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OAKLAND

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Office of the City Attorney
John A. Russo
City Attorney

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October 5, 2004

HONORABLE CITY COUNCIL
Oakland, California

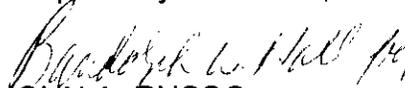
Subject: Wayne Johnson, et al. v. City of Oakland, et al.
United States District Court No. C-03-0162-EDL
Our File No. X01795 (OAKLAND POLICE DEPARTMENT –
UNLAWFUL SEARCH

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 Twenty-Five Thousand Dollars and No Cents (\$25,000.00) payable to Plaintiffs Wayne Johnson, Zuberi Johnson and Jelani Johnson, and Darryl Parker, their attorney.

This case arises out of Oakland Police Department officers' warrantless entry into and photographing of plaintiffs' home following their investigation of two 911 hangup calls. The settlement is recommended to avoid a potentially much larger adverse jury verdict.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

Attorney Assigned:
Arlene M. Rosen
330613

10-3CC
ORA/COUNCIL

OCT 05 2004

OAKLAND CITY COUNCIL

RWld

RESOLUTION No. _____ C.M.S.

AMR/bjw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF WAYNE JOHNSON, ET AL. V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. C-03-0162-EDL, OUR FILE NO. X01795, IN THE AMOUNT OF \$25,000.00 (OAKLAND POLICE DEPARTMENT – UNLAWFUL SEARCH)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Wayne Johnson, et al. v. City of Oakland, et al., City Attorney's File No. X01795, for a sum not to exceed Twenty-Five Thousand Dollars and No Cents (\$25,000.00) made payable to Plaintiffs Wayne Johnson, Zuberi Johnson and Jelani Johnson, and Darryl Parker, their 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 Twenty-Five Thousand Dollars and No Cents (\$25,000.00) made payable to Plaintiffs Wayne Johnson, Zuberi Johnson and Jelani Johnson, and Darryl Parker, their attorney.

IN COUNCIL, OAKLAND, CALIFORNIA

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