

CITY OF OAKLAND
ESTABLISHED 1852



05 JUL -7 PM 4:09

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Office of the City Attorney
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September 20, 2005

HONORABLE CITY COUNCIL
Oakland, California

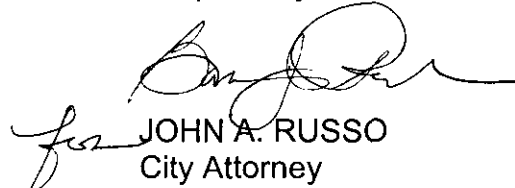
Subject: *David Gray v. City of Oakland, et al.*
Alameda County Superior Court Case No. RG04176348
File No. 23782 (Police Services Agency)

President De La Fuente and Members of the City Council:

Pursuant to §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 in the sum of Thirty-Six Thousand Five Hundred Dollars (\$36,500.00), payable to David Gray and his attorney, Joseph E. Tomasik, Esq.

This action arises out of a dog bite by Buddy the bloodhound, a purebred, tracking dog owned by the City of Oakland Police Services Agency on November 23, 2003. The matter was heard in closed session on July 19, 2005.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

Attorney assigned: Rachel Wagner

344419

10.1500
ORA/COUNCIL
JUL 19 2005

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

05 JUL -7 RZW/dsa

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DAVID GRAY V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG04176348, OUR FILE NO. 23782, IN THE AMOUNT OF \$36,500.00. THIS CASE INVOLVES A DOG BITE (OAKLAND POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of David Gray v City of Oakland et al., Alameda County Superior Court Case No. RG04176348, City Attorney's File No. 23782 for a sum not to exceed a total of Thirty-Six Thousand Five Hundred Dollars (\$36,500.00.), payable to David Gray and his attorney, Joseph E. Tomasik, Esq.

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-Six Thousand Five Hundred Dollars (\$36,500.00), payable to David Gray and his attorney, Joseph E. Tomasik, Esq.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED BY THE FOLLOWING VOTE:

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

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

10.15CC ORA/COUNCIL

JUL 19 2005