

**MARCH 3, 2022**

**CLOSED SESSION REPORT OF FINAL ACTION**

Date of Meeting: *Thursday, March 3, 2022*

Litigation Negotiations

**NAME OF ACTION:**

**Mina Nadim v. City of Oakland, Louis Vincent Dianda, and DOES 1 to 10, inclusive; State of California, Department of Social Services, In-Home Support Services v. City of Oakland, Louis Vincent Dianda, and DOES 1 - 10, inclusive**

Alameda Superior Court Case No. RG18909548  
(consolidated with Case No. RG18926171)

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

The Council authorized settlement in the amount of **\$172,645.00**.

This case arose out of an incident occurring on **January 18, 2018**.

**FACTS/ISSUES:**

On January 18, 2018, an Oakland Department of Transportation truck driven by City employee Louis Vincent Dianda struck Plaintiff Mina Nadim, a pedestrian, in the crosswalk at the intersection of Moraga Avenue and La Salle Avenue in Oakland, California. Plaintiff Nadim alleges, as a result of the collision, injuries, including a concussion, lacerated scalp, and traumatic brain injury, lost income, and other damages.

Plaintiff State of California, Department of Social Services, In-Home Support Services (“IHSS”) alleges that because Plaintiff Nadim was working in IHSS’s employ at the time of the collision, IHSS paid workers’ compensation benefits, including disability and medical benefits, to or on behalf of Plaintiff Nadim, totaling \$172,645.00 to date.

Plaintiff IHSS filed a workers’ compensation subrogation lawsuit against the City and co-defendant Dianda. The Court consolidated the Plaintiff IHSS’s lawsuit with a lawsuit filed by Plaintiff Nadim concerning the same incident. The approved settlement resolves all claims by Plaintiff IHSS against the City and co-Defendant Dianda.

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=