

OAKLAND CITY COUNCIL

RESOLUTION NO. 78942 C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

04 NOV 18 PM 3:30

JTE:dw

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF BENNY FISH v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT, NO. C 03-4554 CW, IN THE AMOUNT OF \$13,000.00 AS A RESULT OF A WRONGFUL ARREST AND EXCESS USE OF FORCE ON SEPTEMBER 11, 2002 (OAKLAND POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Benny Fish v. City of Oakland, et al., City Attorney's File No. 23220, for the sum not to exceed the total of Thirteen Thousand Dollars and No Cents (\$13,000.00).

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 Dollars and No Cents (\$13,000.00) be payable to plaintiff Benny Fish and Erik Babcock, Esq., her attorneys of record.

DEC 7 2004

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, MAYNE, NADEL, REID, QUAN, WAN, AND PRESIDENT DE LA FUENTE 8

NOES- 0
ABSENT- 0
ABSTENTION- 0

ATTEST CEDA FLOYD
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California