

CITY OF OAKLAND



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

Office of the City Attorney
John A. Russo
City Attorney

(510) 238-3601
FAX: (510) 238-6500
TDD: (510) 839-6451

September 19, 2006

HONORABLE CITY COUNCIL
Oakland, California

**Subject: Omar Alvarez, AA, a minor, by and through his Guardian
ad Litem, Omar Alvarez, Ruben Ramirez, Sr. and Lillian
Castro v. City of Oakland
United States District Court Case No. C04-5053 CW
Our File No. 24139 – Office of Police Services
Excessive Force – False Arrest**

Dear President De La Fuente 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 arising from an incident on November 30, 2004, in which plaintiffs Omar Alvarez and Ruben Ramirez were arrested by OPD officers at the Oakland Coliseum.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Fifty-Two Thousand Five Hundred Dollars and No Cents (\$52,500.00), to be made payable to Omar Alvarez, AA, a minor, by and through his guardian ad litem, Omar Alvarez, Ruben Ramirez, Sr., Lillian Castro and John L. Burris Esq., their attorney.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Peter Hallifax

364830

OFFICE OF THE CITY CLERK

2005 JUL 25 PM 3:46



Oakland City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

H:aah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF OMAR ALVAREZ ET. AL. v. CITY OF OAKLAND, UNITED STATES DISTRICT COURT CASE NO. C04-5053 CW, OUR FILE NO. 24139 IN THE AMOUNT OF \$52,500. THIS CASE INVOLVES AN ALLEGED USE OF EXCESSIVE FORCE AND FALSE ARREST AT THE OAKLAND COLISEUM. (POLICE SERVICES AGENCY)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Omar Alvarez et al. v. City of Oakland, United States District Court Case No. C04-5053, City Attorney's File No. 24139, for a sum not to exceed a total amount of Fifty-two Thousand and Five Hundred Dollars and No Cents (\$52,500) payable to Omar Alvarez, AA, a minor by and through Omar Alvarez, his guardian ad litem, Ruben Ramirez, Sr., and Lillian Castro, and John L. Burris, Esq., their attorney.

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 Fifty-two Thousand, Five Hundred Dollars and No Cents (\$52,500) be paid to Omar Alvarez, AA, a minor by and through Omar Alvarez, his guardian ad litem, Ruben Ramirez, Sr., and Lillian Castro, and John L. Burris, Esq., their attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____

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