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2010 JUL -8 PM 2:59

CITY OF OAKLAND



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Office of the City Attorney
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City Attorney

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July 20, 2010

HONORABLE CITY COUNCIL
Oakland, California

Subject: Chiquita Cole v. City of Oakland
Alameda County Superior Court No. RG08-385951
City Attorney File No. 26826 (Oakland Police Department)

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. Due to the risk of an adverse jury verdict under the circumstances settlement is recommended in the sum of Ninety-Five Thousand Dollars and No Cents (\$95,000.00) payable to Plaintiff Chiquita Cole and Martin L. Jaspovice, her attorney.

This action arises from Ms. Cole's injuries December 9, 2007 which were sustained when an OPD vehicle struck the vehicle in which she was a passenger. This matter was approved in closed session on June 15, 2010.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

Attorney Assigned:
JAMES F. HODGKINS

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OAKLAND CITY COUNCIL

James T. ...
Approved as to Form and Legality

RESOLUTION No. _____ C.M.S.

JFH
JFH

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF CHIQUITA COLE v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG08-385951, IN THE AMOUNT OF \$95,000.00 AS A RESULT OF A COLLISION BETWEEN A VEHICLE IN WHICH MS. COLE WAS A PASSENGER AND AN OPD VEHICLE (OAKLAND POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Chiquita Cole v. City of Oakland, City Attorney's File No. 26427, for the sum of Ninety-Five Thousand Dollars and No Cents (\$95,000.00); 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 Ninety-Five Thousand Dollars and No Cents (\$95,000.00) be payable to Plaintiff Chiquita Cole and Martin L. Jaspovice, her attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2010

PASSED BY THE FOLLOWING VOTE:

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

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