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Office of the City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 85265 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ESTATE OF MATTHEW CICELSKA, ET. AL. v. CITY OF OAKLAND, ET. AL., UNITED STATES DISTRICT COURT CASE NO. C-13-0379 JSC, CITY ATTORNEY'S FILE NO. 28691 IN THE AMOUNT OF SEVENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$75,000.00) AS A RESULT OF AN OFFICER INVOLVED SHOOTING ON OR ABOUT JANUARY 29, 2011 (OAKLAND POLICE DEPARTMENT-POLICE SHOOTING)

WHEREAS, on January 29, 2011, Oakland Police officers responding to reports of an armed man confronted and fatally shot Matthew Cicelske.

WHEREAS, the Plaintiffs filed the above entitled lawsuit seeking damages for said injuries, and

WHEREAS, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City; now therefore; be it

RESOLVED: That the City Attorney is authorized and directed to settle the matter of Estate of Matthew Cicelske, et al. v. City of Oakland, et al., United States District Court Case No. C-13-0379 JSC, City Attorney File No. 28691 for the sum of Seventy-Five Thousand Dollars and No Cents (\$75,000.00) payable to plaintiffs Anita Barone; Cameron Cicelske, by and through his guardian *ad litem*, Justin Owens; Antonio Cicelske; and Benjamin Cicelske; and their attorney, Ben Rosenfeld, 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 Seventy-Five Thousand Dollars and No Cents (\$ 75,000.00) be made payable to plaintiffs Anita Barone; Cameron Cicelske, by and through his guardian *ad litem*, Justin Owens; Antonio Cicelske; and Benjamin Cicelske; and their attorney, Ben Rosenfeld.

IN COUNCIL, OAKLAND, CALIFORNIA, **NOV 18 2014**

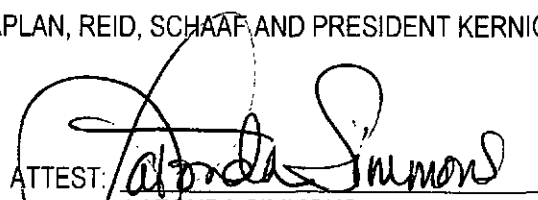
PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, ~~GIBSON~~, ~~MCETHANEY~~, KALB, KAPLAN, REID, SCHAAF, AND PRESIDENT KERNIGHAN -7

NOES -

ABSENT - *Gibson McElhaney - 1*

ABSTENTION -

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