

OAKLAND CITY COUNCIL

RWH

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION No. 79453 C.M.S.

2005 SEP -6 PM 3:43

RWH:ssl

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE CLAIMS OF THREE (3) OF THE REMAINING SEVENTEEN (17) PLAINTIFFS IN THE MATTERS OF PORT LOCAL 10 WAREHOUSE AND LONGSHOREMEN ET AL. v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C03-2962 TEH (JL), OUR FILE NO. X01958 AND SRI LOUISE COLES ET AL. V. CITY OF OAKLAND ET AL., UNITED STATES DISTRICT COURT CASE NO. C03-2961 TEH, OUR FILE NO. 23333, FOR A SUM NOT TO EXCEED A TOTAL OF FIVE HUNDRED NINETY-TWO THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$592,500.00). ONE CHECK IN THE AMOUNT OF FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$500,000.00) IS TO BE ISSUED AS PAYMENT TO WILLOW ROSENTHAL AND JAMES B. CHANIN, HER ATTORNEY. ONE CHECK IN THE AMOUNT OF EIGHTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$85,000.00) IS TO BE ISSUED AS PAYMENT TO JOHN NISHINAGA AND JAMES B. CHANIN, HIS ATTORNEY. ONE CHECK IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$7,500.00) IS TO BE ISSUED AS PAYMENT TO CLIFF CLOSE AND JAMES B. CHANIN, HIS ATTORNEY. THESE MATTERS ARISE FROM THE APRIL 7, 2003 PORT OF OAKLAND POLICE ACTION (EXCESSIVE FORCE/CIVIL RIGHTS VIOLATION)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle claims of three (3) of the remaining seventeen (17) plaintiffs in the matters of Port Local 10 Warehouse and Longshoremen et al. v. City of Oakland, et al., United States District Court Case No. C03-2962 TEH(JL) and Sri Louise Coles et al. v. City of Oakland et al., United States District Court Case No. C03-2961 TEH, for a sum not to exceed a total of Five Hundred Ninety-Two Thousand Five Hundred Dollars and No Cents (\$592,500.00). One check in the amount of Five Hundred Thousand Dollars and No Cents (\$500,000.00) is to be issued as payment to Willow Rosenthal and James B. Chanin, her attorney. One check in the amount of Eighty-Five Thousand Dollars and No Cents (\$85,000.00) is to be issued as payment to John Nishinaga and James B. Chanin, his attorney. One check in the amount of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) is to be issued as payment to Cliff Close and James B. Chanin, his attorney.

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

FURTHER RESOLVED: That one check in the amount of Five Hundred Thousand Dollars and No Cents (\$500,000.00) is to be issued as payment to Willow Rosenthal and James B. Chanin, her attorney. One check in the amount of Eighty-Five Thousand Dollars and No Cents (\$85,000.00) is to be issued as payment to John Nishinaga and James B. Chanin, his attorney. One check in the amount of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) is to be issued as payment to Cliff Close and James B. Chanin, his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, SEP 20 2005, 2005

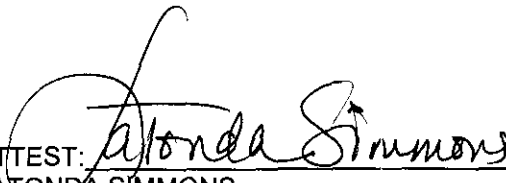
PASSED BY THE FOLLOWING VOTE:

AYES- ~~BRUNNER~~, BRUNNER, CHANG, NADEL, QUAN, REID, KERNIGHAN AND PRESIDENT DE LA FUENTE -7

NOES- \emptyset

ABSENT- BRBEKS -1

ABSTENTION- \emptyset

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