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CITY OF OAKLAND



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July 16, 2013

HONORABLE CITY COUNCIL  
Oakland, California

**Subject:** Timothy Scott Campbell, et al. v. City of Oakland, et al.  
United States District Court Case No. CV-11-5498-RS  
City Attorney's File No. X03740 (Oakland Police Department – Civil Rights Violation)


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, without admission of fault, of the above-entitled lawsuit for the sum of One Million One Hundred Seventy Thousand Dollars and No Cents (\$1,170,000.00), payable to Rachel Lederman Attorney Trust Account.

This action arises out of plaintiffs' complaints that they were injured by City of Oakland Police during the Occupy Oakland demonstrators on October 25, 2011 and November 2, 2011. The parties have agreed that a single check be issued to Rachel Lederman Attorney Trust Account from which distributions each plaintiff must be made.

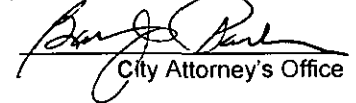
This matter was heard in closed session on June 21, 2013.

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney assigned:  
Randolph W. Hall  
(Doc No. 1171190)

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City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

RWH:ssl

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF TIMOTHY SCOTT CAMPBELL, ET AL. v. CITY OF OAKLAND ET AL., UNITED STATES DISTRICT COURT CASE NO. CV-11-5498-RS, CITY ATTORNEY'S FILE NO. X03740, IN THE AMOUNT OF ONE MILLION ONE HUNDRED SEVENTY THOUSAND DOLLARS AND NO CENTS (\$1,170,000.00) PAYABLE TO RACHEL LEDERMAN ATTORNEY TRUST ACCOUNT. (OAKLAND POLICE DEPARTMENT – CIVIL RIGHTS VIOLATION)**

**WHEREAS**, on or around October 25, 2011 and November 2, 2011, City of Oakland Police employed various actions and tactics to manage Occupy Oakland protestors; and

**WHEREAS**, the plaintiffs in the above-captioned action allege injury resulting from the actions and tactics employed by City of Oakland Police on October 25, 2011 and November 2, 2011; and

**WHEREAS**, plaintiffs and the City of Oakland have agreed to the terms and conditions settling all claims in the above captioned action; and

**WHEREAS**, the City of Oakland has determined that settlement in this amount, without admission of liability, is in the best interest of the City; and now, therefore, be it

**RESOLVED**: That the City Attorney is authorized and directed to compromise and settle the case of Timothy Scott Campbell, et al. v. City of Oakland et al., United States District Court Case No: CV-11-5498-RS, City Attorney's File No. X03740, for the sum of One Million, One Hundred Seventy Thousand Dollars and No Cents (\$1,170,000.00) payable to Rachel Lederman Attorney Trust Account; and be it

**FURTHER RESOLVED**: That the above stated settlement sum of One Million One Hundred Seventy Thousand Dollars and No Cents (\$1,170,000.00) shall be made payable to Rachel Lederman Attorney Trust Account; and be it

**FURTHER RESOLVED**, that the City Attorney is authorized and directed to take whatever steps as may be necessary to implement this settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND  
PRESIDENT KERNIGHAN

NOES -  
ABSENT -  
ABSTENTION -

ATTEST:

\_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council of the  
City of Oakland, California