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CITY OF OAKLAND



ONE FRANK OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John Russo
City Attorney

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March 3, 2009

HONORABLE CITY COUNCIL
Oakland, California

Subject: Jules Masalunga v. City of Oakland; et al.
Alameda County Superior Court No. RG08-367928
City Attorney File No. 25911 (Police Services – Auto Accident)

President Brunner 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 action for the sum of Thirteen Thousand Dollars and No Cents (\$13,000.00), payable to Plaintiff Jules Masalunga and, his attorney Eduardo Gonzalez, Esq..

This action arises out of an automobile accident involving an on-duty police officer at the intersection of Broadway and 27th Street on February 23, 2007. The settlement is recommended to avoid the risk of an adverse trial result and potentially greater economic exposure for the City.

Respectfully submitted,

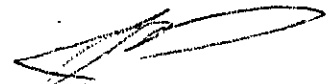
A handwritten signature in black ink, appearing to read "John A. Russo", written over a horizontal line.

JOHN A. RUSSO
City Attorney

Attorney Assigned:
JENNIFER N. LOGUE

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OAKLAND

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Approved as to Form and Legality

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

JNL

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JULES MASALUNGA v. CITY OF OAKLAND; ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08-367928, IN THE AMOUNT OF \$13,000.00 AS A RESULT OF AN AUTOMOBILE ACCIDENT AT THE INTERSECTION OF BROADWAY AND 27TH STREET. (POLICE SERVICES)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Jules Masalunga v. City of Oakland; et al., City Attorney's File No. 25911, for the sum of Thirteen Thousand Dollars and No Cents (\$13,000.00); 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 Thirteen Thousand Dollars and No Cents (\$13,000.00) be payable to Plaintiff Jules Masalunga and Eduardo Gonzalez, Esq., his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIHGAN, NADEL, QUAN, REID and PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California