

*[Signature]*  
City Attorney's Office

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OAKLAND

2013 NOV -7 PM 6:13

# OAKLAND CITY COUNCIL

RESOLUTION NO. 84700 C.M.S.

WMG:dw

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF KAZEEM UPSHAW V. CITY OF OAKLAND, ET AL., NORTHERN DISTRICT OF CALIFORNIA CASE NO. C11-06044, CITY ATTORNEY'S FILE NO. 28421, IN THE AMOUNT OF SIXTY-FIVE THOUSAND DOLLARS (\$65,000.00) (OPD – CIVIL RIGHTS)**

**WHEREAS**, Plaintiff Kazeem Upshaw alleges that he sustained injuries as a result of police officers using excessive force against him during an altercation on October 16, 2010, and that he was thereafter wrongfully arrested; and

**WHEREAS**, Plaintiff Kazeem Upshaw filed the above referenced action to recover monetary damages for his injuries; and

**WHEREAS**, The City has determined to compromise and settle Plaintiff Kazeem Upshaw's claim against it for the sum of Sixty-Five Thousand Dollars and No Cents (\$65,000.00); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Kazeem Upshaw v. City of Oakland, et al., Northern District of California Case No. C11-05044, City Attorney's File No. 28421, for a sum not to exceed Sixty-Five Thousand Dollars and No Cents (\$65,000.00) payable by the City of Oakland; 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 Sixty-Five Thousand Dollars and No Cents (\$65,000.00) be paid to Kazeem Upshaw and the Law Offices of John L. Burris, his attorneys.

IN COUNCIL, OAKLAND, CALIFORNIA, = NOV 19 2013

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~REED~~, SCHAAF, AND PRESIDENT KERNIGHAN - 7

NOES - 0

ABSENT - 0

ABSTENTION - 0

*Excused - Reed - 1*

ATTEST:

*[Signature: Latonda Simmons]*  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the City of Oakland, California