

FEBRUARY 24, 2022

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, February 24, 2022*

Litigation Negotiations

NAME OF ACTION:

Linda Russell v. City of Oakland, and DOES 1-20
Alameda County Superior Court, Case No. RG19017369

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

The Council authorized settlement in the amount of **\$65,000.00**.

This case arose out of an incident occurring on **August 6, 2018**.

FACTS/ISSUES:

This action arises out of a trip and fall on August 6, 2018. Plaintiff Linda Russell was walking to the West Oakland Health Council when Plaintiff allegedly tripped and fell over an uplift in the sidewalk on 8th Street near Adeline Street. The uplift was caused by roots from a nearby tree.

Plaintiff, who was 73 years old at the time of the incident, alleges that Plaintiff suffered a fractured knee and wrist, and claims past and future medical expenses, and pain and suffering. Plaintiff claims continuing residual pain in the knee.

Motion Made by: **Councilmember Gallo**

Motion Seconded by: **Councilmember Taylor**

AYES: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas= 8

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

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

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

3146854v2

3150465