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

Office of the City Attorney
John A. Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TTY/TDD: (510) 238-3254

April 20, 2004

HONORABLE CITY COUNCIL
Oakland, California

Subject: Bernard Hill v. Oakland Police Department, et al.
Alameda County Superior Court Case No. 2002958796
File No. 22164 (POLICE SERVICES AGENCY – EXCESSIVE
FORCE)

President De La Fuente 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 action for the sum of Seven Thousand, Five Hundred Dollars and No Cents (\$7,500.00), made payable to Bernard Hill and H. Joseph Jung, Esq., his attorney of record.

This case arises out of alleged excessive use of force. The settlement is recommended to avoid a potentially much larger adverse jury verdict.

Respectfully submitted,

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Pelayo A. Llamas, Jr.
320934

10.3CC
ORA/COUNCIL
APR 20 2004

OAKLAND CITY COUNCIL

OFFICE OF THE CITY CLERK RESOLUTION No. _____ C.M.S.

2004 APR -7 PM 12:36



PAL/bjw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF BERNARD HILL V. OAKLAND POLICE DEPARTMENT, ET AL., ALAMEDA COUNTY SUPERIOR COURT NO. 2002958796 OUR FILE NO. 22164, IN THE AMOUNT OF \$7,500.00 (POLICE SERVICES AGENCY – EXCESSIVE FORCE)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Bernard Hill v. Oakland Police Department, et al., City Attorney’s File No. 22164, for a sum not to exceed Seven Thousand, Five Hundred Dollars and No Cents (\$7,500.00), made payable to Bernard Hill and H. Joseph Jung, Esq., his attorney of record.

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 sum of Seven Thousand, Five Hundred Dollars and No Cents (\$7,500.00), made payable to Bernard Hill and H. Joseph Jung, Esq., his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

CEDA FLOYD

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

10.300

ORA/COUNCIL