



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