



## Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Richard Doyle,  
City Attorney

**SUBJECT:** SETTLEMENT OF LAWSUIT  
FILED BY PARVEEN PABLA AND  
THE ESTATE OF KIRAN PABLA

**DATE:** June 12, 2019

### **RECOMMENDATION**

Approve a settlement of a lawsuit brought by Parveen Pabla and the estate of Kiran Pabla in the amount of \$750,000 and authorize the City Attorney to execute a settlement agreement.

### **OUTCOME**

Settlement of the wrongful death lawsuit brought by Plaintiff Parveen Pabla and the estate of her deceased daughter. Each side will bear their own costs and attorney fees.

### **BACKGROUND**

Plaintiff is the mother of 24 year old Kiran Pabla who was killed on January 26, 2015 when she was struck by a vehicle while on a sidewalk along Yerba Buena Road. Two vehicles were proceeding westbound on Yerba Buena at a high rate of speed when they collided, struck the guardrail on the north side of the road, then struck the decedent pinning her against a tree after striking the AT&T trucks.

Plaintiff alleged the cause of the death was a combination of the speed and resultant loss of control of the vehicles, the guardrail not being engineered adequately, and the AT&T trucks being parked illegally.

### **ANALYSIS**

Under the proposed settlement, the plaintiff will receive \$750,000 from the City. The settlement is based on California's comparative fault law and was negotiated in a mediation with all parties using a retired superior court judge. A negotiated resolution avoids the risks of further litigation.

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**PUBLIC OUTREACH/INTEREST**

This memorandum and the Settlement Agreement have been posted on the City's website for the June 25, 2019 agenda.

**COST SUMMARY/IMPLICATIONS**

The settlement will be paid from the City's claims reserve fund.

**CEQA**

Not a Project; File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

RICHARD DOYLE, City Attorney

By 

CHRISTIAN B. NIELSEN  
Chief Deputy City Attorney

cc: David Sykes, City Manager

For questions, please contact RICHARD DOYLE, City Attorney, at (408) 535-1900