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CITY OF OAKLAND



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Office of the City Attorney
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May 7, 2013

HONORABLE CITY COUNCIL
Oakland, California


Subject: Jaymes Evans, et al. v. City of Oakland, et al.
Alameda County Superior Court No. RG11-610704
City Attorney File No. 28550
(Oakland Police Department - Motor Vehicle Collision)

President Kernighan and Members of the City Council:

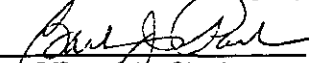
Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Ten Thousand Dollars and No Cents (\$10,000.00) payable to Plaintiffs as follows: Jaymes Evans \$5,000.00, Alexis Evans \$4,000.00, Nykita Norris \$1,000.00 and their attorney Joshua C. Boyce.

This action arises from an incident on January 11, 2011, wherein Plaintiffs were injured as a result of a collision between an Oakland Police Department vehicle and a vehicle driven by Jaymes Evans with Alexis Evans and Nykita Norris as passengers on High Street and Courtland Avenue. This matter was heard in closed session on Tuesday, May 7, 2013.

Respectfully submitted,


BARBARA J. PARKER
City Attorney

Attorney Assigned:
JAMES F. HODGKINS


Office of the City Attorney

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OAKLAND CITY COUNCIL

2013 APR 25 PM 3: 59

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JAYMES EVANS, ET AL. v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11-610704 IN THE AMOUNT OF \$10,00.00 AS A RESULT OF A MOTOR VEHICLE COLLISION ON HIGH STREET AND COURTLAND AVENUE (OAKLAND POLICE DEPARTMENT – MOTOR VEHICLE COLLISION)

WHEREAS: Jaymes Evans, Alexis Evans and Nykita Norris were injured when they were involved in an automobile collision with an OPD vehicle at High Street & Courtland Avenue and;

WHEREAS: Jaymes Evans, Alexis Evans and Nykita Norris sustained injuries requiring medical treatment as a result of this accident; and

WHEREAS: In order to avoid the risk of an adverse jury verdict under the circumstances; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Jaymes Evans, et al. v. City of Oakland, City Attorney's File No. 28550, for the sum of Ten Thousand Dollars and No Cents (\$10,000.00); and be it

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 payable to Plaintiffs Jaymes Evans, Alexis Evans and Nykita Norris and their attorney Joshua C. Boyce.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2013

PASSED BY THE FOLLOWING VOTE:

AYES- SCHAAF, BROOKS, KAPLAN, GALLO, KALB, GIBSON McELHANEY, REID and PRESIDENT KERNIGHAN

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California