

CITY OF OAKLAND



OFFICE OF THE CITY ATTORNEY

2006 FEB 22 PM 12:26

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March 7, 2006

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Greg Killens, et al. v. City of Oakland, et al*
United States District Court Case No. C-05-1395 JCS
Our File No. 24204 – Oakland Police Department

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from an incident on January 4, 2004, in which plaintiffs' home was searched by Oakland Police Officers. This matter was presented to council in closed session on February 21, 2006.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Twenty Thousand Dollars and No Cents (\$20,000.00), to be made payable to Greg Killens (individually and as Guardian ad litem to Khaliyah K., Kiah K., and G. K., Jr., minors), Camisha Coleman, and Benjamin Nisenbaum, Esq., their attorney.

Respectfully submitted,

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Charles E. Vose

362443

FILED
OFFICE OF THE CITY CLERK
OAKLAND


Oakland City Attorney's Office

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OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

CEV:cr

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF GREG KILLENS, ET AL. v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C-05-1395 JCS, OUR FILE NO. 24204 IN THE AMOUNT OF \$20,000.00. THIS CASE INVOLVES A WARRANTLESS SEARCH OF PLAINTIFFS' RESIDENCE (OAKLAND POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Greg Killens, et al. v. City of Oakland, et al., United States District Court Case No. C-05-1395 JCS, City Attorney's File No. 24204, for a sum not to exceed a total amount of Twenty Thousand Dollars and No Cents (\$20,000.00) payable to Greg Killens, (individually and as Guardian ad litem to Khaliyah K., Kiah K., and G. K., Jr., minors), Camisha Coleman, and Benjamin Nisenbaum, Esq., their attorney.

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

FURTHER RESOLVED: That the sum of Twenty Thousand Dollars and No Cents (\$20,000.00) be paid to Greg Killens (individually and as Guardian ad litem to Khaliyah K., Kiah K., and G. K., Jr., minors), Camisha Coleman, and Benjamin Nisenbaum, Esq., their attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

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