



## OFFICE OF THE CITY ATTORNEY

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# C-4

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July 23, 2013

HONORABLE MAYOR AND CITY COUNCILMEMBERS  
City of Long Beach  
California

### **RECOMMENDATION:**

Recommendation to authorize City Attorney to pay sum of \$14,000 in full and final resolution of the lawsuit entitled *Eddy, et al. v. COLB*.

### **DISCUSSION:**

Plaintiff, William Eddy, an 85-year-old man, fell on the lower steps leading from the Belmont Plaza Pool. Mr. Eddy fell at about 5:30 a.m. on March 13, 2012, before sunrise, while making his way to the outdoor pool. Plaintiff alleges the lower stairs were a dangerous condition of public property.

Plaintiff suffered a quadriceps tendon tear of the right knee. Plaintiff incurred approximately \$60,000 in medical costs. Plaintiff, who was also the primary caretaker for his wife who suffers from Alzheimer's, seeks approximately \$11,000 in reimbursement for nursing care costs incurred for his wife because he was unable to care for her during his convalescence.

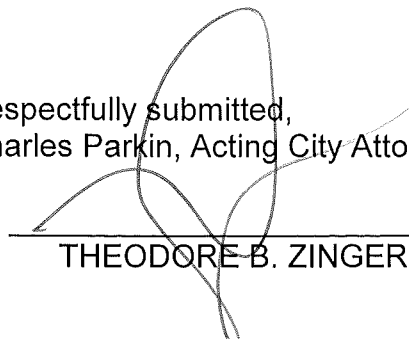
After several days of negotiations, Plaintiffs have agreed to accept \$14,000 as full settlement of this claim. The proposed settlement was presented to the Economic Development and Finance Committee on July 3, 2013 and was approved on that date. We therefore ask authority to pay the sum of \$14,000 in full settlement of this claim against the City of Long Beach.

### **SUGGESTED ACTION:**

Approve recommendation.

Respectfully submitted,  
Charles Parkin, Acting City Attorney

By

  
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THEODORE B. ZINGER, Deputy