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CITY OF OAKLAND



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

Office of the City Attorney  
John A. Russo  
City Attorney

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January 19, 2010

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Leslie Carminer, Demarcus Carminer v. City of Oakland  
Alameda County Superior Court Case No. RG09-430540  
File No. 26788 (OPD)**

Dear President Brunner and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared a resolution and recommends settlement of the above-entitled matter.

Due to the potential for a higher award from the Court, settlement is recommended in the total amount of Nineteen Thousand Dollars and No Cents (\$19,000.00). Payment is to be made in the sum of Thirteen Thousand One Hundred Dollars and No Cents (\$13,100.00), to be made payable to The Law Offices of Jacoby & Meyers and Leslie Carminer, and Five Thousand Nine Hundred Dollars and No Cents (\$5,900.00) to be made payable to the Law Offices of Jacoby & Meyers and Demarcus Carminer.

Respectfully submitted,

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

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Charles E. Vose

615467

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Approved as to Form and Legality

  
Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

CEV:aah

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LESLIE CARMINER AND DEMARCUS CARMINER v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG09-430540, CITY ATTORNEY FILE NO. 26788, IN THE AMOUNT OF \$19,000.00. THIS CASE INVOLVES A CLAIM FOR DAMAGES RESULTING FROM AN AUTOMOBILE ACCIDENT ON JULY 17, 2008 INVOLVING A VEHICLE DRIVEN BY LESLIE CARMINER AND AN OAKLAND POLICE DEPARTMENT PATROL VEHICLE (OPD)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of LESLIE CARMINER, DEMARCUS CARMINER v. CITY OF OAKLAND, ET AL., Alameda County Superior Court Action No. RG09-430540, City Attorney's File No. 26788, for the sum of Nineteen Thousand Dollars and No Cents (\$19,000.00), payable to The Law Office of Jacoby & Meyers, Leslie Carminer and Demarcus Carminer.

**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 One Hundred Dollars and No Cents (\$13,100.00) be paid to The Law Offices of Jacoby & Meyers and Leslie Carminer and that the sum of Five Thousand Nine Hundred Dollars and No Cents (\$5,900.00) be paid to The Law Offices of Jacoby & Meyers and Demarcus Carminer.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, 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