

OFFICE OF THE CITY ATTORNEY
CITY OF OAKLAND

CITY OF OAKLAND



04 OCT 21 AM 11:13

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

Office of the City Attorney
Jayne W. Williams

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

October 19, 2004

HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council:

Subject: Tamara Zeltser dba Medallion Jewelry & Loan
vs. City of Oakland, et al.
U.S.D.C. Docket No. C 94-2756 WDB
Our File No. 94444 (Oakland Police Department)

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 action arising out of alleged due process violations in seizures of property, for a total sum of Thirty Thousand Dollars and No Cents (\$30,000.00), payable to Tamara Zeltser and Jon Webster, her attorney of record.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "John A. Russo".

JOHN A. RUSSO
City Attorney

Attorneys Assigned:
Kathleen Salem-Boyd
Julia Ten Eyck

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 NOV -4 AM 11:29

JTE:dw

RESOLUTION RATIFYING THE CITY ADMINISTRATOR'S APPROVAL OF SETTLEMENT AND AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF TAMARA ZELTSER DBA MEDALLION JEWELRY & LOAN v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT, NO. C 94-2756 WDB, IN THE AMOUNT OF \$30,000.00 FOR ALLEGED DUE PROCESS VIOLATIONS ARISING FROM SEIZURES OF PROPERTY (OAKLAND POLICE DEPARTMENT)

RESOLVED: That the City Administrator approved the settlement of this case pursuant to her authority in the City Council's recess in August 2004, and that approval is hereby ratified; and be it

FURTHER RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Tamara Zeltser dba Medallion Jewelry & Loan v. City of Oakland, et al., City Attorney's File No. 94444, for the sum not to exceed the total of Thirty Thousand Dollars and No Cents (\$30,000.00).

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 Thirty Thousand Dollars and No Cents (\$30,000.00) be payable to plaintiff Tamara Zeltser and Jon Webster, Esq., her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

- AYES- BROOKS, BRUNNER, CHANG, MAYNE, NADEL, REID, QUAN, 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