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CITY OF OAKLAND



13 JUL 18 AM 11:54

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

Office of the City Attorney
Barbara J. Parker
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TTY/TDD: (510) 238-3254

July 30, 2013

HONORABLE CITY COUNCIL
Oakland, California

Subject: Audrey Montana v. City of Oakland, et al.
United States District Court No. CV-11-04682 MEJ
City Attorney File No. 28589 (City Administrator – Employment
Discrimination)

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 claim for the sum of **Ninety-Six Thousand Dollars and No Cents (\$96,000.00)** payable to Trust Account of Law Offices of Charles A. Bonner for Audrey Montana.

This action arises out of a lawsuit filed by plaintiff Audrey Montana, an investigator with the Citizens Police Review Board, who claimed she was subjected to gender discrimination and retaliation in the workplace following her filing a “whistleblower” complaint against a former co-worker. This matter was heard in closed session on July 2, 2013.

Respectfully submitted


BARBARA J. PARKER
City Attorney

Attorney assigned:
Artene M. Rosen

1134386

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OAKLAND CITY COUNCIL

13 JUL 18 AM 11:56
Resolution No. _____ C.M.S.

AXR:dw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MONTANA V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT NO. CV-11-04682 MEJ, CITY ATTORNEY'S FILE NO. 28589, IN THE AMOUNT OF NINETY-SIX THOUSAND DOLLARS (\$96,000.00) (CITY ADMINISTRATOR – EMPLOYMENT DISCRIMINATION)

WHEREAS, Plaintiff Audrey Montana, a Complaint Investigator II with the Citizens Review Police Board, claims she was subjected to unlawful discrimination and retaliation by her supervisors and filed the above-referenced action to recover economic and non-economic damages and attorneys' fees; and

WHEREAS, The City has determined to compromise and settle Plaintiff Audrey Montana's claims against it for the sum of **Ninety-Six Thousand Dollars and No Cents (\$96,000.00)**; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Audrey Montana v. City of Oakland, et al., United States District Court No. **CV-11-04682 MEJ**, City Attorney's File No. **28589** for a sum not to exceed **Ninety-Six Thousand Dollars and No Cents (\$96,000.00)**, 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 **Ninety-Six Thousand Dollars and No Cents (\$96,000.00)** be paid to Trust Account of Law Offices of Charles A. Bonner for Audrey Montana.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAFF, AND PRESIDENT KERNIGHAN

NOES –
ABSENT –
ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of the City of
Oakland, California