

OFFICE OF THE CITY ATTORNEY
OAKLAND

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CITY OF OAKLAND



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Office of the City Attorney
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City Attorney

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October 4, 2016

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Claim of Samyah Zachery
City Attorney File # C30801
(Oakland Police Department – Automobile Collision)**

President Gibson McElhaney 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 claim for the sum of Six Thousand Dollars and 00/100 Cents (\$6,000.00), made payable to Samyah Zachery and her attorney Joseph Jung and Associates.

This action arises out of a May 7, 2015 incident in which Ms. Zachery claims personal injuries as a result of a collision with an OPD vehicle.

The Council authorized settlement of this case in Closed Session on Tuesday, October 4, 2016 (moved by Councilmember Reid and seconded by Councilmember Kalb – 7 Ayes, 1 Absent – Councilmember Gallo).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Attorney Assigned:
David A. Pereda

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16 OCT -6 PM 4:03


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF SAMYAH ZACHERY, IN THE AMOUNT OF SIX THOUSAND DOLLARS AND 00/100 CENTS (\$6,000.00) AS THE RESULT OF DAMAGES SUSTAINED FROM AN AUTOMOBILE COLLISION ON MAY 7, 2015 (OAKLAND POLICE DEPARTMENT - AUTOMOBILE COLLISION)

WHEREAS, claimant alleges that on May 7, 2015, she sustained damages as a result of an automobile collision involving a City vehicle; and

WHEREAS, the claimant filed the above entitled claim seeking payment for said damages; 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 settle the claim of Samyah Zachery, our file number C30801, in the amount of Six Thousand Dollars and 00/100 Cents (\$6,000.00); and be it

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 Six Thousand Dollars and 00/100 Cents (\$6,000.00), be made payable to Samyah Zachery, and her attorney Joseph Jung and Associates.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLEN, 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