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CITY OF OAKLAND



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Office of the City Attorney
John A. Russo
City Attorney

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May 18, 2004

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Arthur Jenkins v. City of Oakland, et al*
United States District Court Case No. C 03-0151 SI
Our File No. 22349 – Oakland Police Department –
Police Conduct/Civil Rights Violation
Date of Incident: September 27, 2001
Date Heard in Closed Session: May 4, 2004

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from an incident on September 27, 2001, in which plaintiff alleges members of the Oakland Police Department used excess force against him and falsely arrested him.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Nineteen Thousand Dollars and No Cents (\$19,000.00), to be made payable to Arthur Jenkins and Richard W. Meier, Esq., his attorney of record.

Respectfully submitted,

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

JOHN A. RUSSO
City Attorney

Attorney Assigned:
James F. Hodgkins
321450

10.6CC

ORA/COUNCIL

MAY 18 2004

OAKLAND CITY COUNCIL

DRAFT

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ARTHUR JENKINS v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C 03-0151 SI, OUR FILE NO. 22349, IN THE AMOUNT OF \$19,000.00. (OAKLAND POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Arthur Jenkins v. City of Oakland, et al., United States District Court Case No. C 03-0151 SI, City Attorney's File No. 22349, for a sum not to exceed a total of Nineteen Thousand Dollars and No Cents (\$19,000.00) payable by the City of Oakland to Arthur Jenkins and Richard W. Meier, Esq., his attorney of record.

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 Nineteen Thousand Dollars and No Cents (\$19,000.00) be paid to Arthur Jenkins and Richard W. Meier, Esq., his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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

321458

10.6CC

ORA/COUNCIL

MAY 18 2004