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CITY OF OAKLAND



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Office of the City Attorney
Barbara J. Parker
City Attorney

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December 18, 2012

HONORABLE CITY COUNCIL
Oakland, California

Subject: Paul Crum v. City of Oakland, et al.
Alameda County Superior Court No. RG12-622606
City Attorney File No. 28597 (Wrongful Termination - OPW)

President Reid 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 Fifteen Thousand Dollars and No Cents (\$15,000.00) payable to Plaintiff Paul Crum and his attorney Vince Winters.

This action arises from an incident on May 5, 2011, wherein Mr. Crum was medically separated from his employment with the City of Oakland. This matter was heard in closed session on December 18, 2012.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker', written over a horizontal line.

BARBARA J. PARKER
City Attorney

Attorney Assigned:
Deborah Bialosky, Outside Counsel

James H. Adams
Approved as to Form and Legality

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OAKLAND CITY COUNCIL

2012 DEC -6 PM 3: 14

RESOLUTION No. _____ C.M.S.

JFH

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF PAUL CRUM v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG12-622606 IN THE AMOUNT OF \$15,000.00 AS A RESULT OF WRONGFUL TERMINATION. (OFFICE OF PUBLIC WORKS – OPW)

WHEREAS: Paul Crum was medically separated on May 5, 2011 and;

WHEREAS: Mr. Crum grieved his separation and filed a civil suit claiming disability discrimination and conversion; and

WHEREAS: In order to avoid the risk of an adverse jury verdict and further attorneys fees under the circumstances;

NOW, THEREFORE, BE IT RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Paul Crum v. City of Oakland, City Attorney's File No. 28597, for the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00); 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 Fifteen Thousand Dollars and No Cents (\$15,000.00) be payable to Plaintiff Paul Crum and his attorney Vince Winters.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2012

PASSED BY THE FOLLOWING VOTE:

AYES- DE LA FUENTE, KERNIGHAN, NADEL, BRUNNER, SCHAAF, BROOKS, KAPLAN and PRESIDENT REID

NOES-

ABSENT-

ABSTENTION-

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