

**JULY 20, 2023**

**CLOSED SESSION REPORT OF FINAL ACTION**

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

Litigation Negotiations  
**NAME OF ACTION:**

**Marjorie Hall v. City of Oakland and Does 1 through 20, inclusive**  
Alameda County Superior Court Case No. RG21108908

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

The council authorized settlement in the amount of **\$45,000.00**

This case arose out of an incident occurring on **December 10, 2020**

**FACTS/ISSUES:**

On December 10, 2020, Plaintiff Marjorie Hall (“Hall”) was involved in an automobile accident with an Oakland Fire Department (“OFD”) fire engine, at the intersection of Fruitvale Avenue and Harold Avenue. An Oakland Police Department (“OPD”) traffic collision report concluded the OFD engineer driving the fire engine caused the accident, and Hall filed suit against the City alleging the engineer drove negligently, which caused the accident.

Hall was taken by ambulance to the emergency room after the accident. Hall suffered a fractured sternum and partially collapsed lung, as well as pain in the chest, neck, back, and shoulder. Hall claims that after the accident, Hall endured anxiety while driving, and chronic back, shoulder, and neck pain. Hall’s current recoverable medical expenses are \$17,182.04, and claimed lost wages are \$1,500.

The City determined that settlement in the amount of \$45,000.00, without admitting liability and to avoid further litigation, is in the best interest of the City. The approved settlement resolves all claims made by Plaintiff in this matter.

Motion Made by: **Ramachandran**

Motion Seconded by: **Gallo**

**AYES:** Fife, Gallo, Jenkins, Kalb, **Kaplan, Ramachandran**, Reid and President Fortunato **Bas= 5**

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

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

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