

CITY OF OAKLAND



05 JUL -7 PM 4:09

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

Office of the City Attorney
John A. Russo
City Attorney

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

July 19, 2005

HONORABLE CITY COUNCIL
Oakland, California

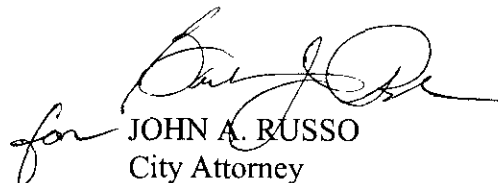
Subject: Jacqueline Baker v. City of Oakland, et al.
Alameda County Superior Court No. RG04147116
Our File No. X02214

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 the alleged failure to accommodate a disability under the Fair Employment and Housing Act for a total sum of One Hundred Twenty Thousand and No Cents (\$120,000.00), to be made payable to Jacqueline Baker and Ronald Carter, Esq., her attorney.

Plaintiff alleges that the City failed to accommodate her disability from March 5, 1999 until her separation from employment on September 27, 2002. The settlement is recommended to avoid the risk of an adverse verdict at trial and the additional exposure for attorney's fees should that occur. This case was discussed in closed session July 19, 2005.

Respectfully submitted,


for JOHN A. RUSSO
City Attorney

Attorney Assigned:
Maria Bee

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

05 JUL 2005 10:30 AM
MXB/kj

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JACQUELINE BAKER v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG 04147116, OUR FILE NO. X02214, IN THE AMOUNT OF \$120,000.00. THIS CASE INVOLVES CLAIMS OF FAILURE TO ACCOMMODATE A DISABILITY UNDER THE FAIR EMPLOYMENT AND HOUSING ACT. (OAKLAND FIRE DEPARTMENT - EMPLOYMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Jacqueline Baker v. City of Oakland, et al., Alameda County Superior Court Case No. RG 04147116, City Attorney's File No. X02214, for a sum not to exceed a total of One Hundred Twenty Thousand Dollars and No Cents (\$120,000.00) payable by the City of Oakland to Jacqueline Baker and Ronald Carter, Esq., her attorney.

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 One Hundred Twenty Thousand Dollars and No Cents (\$120,000.00) be paid to Jacqueline Baker and Ronald Carter, Esq., her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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

10.1300
ORA/COUNCIL
JUL 19 2005