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OAKLAND

2004 DEC 22 PM 4:30

OAKLAND CITY COUNCIL

RESOLUTION No. 78998 C.M.S.

  
MTM

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE WITH DUKE ENERGY IN THE WHOLESALE ELECTRICITY ANTITRUST CASES (*People of the State of Cal. ex rel. Bill Lockyer v. Dynegy, Inc. et al.*, (USDC-Northern District No. CV 02-1854-VRW) and all related cases against Duke Energy before different courts in related appellate proceedings.), IN THE AMOUNT OF \$500,000.00**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the Wholesale Electricity Antitrust case, for the sum of Five Hundred Thousand Dollars and No Cents (\$500,000.00) payable to the City of Oakland.

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

IN COUNCIL, OAKLAND, CALIFORNIA, JAN 4 2005, 2004

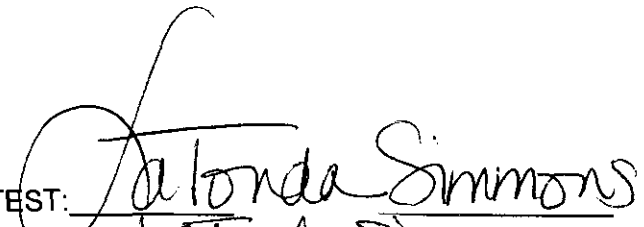
**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, NADEL, REID, QUAN, WAN, AND PRESIDENT DE LA FUENTE — 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST:   
Latonda Simmons  
Interim City Clerk and Clerk of the Council  
of the City of Oakland, California