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CITY OF OAKLAND



ONE FRANK OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
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City Attorney

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June 17, 2008

HONORABLE CITY COUNCIL
Oakland, California

Subject: Ameir Rollins v. City of Oakland
Alameda County Superior Court No. RG06298877
Our Case No. 25466 (OPD) – Assault and Battery

President De La Fuente 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 of the above-entitled action for the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00) payable to Plaintiff Ameir Rollins and David I. Kelvin, Esq., his attorney.

On June 5, 2006 an Oakland Police Officer shot Plaintiff Ameir Rollins, rendering him a quadriplegic. This action alleging assault and battery arises out of that shooting. The settlement is recommended to avoid the risk of an adverse trial result and potentially greater economic exposure for the City. This matter was discussed and approved in closed session on May 20, 2008.


Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John A. Russo', written over a horizontal line.

JOHN A. RUSSO
City Attorney

Attorney Assigned:
RANDOLPH W. HALL

BWA


Approved as to Form and Legality

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RESOLUTION No. _____ C.M.S.

RWH

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF AMEIR ROLLINS V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG06298877, CITY ATTORNEY'S FILE NO. 25466, IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$100,000.00) AS A RESULT OF AN ALLEGED ASSAULT AND BATTERY INCIDENT ARISING OUT OF AN OAKLAND POLICE OFFICER SHOOTING THAT RENDERED MR. ROLLINS PERMANENTLY QUADRIPLAGIC (OPD)

WHEREAS, on June 5, 2006 Ameir Rollins was rendered permanently quadriplegic as a result of a gunshot wound inflicted by an Oakland Police Officer who feared for his life because of Rollins' actions; and

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

RESOLVED, that the City Attorney is authorized and directed to compromise and settle the case of Ameir Rollins v. City of Oakland, et al., City Attorney's File No. 25466, for the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00); and be it

FURTHER RESOLVED, that the City Attorney is further authorized and directed to take whatever steps as may be necessary to effect said settlement; and be it

FURTHER RESOLVED, that the sum of One Hundred Thousand Dollars and No Cents (\$100,000.00) be payable to Plaintiff Ameir Rollins and David I. Kelvin, his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED BY THE FOLLOWING VOTE:

- AYES- BRUNNER, KERNIHGAN, NADEL, REID, QUAN, BROOKS, CHANG and PRESIDENT DE LA FUENTE
- NOES-
- ABSENT-
- ABSTENTION-

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California