

15 APR 30 PM 3:07

OAKLAND CITY COUNCIL

Resolution No. 85565 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF F.R., A MINOR, BY AND THROUGH HIS GUARDIAN AD LITEM, MATTHEW RAYNOR V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA CASE NO. 3:14-CV-01876 LB, CITY ATTORNEY'S FILE NO. 29754 IN THE AMOUNT OF TWO HUNDRED THIRTY THOUSAND DOLLARS (\$230,000.00) (OAKLAND POLICE DEPARTMENT – EXCESSIVE FORCE)

WHEREAS, on the night of April 3, 2013, plaintiff minor F.R., then 16, was detained by OPD officers following a radio report of an armed robbery at 10th and Jefferson Streets and witness identification that he and his companions were suspects; and

WHEREAS, a detaining officer, mistakenly believing F.R. was reaching for a weapon, discharged his firearm, causing injury to F.R.; and

WHEREAS, F.R., a minor, by and through his guardian ad litem, Matthew Raynor, filed United States District Court Case No.C14-01876 LB against the City of Oakland alleging wrongful detention/false arrest, excessive force, and emotional distress; and now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of F.R., a minor, by and through his guardian ad litem, Matthew Raynor, v. City of Oakland, et al., United States District Court Case No.C14-01876 LB, City Attorney's File No. 29754, for the sum of Two Hundred Thirty Thousand Dollars and No Cents (\$230,000.00), with Ten Thousand Dollars and No Cents (\$10,000.00) of said sum to be allocated and used for services for F.R.; and be it

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 Two Hundred Thirty Thousand Dollars and No Cents (\$230,000.00) be made payable to the Law Offices of John L. Burris in trust for F.R.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAY 19 2015

PASSED BY THE FOLLOWING VOTE:

AYES - ~~Brooks~~, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~Reid~~ AND
PRESIDENT GIBSON MCELHANEY - 6

NOES - Brooks - 1

ABSENT - 0

ABSTENTION - 0

Excused - Reid - 1

ATTEST: *[Signature]*
LATONDA SIMMONS

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