all claims with Plaintiff in this matter.

Motion Made by: **Councilmember Kaplan**  
Motion Seconded by: **Councilmember Thao**

**AYES:** ~~Fife~~, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas= **7**

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

**ABSENT:** ~~Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=~~ **1**

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