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CITY OF OAKLAND



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Office of the City Attorney  
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July 26, 2016

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: *Jane Roe, by and through her Guardian Ad Litem  
Janet Roe, et al. v. City of Oakland, et al.***  
Alameda County Superior Court Case No. RG14732238  
City Attorney File No. 29938  
(Office of Parks and Recreation - Child Assaulted)


President Reid and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of the resolution authorizing compromise and settlement of the above-entitled claim for the sum of Two Hundred and Thirty Thousand Dollars and Zero Cents (\$230,000.00), to be paid as follows: in the amount of \$121,000 payable to "Winer, McKenna, Burritt, LLP" and in the amount of \$109,000 payable to "BARCO Assignments, Ltd."

This matter arises from an alleged molestation of a minor at Allendale Recreation Center on November 5, 2013.

The Council authorized settlement of this case in Closed Session on Tuesday, June 7, 2016 (moved by Councilmember Gallo and seconded by Councilmember Kalb - 8 Ayes).

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
Michelle M. Meyers

*[Signature]*  
City Attorney's Office

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

2016 JUL 21 AM 10:11

# OAKLAND CITY COUNCIL

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

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JANE ROE, BY AND THROUGH HER GUARDIAN AD LITEM JANET ROE, ET AL. V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14732238, CITY ATTORNEY'S FILE NO. 29938, IN THE AMOUNT OF TWO HUNDRED AND THIRTY THOUSAND DOLLARS AND ZERO CENTS (\$230,000.00) (OFFICE OF PARKS AND RECREATION - CHILD ASSAULTED)**

**WHEREAS**, Plaintiff Jane Roe alleges an inappropriate touching occurred on November 5, 2013;

**WHEREAS**, Plaintiff Jane Roe, by and through her guardian ad litem Janet Roe, and Sallie Roe filed the above referenced action to recover monetary damages; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiffs' claims against it for the sum of Two Hundred and Thirty Thousand Dollars and No Cents (\$230,000.00); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Jane Roe, by and through her Guardian Ad Litem Janet Roe, et al. v. City of Oakland, et al., Alameda County Superior Court Case No. RG14732238, City Attorney's File No. 29938, for a sum not to exceed Two Hundred and Thirty Thousand Dollars and No Cents (\$230,000.00) payable by the City of Oakland; and be it

**FURTHER RESOLVED:** That the City Attorney is further authorized and directed to take whatever steps necessary to effect said settlement; and be it

**FURTHER RESOLVED:** That the sum of Two Hundred and Thirty Thousand Dollars and No Cents (\$230,000.00) be payable as follows: in the amount of \$121,000 payable to "Winer, McKenna, Burritt, LLP" and in the amount of \$109,000 payable to "BARCO Assignments, Ltd."

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES -

ABSENT -

ABSTENTION -

ATTEST: \_\_\_\_\_

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