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July 5, 2016

HONORABLE MAYOR AND CITY COUNCILMEMBERS
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$164,000 in full and final resolution of the lawsuit entitled *Calvin v. City of Long Beach, et al.*, bearing Los Angeles Superior Court case number NC058422.

DISCUSSION:

On the evening of February 23, 2012, Plaintiff Latoya Calvin was jogging on the sidewalk in a residential neighborhood when she tripped and fell over a large sidewalk displacement caused by a City owned parkway tree. Calvin suffered injuries to her right knee, which required two surgeries. Calvin, a certified surgical technician, was unable to work for one (1) year post-incident. Calvin sued the City alleging the sidewalk was a dangerous condition of public property.

Following mediation and continued settlement discussions with Plaintiff's counsel, Plaintiff has agreed to accept \$164,000 as full settlement of this case. The proposed settlement was presented to, and approved by, the Economic Development and Finance Committee on June 21, 2016. We therefore ask authority to pay the sum of \$164,000 in full settlement of this claim against the City of Long Beach.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,
Charles Parkin, City Attorney

By _____
THEODORE B. ZINGER, Deputy