

APPROVED AS TO FORM AND LEGALITY

Barbara J. Parker

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF TANIELA FINAU V. CITY OF OAKLAND AND DOES 1-20, ALAMEDA COUNTY SUPERIOR COURT, CASE NO. 23CV029192, CITY ATTORNEY FILE NO. 35542, FOR THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS (\$150,000.00) (DEPARTMENT OF PUBLIC WORKS – EMPLOYMENT DISCRIMINATION)

WHEREAS, Plaintiff Taniela Finau¹ (“Finau”) alleges employment claims for disability discrimination and retaliation; and

WHEREAS, Finau was a probationary employee employed as a Gardener II; and

WHEREAS, Finau claims that the City terminated Finau in retaliation for complaining about workplace safety and taking medical leave; and

WHEREAS, Finau alleges they sustained wage loss and emotional distress damages; and

WHEREAS, Finau filed Taniela Finau v. City of Oakland, et al., Alameda County Superior Court, Case No. 23CV029192; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in the case; and

WHEREAS, the City has determined that it is in the City’s best interest to settle this lawsuit without admitting liability or wrongdoing and to avoid further litigation; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Taniela Finau v. City of Oakland, et al., Alameda County Superior Court Case No. 23CV029192, City Attorney File No. 35542 for the sum of One Hundred Fifty Thousand Dollars and No Cents (\$150,000.00); and be it

FURTHER RESOLVED: That the City Attorney is authorized and directed to take whatever steps that may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, REID, AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, Californ