



2018 FEB 23 AM 8:37

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Office of the City Attorney
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March 6, 2018

HONORABLE CITY COUNCIL
Oakland, California

Subject: Chinwe Olike, et al. v. City of Oakland
Alameda County Superior Court Nos. RG16-810453
City Attorney File No. 30708
(Oakland Police Department – Automobile Collision)

United Financial Casualty Co. v. City of Oakland
Alameda County Superior Court Nos. RG17-854117
City Attorney File No. 30708-1
(Oakland Police Department – Automobile Collision/Subrogation)


President Reid and Members of the City Council:

Pursuant to Section 401 of the City Charter, the City Attorney has prepared and requests your approval of a resolution authorizing the compromise and settlement of the above-entitled action. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Forty-Six Thousand One Hundred Fifteen Dollars and 52/100 (\$46,115.52) payable to Plaintiff Chinwe Olike and United Financial Casualty Company.

On May 2, 2015 an Oakland police officer ran a red light and struck Ms. Olike's 2011 Mercedes SUV at the intersection of 17th and Castro totaling the vehicle and causing Ms. Olike and her daughter to sustain neck and back pain and soft tissue injuries. Ms. Olike and her daughter incurred medical bills of approximately \$2,400.00. Under this settlement the insurer will receive \$36,115.52 and Ms. Olike and her daughter will receive \$10,000 for medical and other damages. This settlement will resolve all claims in this matter.

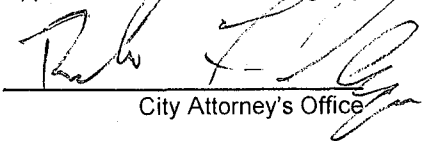
The Council authorized settlement of this case in Closed Session on Tuesday, February 20, 2018 (moved by Councilmember Kaplan and seconded by Councilmember Guillen – 7 Ayes, 1 Absent – Campbell-Washington).

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney Assigned:
Colin Bowen

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City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASES OF: (1) CHINWE OLIKE & OGENNA UDEMEZUE V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT NO. RG16810453 IN THE AMOUNT OF TEN THOUSAND DOLLARS AND NO CENTS (\$10,000) AND (2) THE RELATED CASE OF UNITED FINANCIAL CASUALTY CO., V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT, CASE NO. RG17854117) IN THE AMOUNT OF THIRTY SIX THOUSAND DOLLARS, ONE HUNDRED AND FIFTEEN DOLLARS AND FIFTY TWO CENTS (\$36,115.52) AS A RESULT OF AN AUTO COLLISION ON MAY 21, 2015 (OAKLAND POLICE DEPARTMENT- AUTO COLLISION) FOR A TOTAL SETTLEMENT AMOUNT OF FORTY SIX THOUSAND, ONE HUNDRED AND FIFTEEN DOLLARS AND FIFTY TWO CENTS (\$46,115.52)

WHEREAS, On December 7, 2015 Ms. Cortez alleges that inebriated off-duty Oakland police officers came to her home and assaulted her in front of her children and husband. Ms. Cortez also alleged civil rights violations in connection with investigative efforts by responding OPD officers. This settlement will resolve all claims against the City in this matter.

WHEREAS, Ms. Olike and her daughter sustained injuries requiring medical treatment as a result of this accident; and

WHEREAS, Alameda County Superior Court Action Nos. RG16-810453 and RG17-854117 were filed against the City of Oakland for vehicle damage, medical specials, pain and suffering, and loss of wages; and

WHEREAS, in order to avoid the risk of an adverse jury verdict under the circumstances; now therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the cases of Chinwe Olike, et al. v. City of Oakland, et al., RG16-810453 and United Financial Casualty Co. v. City of Oakland, RG17-854117 for the sum of Forty Six Thousand One Hundred Fifteen Dollars and Fifty Two Cents (\$46,115.52); 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.

IN COUNCIL, OAKLAND, CALIFORNIA

PASSED BY THE FOLLOWING VOTE:

AYES: BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB,
KAPLAN AND PRESIDENT REID

NOES:

ABSENT:

ABSTENTION:

ATTEST: _____

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