

City of Oakland  
September 6, 2005

CITY OF OAKLAND



05 SEP -6 PM 1:32

ONE FRANK H. OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CA 94612

Office of the City Attorney  
John A. Russo  
City Attorney

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September 20, 2005

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Elliott Flowers v. City of Oakland, et al.**  
**United States District Court Case No. C-04-3521-WHA**  
**Our File No. 23656 (Oakland Police Department –**  
**Excessive Force)**

President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommends settlement of the above-captioned matter, for the sum of Seventeen Thousand, Five Hundred Dollars and No Cents (\$17,500.00), payable to Plaintiff Elliott Flowers and Hunter Pyle, Esq., his attorney of record.

This action arises from plaintiff's injury on March 27, 2003 from an arrest by the Oakland Police Department. This matter was heard in closed session.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

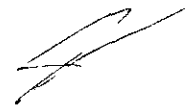
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Pelayo A. Llamas, Jr.  
344964

OAKLAND CITY COUNCIL

2005 SEP -6 PM 3:42

RESOLUTION No. \_\_\_\_\_ C.M.S.



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PAL/bjw

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ELLIOTT FLOWERS v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA CASE NO. C-04-3521-WHA, IN THE AMOUNT OF \$17,500.00 AS A RESULT OF AN ARREST ON MARCH 27, 2003 (OAKLAND POLICE DEPARTMENT – EXCESSIVE FORCE)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Elliott Flowers v. City of Oakland, et al., City Attorney's File No. 23665, for the sum of Seventeen Thousand, Five Hundred Dollars and No Cents (\$17,500.00) made payable to Elliott Flowers and Hunter Pyle, Esq., his attorney of record.

**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 Seventeen Thousand, Five Hundred Dollars and No Cents (\$17,500.00) be payable to Plaintiff Elliott Flowers and Hunter Pyle, Esq., his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA.

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

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