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Office of the City Attorney John A. Russo City Attorney (510) 238-3601 FAX: (510) 238-6500 TDD: (510) 839-6451

May 2, 2006

## HONORABLE CITY COUNCIL

Oakland, California

Subject: Randy Murphy v. City of Oakland, et al

United States District Court Case No. C04-3062 TEH

Our File No. 24026 - Office of Police Services

**Excessive Force – False Arrest** 

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution and recommends consideration of a proposed settlement of the above-entitled matter arising from an incident on October 23, 2003, in which plaintiff was injured during an altercation with OPD Officer M. McGiffert near 30<sup>th</sup> and Union Streets.

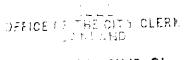
Due to the risk of an adverse jury verdict under the circumstances, the settlement to be considered is in the amount of One Million Five Hundred Thousand Dollars and No Cents (\$1,500,000), to be made payable to Randy Murphy and James B. Chanin. Esq. and John L. Burris, Esq., his attorneys. This matter was approved by Council on April 4, 2006.

Respectfully submitted,

JOHN A. RUSSO City Attorney

Attorney Assigned: Peter Hallifax

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## Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

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IN COUNC	IL, OAKLAND, CAL	IFORNIA,			
PASSED E	BY THE FOLLOWIN	IG VOTE:			
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NOES-					
ABSENT	-				
ABSTEN	ITION-				
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LATONDA SIMMONS City Clerk and Clerk of the Council of the City of Oakland, California