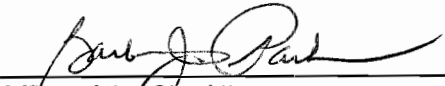


OFFICE OF THE CITY ATTORNEY
OAKLAND

13 FEB -7 PM 2:17


Office of the City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 84215 C.M.S.

AMR/ah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM FOR ATTORNEYS' FEES AND COSTS INCURRED IN LEGAL MOTIONS IN THE FOLLOWING CASES (OAKLAND POLICE DEPARTMENT – UNLAWFUL SEARCH) IN AMOUNT OF ONE HUNDRED SEVENTY-NINE THOUSAND NINE HUNDRED SIXTY-NINE DOLLARS AND NINETY-SEVEN CENTS (\$179,969.97):

JAMES TAYLOR AND ROBERT FORBES v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C04-04843 SI; CITY ATTORNEY'S FILE NO. SS26446;

DARNELL FOSTER, RAFAEL DUARTE AND YANCIE YOUNG V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C05-03110 SI; CITY ATTORNEY'S FILE NO. SS02705;

JIMMY RIDER V. CITY OF OAKLAND, ET AL. UNITED STATES DISTRICT COURT NO. C05-03204 SI; CITY ATTORNEY'S FILE NO. SS02719;

TYRONE MOORE AND DEANDRE WASH V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C06-02426SI; CITY ATTORNEY'S FILE NO. SS24386;

JEFFRIE MILLER, RICHARD TILLMAN, JASON CAGLER, JOMAL REED, CURTIS FREEMAN, GLENN LOVELY AND KEVIN BRADLEY V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C07-01773 SI; CITY ATTORNEY'S FILE NO. SS25571;

JOHN SMITH, ROBERT DAVIS, MEHERET ANETENEH, JAMEL PARRISH, YUSEF MORRIS, ELBERT OWENS, RAHEEM HILL AND SHERMAN DUNN V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C07-06298 SI; CITY ATTORNEY'S FILE NO. SS25818;

DAVID WARD, JAMES TYSON, AND TONY ARMSTRONG V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C07-04179 SI; CITY ATTORNEY'S FILE NO. SS25880;

TERRELL TURNER, ROBERT YOUNG, ORLANDO MOORE AND ANTHONY JACKSON V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C08-03114 SI; CITY ATTORNEY'S FILE NO. SS26556;

LAWRENCE COLEY V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C08-04255 SI; CITY ATTORNEY'S FILE NO. SS26767;

RAHSAN KOUNTZ V. CITY OF OAKLAND, ET AL, UNITED STATES DISTRICT COURT NO. C09-05316 SI; CITY ATTORNEY'S FILE NO. SS27508;

COURTNEY BROWN V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C11-04904; CITY ATTORNEY'S FILE NO. SS26767-1;

LARRY NOBLE, JR. V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C11-04906 SI; CITY ATTORNEY'S FILE NO. SS26767-2;

NKUKWE OKOLI V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C11-04907 SI; CITY ATTORNEY'S FILE NO. SS26767-3;

QUINCY SMITH V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C11-04909 SI; CITY ATTORNEY'S FILE NO. SS26767-4;

THOMAS ROMERSON V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C11-04908 SI; CITY ATTORNEY'S FILE NO. SS27508-1;

STEPHEN JOHNSON V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C11-04905; CITY ATTORNEY'S FILE NO. SS27508-2;

B. M., A MINOR, BY AND THROUGH HIS NEXT FRIEND, FELICIA WILLIAMS V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C11-04903 SI; CITY ATTORNEY'S FILE NO. SS27508-3

WHEREAS, the above-named plaintiffs prevailed in their legal challenge to the Oakland Police Department's strip search policy and in plaintiff Yancie Young's motion that he was unlawfully stopped and searched, thereby entitling them to recovery of their attorneys' fees and costs incurred in connection with said legal challenges;

WHEREAS, on February 5, 2013, the City Council authorized settlement of said fees and costs in Closed Session (moved by Councilmember Gallo and seconded by Councilmember Schaaf, 8 ayes, 0 noes); and

RESOLVED: That the City Attorney is authorized and directed to pay the attorneys' fees and costs incurred for legal motions in the above related actions: Taylor, et al v. City of Oakland, et al., United States District Court No. C04-04843 SI, City Attorney's File No. SS26446; Foster, et al. v. City of Oakland, et al., United States District Court No. C05-03110 SI, City Attorney's File No. SS-02705; Rider v. City of Oakland, et al., United States District Court No. C05-03240 SI, City Attorney's File No. SS02719; Moore, et al. v. City of Oakland, et al., United States District Court No. C06-02426SI, City Attorney File No. SS24386; Miller, et al. v. City of Oakland, et al., United States District Court No. C07-01773SI, City Attorney's File No. SS25571; John Smith, et al. v. City of Oakland, et al., United States District Court No. C07-06298 SI, City Attorney's File No.

SS25818; Ward v. City of Oakland, et al., United States District Court No. C07-04179 SI, City Attorney's File No. SS25880; Turner, et al. v. City of Oakland, et al., United States District Court No. C08-03114 SI, City Attorney's File No. SS26556; Coley v. City of Oakland, et al., United States District Court No. C08-04255, City Attorney's File No. SS26767; Kountz v. City of Oakland, et al., United States District Court No. C09-05316 SI, City Attorney's File No. SS27508; Brown v. City of Oakland, et al., United States District Court No. C11004904 SI, City Attorney's File No. SS26767-1; Noble v. City of Oakland, et al., United States District Court No. C11004906 SI, City Attorney's File No. SS26767-2; Okoli v. City of Oakland, et al., United States District Court No. C11-04907 SI, City Attorney's File No. SS26767-3; Quincy Smith v. City of Oakland, et al., United States District Court No. C11-04909 SI, City Attorney's File No. SS26767-4; Romerson v. City of Oakland, et al., United States District Court No. C11-04908 SI, City Attorney's File No. SS27508-1; Johnson v. City of Oakland, et al., United States District Court No. C11-04905 SI, City Attorney's File No. SS27508-2; B. M. , a minor, by and through his next friend, Felicia Williams v. City of Oakland, et al., United States District Court No. C11-04903 SI, City Attorney's File No. SS27508-3, in the amount of One Hundred Seventy-Nine Thousand, Nine Hundred Sixty-Nine Dollars and Ninety-Seven Cents (\$179,969.97) made payable Haddad & Sherwin in the amount of One Hundred Forty-Six Thousand, Seven Hundred Fifty-Nine Dollars and Ninety-Seven Cents (\$146,757.97) and in the amount of Thirty-Three Thousand, Two Hundred Ten Dollars and No Cents (\$33,210.00) made payable to the Law Offices of John L. Burris; and be it

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

FURTHER RESOLVED: That the aggregate sum of One Hundred Seventy-Nine Thousand, Nine Hundred Sixty-Nine Dollars and Ninety-Seven Cents (\$179,969.97) be made payable to Haddad & Sherwin in the amount of One Hundred Forty-Six Thousand, Seven Hundred Fifty-Nine Dollars and Ninety-Seven Cents (\$146,757.97) and to the Law Offices of John L. Burris in the amount of Thirty-Three Thousand, Two Hundred Ten Dollars and No Cents (\$33,210.00).

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 19 2013, 2013

PASSED BY THE FOLLOWING VOTE:

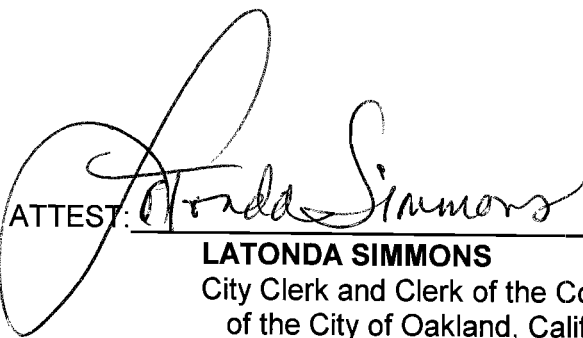
~~BROOKS~~, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERINIGHAN

AYES- 7

NOES - Brooks - 1

ABSENT - 0

ABSTENTIONS - 0

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