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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

January 20, 2004

HONORABLE CITY COUNCIL

Oakland, California

President De La Fuente and Members of the City Council:

Subject:

Jamalia Brown v. City of Oakland et.al.

United States District Court C 03 0526 JL

Our File No. X01748

Pursuant to §401 of the Charter, and the action of the Council at its December 16, 2003, closed session, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action in the sum of Forty-Five Thousand Dollars (\$45,000.00), payable to Jamalia Brown and his attorney of record, Martin Glickfeld, Esq.

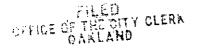
This action arises out of an arrest for possession for sale of narcotics on March 16, 2001. Mr. Brown contends that there was no probable cause for his arrest and that the officers fabricated the charges against him. The officers deny Mr. Brown's allegations. This settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict should the matter be tried.

Respectfully submitted,

JOHN A. RUSSO City Attorney

> 10.7CC **ORA/COUNCIL** JAN 2 0 2004

OAKLAND CITY COUNCIL



RESOLUTION NO. _____ C.M.S.

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RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JAMALIA BROWN v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C 03 0526 JL, OUR FILE NO. X01748, IN THE AMOUNT OF \$45,000.00. THIS CASE INVOLVES A CLAIM OF FALSE ARREST. (OAKLAND POLICE DEPARTMENT-ALLEGED CIVIL RIGHTS VIOLATION)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Jamalia Brown v. City of Oakland, et al., United States District Court No. C 03 0526 JL, our file No. X01748 for a sum not to exceed a total of Forty-Five Thousand Dollars (\$45,000.00), payable to Jamalia Brown and his attorney of record, Martin Glickfeld, Esq.

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 Forty-Five Thousand Dollars (\$45,000.00) be paid to Jamalia Brown and his attorney of record, Martin Glickfeld, Esq.

IN COUNCIL, OAKLAND, CALIFORNIA,, 20		
PASSED BY THE FOLLOWING VOTE:		
AYES- NOES- ABSENT- ABSTENTI		QUAN and WAN
	CED.	EST: A FLOYD Clerk and Clerk of the Council e City of Oakland, California

ORA/COUNCIL
JAN 2 0 2004