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# CITY OF OAKLAND



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

Office of the City Attorney  
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City Attorney

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January 7, 2014

HONORABLE CITY COUNCIL  
Oakland, California

Subject: Kayvan Sabeghi v. Oakland Police Officer Frank Uu, et al.  
United States District Court No. C12-06057 JCS  
City Attorney File No. X03871  
(Oakland Police Department – Excess Force/Civil Rights)

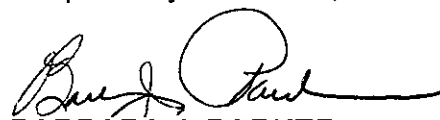
President Kernighan and Members of the City Council:

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. Due to the risk of an adverse jury verdict under the circumstances we recommended settlement in the sum of Six Hundred Forty-Five Thousand Dollars and No Cents (\$645,000.00) payable to Plaintiff Kayvan Sabeghi and his attorney Rachel Lederman.

This action arises from an incident on November 2, 2011, wherein Mr. Sabeghi was injured during a confrontation with police near 17<sup>th</sup> and Broadway.

The Council authorized settlement of this case in Closed Session on Tuesday, December 10, 2013 (moved by Councilmember Gallo and seconded by Councilmember Kaplan - 7 Ayes, 0 Noes, 1 Absent – Councilmember Brooks).

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
JAMES F. HODGKINS

  
City Attorney's Office

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RESOLUTION NO. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF KAYVAN SABEGHI v. OAKLAND POLICE OFFICER FRANK UU, UNITED STATES DISTRICT COURT CASE NO. C12-06057 JCS IN THE AMOUNT OF \$645,000.00 AS A RESULT OF A CONFRONTATION WITH POLICE AT 17<sup>TH</sup> AND BROADWAY (OAKLAND POLICE DEPARTMENT – EXCESS FORCE/CIVIL RIGHTS)**

**WHEREAS:** Kayvan Sabeghi was injured when he was struck by an Oakland police officer near 17th and Broadway; and

**WHEREAS:** Mr. Sabeghi sustained serious injuries requiring medical treatment as a result of this accident; and

**WHEREAS:** In order to avoid the risk of an adverse jury verdict under the circumstances; now therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Kayvan Sabeghi v. Oakland Police Officer Frank Uu, et al., City Attorney's File No. X03871, for the sum of **Six Hundred Forty-Five Thousand Dollars and No Cents (\$645,000.00)**; and be it

**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 **Six Hundred Forty-Five Thousand Dollars and No Cents (\$645,000.00)** be payable to Plaintiff Kayvan Sabeghi and his attorney Rachel Lederman.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2014

PASSED BY THE FOLLOWING VOTE:

AYES: SCHAAP, BROOKS, KAPLAN, GALLO, KALB, GIBSON McELHANEY, REID and  
PRESIDENT KERNIGHAN

NOES:

ABSENT:

ABSTENTION:

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