

OAKLAND CITY COUNCIL

81370

RESOLUTION No. _____ C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

08 JUN -4 PM 3:35

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO SETTLE THE CASE OF WILLIAM CALDWELL, ET AL. V. THE CITY OF OAKLAND, ET AL., U.S. DISTRICT COURT ACTION NO. C 06-07322 MHP, OUR FILE NO. 25256, IN THE AMOUNT OF \$975,000.00. THIS CASE INVOLVES ALLEGED USE OF EXCESS POLICE FORCE AND NEGLIGENCE (PSA)

WHEREAS: William Caldwell and Leona Savoy claim to have sustained personal injuries as the result of excess police force and negligence;

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 William Caldwell, et al. v. The City of Oakland, et al., United States District Court Action No. C 06-07322 MHP, in the amounts of Four Hundred Eighty Seven Thousand Five Hundred Dollars (\$487,500) to resolve the claim of William Caldwell and Four Hundred Eighty Seven Thousand Five Hundred Dollars (\$487,500) to resolve the claim of Leona Savoy, payable by single check in the amount of Nine Hundred Seventy-Five Thousand Dollars (\$975,000) to the Law Offices of John L. Burris in trust for William Caldwell and Leona Savoy.

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 William Caldwell and Leona Savoy each be paid the sum of Four Hundred Eight Seven Thousand Five Hundred Dollars (\$487,500), payable in a single check in the amount of Nine Hundred Seventy-Five Thousand Dollars (\$975,000) to the Law Offices of John L Burris in trust for William Caldwell and Leona Savoy.

In Council, Oakland, California. JUN 17, 2008

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

Attest:

LATONDA SIMMONS

CITY CLERK AND CLERK OF THE COUNCIL