

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY OF OAKLAND



08 APR 17 PM 2:33

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

Office of the City Attorney
John A. Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TTY/TDD: (510) 238-7367

May 6, 2008

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Vaughn v. City of Oakland*
Alameda County Superior Court Case No. RG05213580
City Attorney File No. X02675 (PWA)

President De La Fuente and Members of the City Council:

Pursuant to §401 of the Charter, and the action of the Council at its April 15, 2008, Closed Session, the City Attorney has prepared a resolution and requests your approval of same, authorizing compromise and settlement of the above-entitled action in the total sum of One Hundred Seventy Five Thousand Dollars and No Cents (\$175,000.00), payable to James Vaughn and Douglas Prutton, his attorney.

The action claims disability discrimination, failure to accommodate and retaliation under the California Fair Employment and Housing Act (FEHA), as well as wrongful termination. The settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John A. Russo', written over a horizontal line.

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Inés Vargas Fraenkel

RWH

2000 APR 23 AM 10:25

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF VAUGHN V. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG05213580 IN THE AMOUNT OF \$175,000.00 (PWA)

WHEREAS: Mr. Vaughn claims disability discrimination, failure to accommodate and retaliation under the California Fair Employment and Housing Act, as well as wrongful termination.

WHEREAS: Settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict.

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of James Vaughn v. City of Oakland, Alameda County Superior Court Case No. RG05213580, City Attorney's File No. X02675, for a sum not to exceed a total amount of One Hundred Seventy Five Thousand Dollars and No Cents (\$175,000.00), payable by the City of Oakland.

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 One Hundred Seventy Five Thousand Dollars and No Cents (\$175,000.00), be paid to James Vaughn and Douglas Prutton, his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID and
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

Attest: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Date of Attestation: _____