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City Attorney's Office

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14 JUL -2 PM 1:49

OAKLAND CITY COUNCIL

85094

Resolution No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF PETER DIXON v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA NO. C12-5207 DMR, CITY ATTORNEY'S FILE NO. 28890 IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) (OAKLAND POLICE DEPARTMENT - WRONGFUL ARREST)

WHEREAS, Plaintiff Peter Dixon alleges he was improperly detained and subjected to a citizen's arrest by an Oakland Police Department officer on December 9, 2011; and

WHEREAS, Plaintiff Peter Dixon filed the above-referenced action to recover monetary damages for his injuries; and

WHEREAS, The City Council has determined to compromise and settle Plaintiff Peter Dixon's claim against it and Officer Steven Toribio and Bernard Ortiz for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00); now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Peter Dixon v. City of Oakland, et al., United States District Court, Northern District of California Case No. C12-5207 DMR for a sum not to exceed Twenty Five Thousand Dollars and No Cents (\$25,000.00) payable by the City of Oakland; and be it

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-Five Thousand Dollars and No Cents (\$25,000.00) be paid to Haddad and Sherwin In Trust for Peter Dixon.

IN COUNCIL, OAKLAND, CALIFORNIA,

JUL 15 2014

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND PRESIDENT KERNIGHAN - 8

NOES - 0
ABSENT - 0
ABSTENTION - 0

ATTEST:

[Signature] for
LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California