

14 MAR 20 PM 12:00

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
Barbara Parker
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

April 1, 2014

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Brandon Chuman v. City of Oakland, et al.
Contra Costa Superior Court Case No. C 13-02186
City Attorney File No. 29543 (Oakland Police Department – Police
Dog Bite)**

President Kernighan 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 claim for the sum of Thirty Thousand Dollars and no Cents (\$30,000.00), payable to Brandon Chuman and the Law Office of Ronald P. Rives, his attorney.

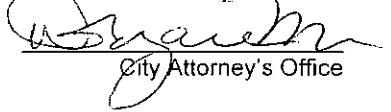
This action arises out of dog bite plaintiff sustained from an Oakland Police Department dog. The police dog lived with Mr. Chuman's neighbor, who was an Oakland police officer. Mr. Chuman was bitten after the dog wandered into his family's yard.

The Council authorized settlement of this case in Closed Session on Tuesday, March 18, 2014 (moved by Councilmember Gallo and seconded by Councilmember Reid - 7 Ayes, 1 Absent – Councilmember Brooks).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney assigned:
Wendy M. Garbers



City Attorney's Office

14 MAR 20 PM 12:00 OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

WMG:csc

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF BRANDON CHUMAN V. CITY OF OAKLAND, ET AL., CONTRA COSTA SUPERIOR COURT CASE NO. MSC13-02186, CITY ATTORNEY'S FILE NO. 29543, IN THE AMOUNT OF THIRTY THOUSAND DOLLARS (\$30,000.00) (OAKLAND POLICE DEPARTMENT – POLICE DOG BITE)

WHEREAS, Plaintiff Brandon Chuman alleges that he sustained injuries when he was bitten by an Oakland Police Department dog that had wandered into his family's yard; and

WHEREAS, Plaintiff Brandon Chuman filed the above referenced action to recover monetary damages for his alleged injuries; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff Brandon Chuman 's claim against it for the sum of Thirty Thousand Dollars and No Cents (\$30,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Brandon Chuman v. City of Oakland, et al., Contra Costa Superior Court Case No. MSC13-02186, City Attorney's File No. 29543, for a sum not to exceed Thirty Thousand Dollars and No Cents (\$30,000.00) payable by the City of Oakland; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Thirty Thousand Dollars and No Cents (\$30,000.00) be paid to Brandon Chuman and the Law Office of Ronald P. Rives, his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN

NOES –

ABSENT –

ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of the City
of Oakland, California