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Office of the City Attorney
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February 17, 2004

HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council:

Subject: Maya Brown v. City of Oakland et.al.
Alameda County Superior Court No. 2001-036085
Our File No. 21536

Pursuant to §401 of the Charter, and the action of the Council at its November , 2003, closed session, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action in the sum of Ten Thousand Dollars (\$10,000.00), payable to Maya Brown and her, Louis E. Duvernay, Esq.

This action arises out of a traffic enforcement stop on March 21, 2001. Mr. Brown contends that a former Oakland Police Officer pulled her car over without reasonable suspicion and made inappropriate physical contact with her. The former officer denies Ms. Brown's allegations. This settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict should the matter be tried.

Respectfully submitted,

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

JOHN A. RUSSO
City Attorney

10.3 CC
ORA/COUNCIL
FEB 17 2004

OAKLAND CITY COUNCIL

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RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MAYA BROWN v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. 2001-036085, OUR FILE NO. 21536, IN THE AMOUNT OF \$10,000.00. THIS CASE INVOLVES A CLAIMS OF FALSE ARREST, ASSAULT AND BATTERY. (OAKLAND POLICE DEPARTMENT-ALLEGED CIVIL RIGHTS VIOLATION)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Maya Brown v. City of Oakland, et al., Alameda County Superior Court No. 2001-036085, our file No. 21536 for a sum not to exceed a total of Ten Thousand Dollars (\$10,000.00), payable to Maya Brown and her attorney of record, Louis E. Duvernay, Esq.

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 Ten Thousand Dollars (\$10,000.00) be paid to Maya Brown and her attorney of record, Louis Duvernay, Esq.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20__

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, CHANG, DE LA FUENTE, MAYNE, NADEL, REID, QUAN and WAN

NOES-

ABSENT-

ABSTENTION-

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

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CRA/COUNCIL
FEB 17 2004