

OAKLAND CITY COUNCIL

RESOLUTION No. 76162 C.M.S.

RWH/ssl

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MELINDA COSBY ET AL v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C-97-00267 MHP, OUR FILE NO. 94697, IN THE AMOUNT OF \$800,000.00 - OAKLAND POLICE DEPARTMENT (OPD)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Melinda Cosby et al v. City of Oakland, et al., United States District Court Case No. C-97-00267 MHP, City Attorney's File No. 94697, for a sum not to exceed a total of eight hundred thousand dollars and no cents (\$800,000.00).

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 eight hundred thousand dollars and no cents (\$800,000.00) shall be payable as follows:

Three hundred eighty two thousand six hundred four dollars and ninety-six cents (\$382,604.96) to Melinda Cosby; eighty thousand dollars and no cents (\$80,000.00) to Orlean Cosby; twenty thousand dollars and no cents (\$20,000.00) to Melinda Cosby as Guardian Ad Litem for Donita Drumgoole, a minor; one hundred sixty seven thousand three hundred ninety five dollars and four cents (\$167,395.04) payable to Howard Moore, Jr., their attorney of record and one hundred fifty thousand dollars and no cents (\$150,000.00) to Wayne Johnson, their attorney of record to be paid into an annuity as directed by Wayne Johnson.

IN COUNCIL, OAKLAND, CALIFORNIA, NOV 28 2000, 20__

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, DE LA FUENTE, MILEY, ~~NADAL~~, REID, SPEES and WAN **-7**

NOES- *None*

ABSENT- *Nadel -1*

ABSTENTION- *None*

ATTEST:
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California