

CITY OF OAKLAND



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April 5, 2005

HONORABLE CITY COUNCIL
Oakland, California

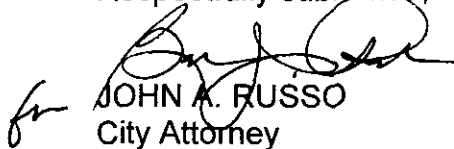
Subject: *Darryl Williams, Tristan Williams v. City of Oakland, et al*
United States District Court Case No. C 04-1703 TEH
Our File No. 23749 – Oakland Police Department
Police Misconduct/Excessive Force

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends settlement of the above-entitled matter arising from claims of excess force by members of the Oakland Police Department on April 30, 2003. This matter was heard in closed session on March 15, 2005

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Ten Thousand Dollars and No Cents (\$10,000.00), to be made payable to Darryl Williams, Tristan Williams and John L. Burris, Esq., their attorney of record.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

Attorney Assigned:
James F. Hodgkins

337694

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

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RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DARRYL WILLIAMS, TRISTAN WILLIAMS v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C 04-1703 TEH, OUR FILE NO. 23749, IN THE AMOUNT OF \$10,000.00. THIS CASE INVOLVES CLAIMS OF EXCESS FORCE AGAINST MEMBERS OF THE OAKLAND POLICE DEPARTMENT ON APRIL 30, 2003. (OAKLAND POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Darryl Williams, et al. v. City of Oakland, et al., United States District Court Case No. C 04-1703 TEH, City Attorney's File No. 23749, for a sum not to exceed a total of Ten Thousand Dollars and No Cents (\$10,000.00) payable by the City of Oakland to Darryl Williams, Tristan Williams and John L. Burris, Esq., their attorney of record.

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 and No Cents (\$10,000.00) be paid to Darryl Williams, Tristan Williams and John L. Burris, Esq., their attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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