



OFFICE OF THE CITY ATTORNEY
Long Beach, California

C-3

ROBERT E. SHANNON
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Howard D. Russell
Tiffani L. Shin
Linda Trang
Theodore B. Zinger

September 21, 2010

HONORABLE MAYOR AND CITY COUNCILMEMBERS
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$6,000.00 in full settlement of lawsuit entitled Capili v. City of Long Beach, et al.

DISCUSSION:

This case arises from an auto accident between Plaintiff's vehicle and a Water Department truck (GMC 2500) driven by a city employee near the intersection of Sante Fe Avenue and Willow Street. The city employee made an unsafe left turn and Plaintiff was unable to avoid the collision.

Plaintiff sought chiropractic treatment for soft tissue injury to his neck and back that gradually subsided and resolved after a few months. Plaintiff's medical specials amounted to \$4,850.

The proposed settlement was presented to the Economic Development and Finance Committee on September 7, 2010 and was approved on that date. We therefore ask authority to pay the sum of \$6,000 in full settlement of this claim against the City of Long Beach.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,
ROBERT E. SHANNON, City Attorney

By

THEODORE B. ZINGER, Deputy



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Long Beach, California

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September 21, 2010

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$7,734.20 in full settlement of lawsuit entitled 21st Century Insurance Company v. City of Long Beach; Michael Christopher Garcia.

DISCUSSION

On September 17, 2008, plaintiff was involved in a collision with a City vehicle driven by a Long Beach Fire Department employee at or near the intersection of Del Amo Boulevard and Winkler Avenue, in Lakewood, California. The City vehicle was involved in a chain reaction rear end collision. Plaintiff's vehicle sustained substantial rear and front end damage. After extensive discussion, a tentative settlement of \$7,734.20 was reached.

The Economic Development and Finance Committee approved the proposed settlement on September 7, 2010.

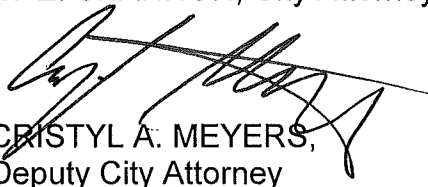
SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ROBERT E. SHANNON, City Attorney

By


CRISTYL A. MEYERS,
Deputy City Attorney

CM:caa