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CITY OF OAKLAND



10 MAY -6 PM 3:52

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CA 94612

Office of the City Attorney
John A. Russo
City Attorney

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May 18, 2010

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Michael Musick; et al. v. City of Oakland; et al.
Alameda County Superior Court No. RG08-388364
City Attorney File No. 26348 (Police Services)**

President Brunner and Members of the City Council:

Pursuant to §401 of the Charter, the City Attorney has prepared and recommends adoption of a resolution authorizing compromise and settlement of the above-entitled action for the sum of Twenty-One Thousand Five Hundred Dollars (\$21,500.00), payable to Plaintiffs Michael Musick, Richard Grootendorst, Stacy Grootendorst and Leonard S. Becker, Esq., their attorney.

This lawsuit arises out of injuries and damages suffered by plaintiff due to an Oakland Police officer rear-ending a truck driven by plaintiff on December 7, 2007.

This settlement is recommended as a compromise of this matter and to avoid the risk of an adverse jury verdict and exposure to civil damages and attorneys' fees. (Oakland Police Department)

Respectfully submitted,

A handwritten signature in cursive script that reads "John A. Russo".

JOHN A. RUSSO
City Attorney

OAKLAND CITY COUNCIL

W

FILED
OFFICE OF THE CITY CLERK
OAKLAND
RESOLUTION No. _____ C.M.S.

2010 MAY -6 PM 5:06

JAR: WES

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MICHAEL MUSICK; ET AL. V. CITY OF OAKLAND; ET AL., ALAMEDA COUNTY SUPERIOR COURT NO. RG08-388364, OUR FILE NO. 26348, IN THE AMOUNT OF \$21,500.00 (POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case Michael Musick; et al. v. City Of Oakland; et al., Alameda County Superior Court No. RG08-388364, our file no. 26348, in the amount of Twenty One Thousand Five Hundred Dollars, (\$21,500.00) payable by the City of Oakland.

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 Twenty One Thousand Five Hundred Dollars (\$21,500.00) be paid to Plaintiffs Michael Musick, Richard Grootendorst, Stacy Grootendorst and Leonard S. Becker, Esq., their attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT-

ABSTENTION-

ATTEST:

LATONDA SIMMONS
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA