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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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February 5, 2013

HONORABLE CITY COUNCIL
Oakland, California

Subject: John Alderson v. City of Oakland, et al.
Alameda County Superior Court No. RG11-581103
City Attorney File No. X03608-2 (**Wrongful Termination - OPW**)

President Kernighan 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 One Hundred Thousand Dollars and No Cents (\$100,000.00) payable to Plaintiff John Alderson and his attorneys Ganz & Gorsline.

This action arises from an incident in June of 2010, wherein Mr. Alderson was separated from his employment with the City of Oakland. This matter was heard in closed session on January 22, 2013.

Respectfully submitted,

A handwritten signature in black ink, which appears to read "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Attorney Assigned:
GayLynn Conant, Outside Counsel

Rogann Morris
City Attorney's Office

13 JAN 24 PM 12: 26 OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

JFH

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JOHN ALDERSON v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11-581103 IN THE AMOUNT OF \$100,000.00 AS A RESULT OF WRONGFUL TERMINATION. (OFFICE OF PUBLIC WORKS – OPW)

WHEREAS: John Alderson was separated in June of 2010; and

WHEREAS: Mr. Alderson filed a civil suit claiming racial harassment and discrimination and retaliation; 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 John Alderson v. City of Oakland, City Attorney's File No. X03608-2, for the sum of **One Hundred Thousand Dollars and No Cents (\$100,000.00)**; 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 **One Hundred Thousand Dollars and No Cents (\$100,000.00)** be payable to Plaintiff John Alderson and his attorneys **Ganz & Gorsline**.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2013

PASSED BY THE FOLLOWING VOTE:

- AYES- SCHAAF, BROOKS, KAPLAN, GALLO, KALB, GIBSON McELHANEY, REID and PRESIDENT KERNIGHAN
- NOES-
- ABSENT-
- ABSTENTION-

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