

CITY OF OAKLAND



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Office of the City Attorney  
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City Attorney

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February 21, 2006

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Ruth Pacheco and Edwin White v. City of Oakland, et al.  
Alameda County Superior Court Case No. RG04168981  
Our File No. 24094 (Police Department – Auto Accident)**

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution authorizing and recommends settlement of the above-captioned matter, for the sum of Thirty Five Thousand Dollars and No Cents (\$35,000.00), payable in two checks: (1) \$1,000 to plaintiff Ruth Pacheco and Steven J. Choi her attorney, and (2) \$34,000 payable to Tony Pacheco as guardian ad litem for Edwin White and to Steven J. Choi, his attorney. This settlement is subject to approval by the Superior Court as to Edwin White, a minor.

This action arises from plaintiffs' injuries and medical expenses incurred on April 2, 2004 from an automobile accident in the vicinity of High Street and Ygnacio Avenue, Oakland. This matter was heard in closed session on February 7, 2006.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "John A. Russo".

JOHN A. RUSSO  
City Attorney

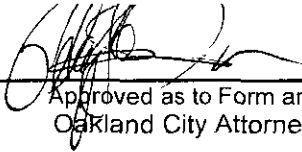
Attorney Assigned:  
Pelayo A. Llamas, Jr.

362082

OFFICE OF THE CITY CLERK  
CITY OF OAKLAND

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# OAKLAND CITY COUNCIL

  
Approved as to Form and Legality  
Oakland City Attorney's Office

RESOLUTION No. \_\_\_\_\_ C.M.S.

PAL

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF RUTH PACHECO AND EDWIN WHITE v. CITY OF OAKLAND, ET AL., SUPERIOR COURT, COUNTY OF ALAMEDA, CASE NO. RG04168981, IN THE AMOUNT OF \$35,000.00 AS A RESULT OF AN AUTOMOBILE COLLISION ACCIDENT IN THE VICINITY OF HIGH STREET AND YGNACIO AVENUE, OAKLAND, ON APRIL 4, 2004 (POLICE DEPARTMENT - AUTOMOBILE ACCIDENT)**

**WHEREAS**, on August 5, 2004, Ruth Pacheco and Edwin White filed a lawsuit alleging, inter alia, that an Oakland Police Officer caused personal injuries and medical expenses in that he accidentally struck White with a patrol car in view of his mother, Pacheco; and

**WHEREAS**, on February 7, 2006, after careful and due consideration, the Oakland City Council at closed session authorized settlement of Ruth Pacheco's and Edwin White's claims in this referenced matter for the collective amount of Thirty-Five Thousand Dollars and No Cents (\$35,000.00); and

**WHEREAS**, Ruth Pacheco and Edwin White, through his Guardian ad Litem Tony Pacheco has agreed to accept the collective amount of Thirty-Five Thousand Dollars and No Cents (\$35,000.00) as full settlement of their claims in this referenced action; and

**WHEREAS**, the settlement as to Edwin White, a minor, must be approved by the Superior Court; now therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Ruth Pacheco and Edwin White, a minor, by and through his Guardian ad Litem Tony Pacheco v. City of Oakland, et al., City Attorney's File No. 24094, for the sum of Thirty Five Thousand Dollars and No Cents (\$35,000.00), subject to approval by the Superior Court; 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

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**FURTHER RESOLVED:** That upon approval by the Superior Court of Edwin White's minor's compromise, the sum of Thirty Five Thousand Dollars and No Cents (\$35,000.00) be payable in two checks: (1) \$1,000 to plaintiff Ruth Pacheco and Steven J. Choi her attorney, and (2) \$34,000 payable to Tony Pacheco as guardian ad litem for Edwin White and Steven J. Choi, his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA.

**PASSED BY THE FOLLOWING VOTE:**

AYES-           BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN , REID, AND  
                    PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

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