

2016 SEP 22 PM 6:13

CITY OF OAKLAND



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October 4, 2016

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Philip Onwuatogwu v. City of Oakland**  
Case No. RG1300368  
City Attorney File No. 29286  
(Oakland Police Department – Property Damage)

President Gibson McElhaney and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for Thirty Thousand Dollars and No Cents (\$30,000.00), payable to Philip Onwuatogwu.

This action arises out of property damages that Mr. Onwuatogwu claims Oakland Police officers caused while they were apprehending a suspect.

The Council authorized settlement of this case in Closed Session on Tuesday, October 4, 2016.

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney assigned:  
David Pereda

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

Approved as to Form and Legality

  
City Attorney's Office

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# OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF PHILIP ONWUATOGWU v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG1300368, CITY ATTORNEY'S FILE NO. 29286, IN THE AMOUNT OF THIRTY THOUSAND DOLLARS AND NO CENTS (\$30,000.00) (OAKLAND POLICE DEPARTMENT - PROPERTY DAMAGE)**

**WHEREAS**, Philip Onwuatogwu alleges that Oakland Police officers damages his property while apprehending a suspect; and

**WHEREAS**, Philip Onwuatogwu filed a property-damages lawsuit against the City; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle Philip Onwuatogwu's claims against it for the sum of Thirty Thousand Dollars and No Cents (\$30,000.00) payable by the City of Oakland; now, therefore, be it

**RESOLVED:** That the City of Oakland is authorized and directed to compromise and settle the case of Philip Onwuatogwu v. City of Oakland, Alameda County Superior Court Case No. RG1300368, City Attorney's File No. 29286, for a sum not to exceed Thirty Thousand Dollars and No Cents (\$30,000.00); and be it

**FURTHER RESOLVED:** That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES -

NOES -

ABSENT -

ABSTENTION -

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

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