

April 20, 2023

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, April 20, 2023*

Litigation Negotiations

NAME OF ACTION:

Emmanuel Tril v. City of Oakland, et al.
U.S. District Court, N.D. Cal. Case No. 22-cv-01087-SK

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

The council authorized settlement in the amount of **\$32,229.50**.

This case arose out of an incident occurring on **November 26, 2021**.

FACTS/ISSUES:

On November 26, 2021 Plaintiff Emmanuel Tril (“Tril”) attended a concert at the Paramount Theater. The City of Oakland owns the Paramount Theater. Tril is a person with a mobility disability who uses a wheelchair. Tril claims Tril was unable to view the performers at the concert due to the sight lines at the disabled seating that was provided. After filing suit, Tril identified other accessibility issues at the Paramount Theater, including signage and disabled restroom configurations that allegedly do not comply with applicable regulations.

The parties have agreed to settle Tril’s claims for the amount of \$32,229.50, with \$7,500.00 allocated to Tril’s damages, attorneys’ fees and costs, and \$24,729.50 allocated to the costs of remediating accessibility issues.

Motion Made by: **Councilmember Kaplan**

Motion Seconded by: **Councilmember Reid**

AYES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato
Bas=7

NOES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas=

ABSENT: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato
Bas=1

ABSTENTIONS: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President
Fortunato Bas=