

CITY OF OAKLAND



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October 15, 2024

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Philipp and Nicolas Putilov v. City of Oakland
Alameda County Superior Court Case No. 23CV034183
City Attorney File No. 35620
(Department of Transportation – Dangerous Condition)**

President Fortunato Bas and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled lawsuit for the sum of Two Million Four Hundred Thousand Dollars and No Cents (\$2,400,000.00), payable to Plaintiffs and their counsel.

On June 16, 2022, an unidentified motorist of a Black Infinity sped westbound on 14th Street through a red light at Jefferson Street striking and killing Dmitry Putilov (“Putilov”) as Putilov rode a bicycle across 14th Street in the crosswalk. The plaintiffs are Putilov’s children, Philipp and Nicolas (ages 8 and 6), who were behind their father on their bikes at the time of the accident. They witnessed the accident but were not harmed physically. After hitting Putilov, the driver of the Black Infinity sped away and has not been found.

Plaintiffs, by and through their guardian ad litem, Alena Putilov, allege that the intersection of 14th Street and Jefferson Streets constituted a dangerous condition of public property under Government Code section 830, et seq. and was a substantial factor in causing the accident. Plaintiffs seek economic and general damages.

The City has determined that settlement in the amount of \$2,400,000.00, without admitting liability and to avoid further litigation, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, October 3, 2024 moved by Councilmember Treva Reid and seconded by Council President Nikki Fortunato Bas - 5 Ayes, 3 Excused – Councilmember Carroll Fife, Councilmember Noel Gallo and President Pro Tem Dan Kalb).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Assigned Attorney:
John A. Burke, Supervising Deputy City Attorney

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