

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND



10 FEB -3 PM 4:23

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

February 16, 2010

HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council:

Subject: Lorenzo Johnson v. City of Oakland, et al
United States District Court No. C08-03932 JSW
City Attorney File No.: 26397 (POLICE SERVICES AGENCY)

Pursuant to §401 of the Charter, and the action of the Council at its January 19, 2010, closed session, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action in the sum of the total amount of Twelve Thousand Five Hundred Dollars (\$12,500.00), payable to Lorenzo Johnson and his attorney, John L. Burris, Esq.

Ms. Johnson contends that he was arrested without probable cause and that officers used excess force against him. This settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John A. Russo', written over a horizontal line.

JOHN A. RUSSO
City Attorney

OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. _____ C.M.S.



2010 FEB -3 PM 4:29

SQR

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO SETTLE THE CASE OF LORENZO JOHNSON V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C08-03932 JSW, OUR FILE NO. 26397, IN THE AMOUNT OF \$12,500.00 THIS CASE INVOLVES ARREST WITHOUT PROBABLE CAUSE AND EXCESS FORCE. (OAKLAND POLICE DEPARTMENT-ALLEGED CIVIL RIGHTS VIOLATION)

WHEREAS: Lorenzo Johnson claims that he was arrested without probable cause and the arresting officers used force;

WHEREAS: Settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict.

RESOLVED: That the City Attorney is authorized and directed to settle the case of Lorenzo Johnson v. City of Oakland et al., United States District Court Case No. C 08-03932 JSW, City Attorney's File No. 26397 for a sum not to exceed Twelve Thousand Five Hundred Dollars (\$12,500.00), payable to Lorenzo Johnson and his attorney, John L. Burris, Esq.

FURTHER RESOLVED: That the City Attorney is authorized and directed to take whatever steps necessary to effect the settlement; and be it

FURTHER RESOLVED: That the sum of Twelve Thousand Five Hundred Dollars (\$12,500.00), be paid to Lorenzo and his attorney, John L. Burris, Esq.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, DE LA FUENTE, KAPLAN, NADEL, REID, QUAN, BROOKS and KERNIHGAN

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
La Tonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California