

OFFICE OF THE CITY ATTORNEY  
CITY OF OAKLAND



04 OCT 21 AM 11:13

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CA 94612

Office of the City Attorney  
John A. Russo  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TDD: (510) 839-6451

November 16, 2004

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Robert Girard v. City of Oakland, et al.**  
**Alameda County Superior Court Case No. RG03095102**  
**Our File No. 22904 (POLICE DEPARTMENT)**

President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, and the action of the Council at its October 19, 2004 closed session, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action for the sum of Ten Thousand Dollars and No Cents (\$10,000.00) payable to Robert S. Girard and his attorney, Ben Rosenfeld, Esq.

This case arises out of the May 7, 2002 arrest of Robert Girard and his allegations that he was battered by police officers

This matter was heard in closed session on Tuesday, October 19, 2004.

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.

*RWSH*

OAKLAND CITY COUNCIL

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

RESOLUTION NO. \_\_\_\_\_ C.M.S.

2004 NOV -4 AM 11:29

PAL/bjw

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ROBERT GIRARD V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG03095102, OUR FILE NO. 22904, IN THE AMOUNT OF \$10,000.00 (POLICE DEPARTMENT)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Robert Girard v. City of Oakland, et al., City Attorney's File No. 22904, for a sum not to exceed Ten Thousand Dollars and No Cents (\$10,000.00) made payable to Robert S. Girard and Ben Rosenfeld, Esq., 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 the sum of Ten Thousand Dollars and No Cents (\$10,000.00) made payable to Robert S. Girard and Ben Rosenfeld, Esq., his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2004

**PASSED BY THE FOLLOWING VOTE:**

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

NOES-

ABSENT-

ABSTENTION-

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

CEDA FLOYD  
City Clerk and Clerk of the Council  
of the City of Oakland, California