

JULY 20, 2023

CLOSED SESSION REPORT OF FINAL ACTION

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

Litigation Negotiations

NAME OF ACTION:

Rebecca Bauen v. City of Oakland, and Does 1-100
Alameda County Superior Court, Case No. CV005847

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

The Council authorized settlement in the amount of **\$600,000.00**

This case arose out of an incident occurring on **May 6, 2020**

FACTS/ISSUES:

On May 6, 2020, Plaintiff Rebecca Bauen (“Bauen”) was riding their bicycle on Park Boulevard between Highway 13 and Estates Drive when they fell and suffered a traumatic brain injury, cuts, abrasions, and scarring. Bauen attributes the fall to potholes in the street and alleges that this defect was a dangerous condition of public property and that the City had notice of it. Bauen seeks damages for medical expenses, lost wages, and pain and suffering. The approved settlement resolves all claims with Bauen 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= 3

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