

DECEMBER 8, 2022

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, December 8, 2022*

Litigation Negotiations

NAME OF ACTION:

Lynn Mladjov, Vassil Mladjov v. City of Oakland, and DOES 1 - 100
Alameda County Superior Court Case No. RG20082462

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

The Council authorized settlement in the amount of **\$85,000.00**

This case arose out of an incident occurring on **April 17, 2020**

FACTS/ISSUES:

On April 17, 2020, Plaintiff Lynn Mladjov was injured while walking on the sidewalk near 644 Trestle Glen Road due to a sidewalk uplift. Ms. Mladjov fell to the ground and was later diagnosed with a fracture of the right radial head of the right elbow, torn labrum (cartilage) in the right shoulder, and sprain of a finger. Ms. Mladjov underwent surgery for the elbow fracture.

Plaintiffs Lynn Mladjov and Vassil Mladjov sued the City, alleging the condition of the sidewalk was a dangerous condition of public property. Plaintiff Vassil Mladjov alleges loss of consortium for decreased marital emotional support and companionship and household services from wife Lynn Mladjov. Ms. Mladjov's damages for recoverable past medical expenses are \$29,834.08. The approved settlement resolves all claims with both Plaintiffs in this matter.

Motion Made by: **Councilmember Taylor**

Motion Seconded by: **Vice Mayor Kaplan**

AYES: Fife, **Gallo, Kalb, Kaplan, Reid, Taylor**, Thao and President Fortunato Bas=**5**

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

ABSENT: **Fife**, Gallo, Kalb, Kaplan, Reid, Taylor, **Thao and President Fortunato Bas**=**3**

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