

OFFICE OF THE CITY CLERK  
MAY 26 AM 10:03

*James G. ...*  
Approved as to Form and Legality

OAKLAND CITY COUNCIL

RESOLUTION No. 83387 C.M.S.

*JFH*  
JFH

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DANIEL PENAMARQUEZ v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG07-340294 IN THE AMOUNT OF \$630,000.00 AS A RESULT OF A COLLISION BETWEEN MR. PENAMARQUEZ'S VEHICLE AND AN OPD VEHICLE. (OPD)**

**WHEREAS**, on August 14, 2006 Daniel Pena-Marquez's vehicle was struck by an Oakland Police Department vehicle at the intersection of 90<sup>th</sup> Avenue and International Blvd; 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 and now,

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Daniel Pena-Marquez v. City of Oakland, City Attorney's File No. 25728, for the sum of Six Hundred Thirty Thousand Dollars and No Cents (\$630,000.00); 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 Six Hundred Thirty Thousand Dollars and No Cents (\$630,000.00) be payable to Plaintiff Daniel Pena-Marquez and Ira Leshin, his attorney.

JUN 7 2011

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 2011

**PASSED BY THE FOLLOWING VOTE:**

- AYES- DE LA FUENTE, KERNIHGAN, NADEL, BRUNNER, SCHAAF, BROOKS, KAPLAN and PRESIDENT REID - 8
- NOES- 0
- ABSENT- 0
- ABSTENTION- 0

ATTEST: *Latonda Simmons*  
 LATONDA SIMMONS  
 City Clerk and Clerk of the Council  
 of the City of Oakland, California