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Office of the City Attorney
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January 6, 2004

HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council:

Subject: Christopher Ellis v. City of Oakland, et al.
United States District Court
Case No. C 01 4720 BZ
Our Matter No. x01231 (Police Services)

Pursuant to Section 401 of the Charter, the City Attorney recommends settlement of the above-entitled matter arising out of an incident on December 5, 2000 wherein it is alleged that officers of the Oakland Police Department used excessive force against the plaintiff.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the total amount of Thirty Thousand Dollars (\$30,000) to be paid by the City of Oakland. The proposed settlement is to be made payable to Christopher Ellis and John Burris, Esq., his attorney.

Respectfully submitted,

A handwritten signature in black ink that reads "Randolph W. Hall for".

JOHN A. RUSSO
City Attorney

Attorney Assigned:
James F. Hodgkins

10.6CC
ORA/COUNCIL

JAN 6 2004

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.


JFH/aah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CHRISTOPHER ELLIS v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C01- 4720 BZ, OUR FILE NO. X01231, IN THE AMOUNT OF \$30,000.00 AS A RESULT OF EXCESS FORCE.

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Christopher Ellis v. City of Oakland, et al., United States District Court Case No. C01 4720 BZ, City Attorney's File No. X01231, for a sum not to exceed a total of Thirty Thousand Dollars and No Cents (\$30,000.00) payable by the City of Oakland to Christopher Ellis and John Burris, 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 Thirty Thousand Dollars and No Cents (\$30,000.00) be paid to Christopher Ellis and John Burris, Esq., his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

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

316536

10.6 cc
ORA/COUNCIL

JAN 6 2004