

*[Signature]*  
City Attorney's Office

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

# OAKLAND CITY COUNCIL

13 DEC 19 PM 1:44 Resolution No 84774 CMS

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF OVETZ V. CITY OF OAKLAND, ET AL., NORTHERN DISTRICT OF CALIFORNIA CASE NO. C12-6180, CITY ATTORNEY'S FILE NO. 29115, IN THE AMOUNT OF FORTY-EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$48,500.00) (OAKLAND POLICE DEPARTMENT – EXCESS FORCE/CIVIL RIGHTS)**

**WHEREAS**, Plaintiff Robert Ovetz alleges that he sustained injunes as a result of police officers using excess force against him duning the January 28, 2012 Occupy Oakland protest, and that he was wrongfully arrested, and

**WHEREAS**, Plaintiff Robert Ovetz filed the above referenced action to recover monetary damages for his alleged injunes, and

**WHEREAS**, Without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiff Robert Ovetz's claim against it for the sum of Forty-Eight Thousand Five Hundred Dollars and No Cents (\$48,500 00), now, therefore, be it

**RESOLVED**, That the City Attorney is authorized and directed to compromise and settle the case of Robert Ovetz v City of Oakland, et al, Northern Distnct of California Case No C12-6180, City Attorney's File No 29115, for a sum not to exceed Forty-Eight Thousand Five Hundred Dollars and No Cents (\$48,500 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 Forty-Eight Thousand Five Hundred Dollars and No Cents (\$48,500 00) be paid to Robert Ovetz and the Law Office of Matthew Siroka, his attorney

IN COUNCIL, OAKLAND, CALIFORNIA,

**JAN 07 2014**

PASSED BY THE FOLLOWING VOTE

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST

*[Signature: Latonda Simmons]*

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