

OFFICE OF THE CITY ATTORNEY

CITY OF OAKLAND



2006 FEB 22 PM 12:26

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Office of the City Attorney  
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March 7, 2006

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: *Donte Hooker v. City of Oakland, et al***  
**United States District Court Case No. C04-4292 EDL**  
**Our File No. X02434 – Office of Police Services –**  
**Excessive Force**

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from an incident on January 28, 2004, in which plaintiff Donte Hooker sustained a broken jaw during an altercation with an OPD officer.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Ten Thousand Dollars and No Cents (\$10,000.00), to be made payable to Donte Hooker and John L. Burris, Esq., his attorney.

Respectfully submitted,

  
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Peter Hallifax

357337

Approved as to Form and Legality

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

  
Oakland City Attorney's Office

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# OAKLAND CITY COUNCIL

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

PH:aah

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DONTE HOOKER v. CITY OF OAKLAND, UNITED STATES DISTRICT COURT CASE NO. C04-4292 EDL, OUR FILE NO. X02434 IN THE AMOUNT OF \$10,000.00. THIS CASE INVOLVES AN INCIDENT WITH OAKLAND POLICE DEPARTMENT OFFICERS (OFFICE OF POLICE SERVICES)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Donte Hooker v. City of Oakland, United States District Court Case No. C04-4292 EDL, City Attorney's File No. X02434, for a sum not to exceed a total amount of Ten Thousand Dollars and No Cents (\$10,000.00) payable to Donte Hooker and John L. Burris, Esq., his attorney.

**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 Ten Thousand Dollars and No Cents (\$10,000.00) be paid to Donte Hooker and John L. Burris, Esq., his attorney.

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