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CITY OF OAKLAND



14 DEC -3 PM 1:05

ONE FRANK OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara J Parker  
City Attorney

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December 9, 2014

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: Abel Cordova-Munoz, et al. v. City of Oakland, et al.**  
**Alameda County Superior Court No. RG09-489243**  
**City Attorney File No. 27177**  
**(Oakland Police Department)**

President Kernighan and Members of the City Council:

Pursuant to Section 401 of the City 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 Twenty-Five Thousand Dollars and No Cents (\$25,000.00) payable to Plaintiffs Abel Cordova-Munoz, Carlos Olea, Martha Valente & Yoremi Valenti and their attorney Kelechi Charles Emeziem.

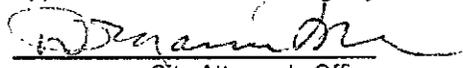
This action arises from an incident on November 9, 2008, wherein Abel Cordova-Munoz and Carlos Olea were arrested on East 16<sup>th</sup> Street. Those arrests were witnessed by Yoremi Valente and Martha Valente.

The Council authorized settlement of this case in Closed Session on Tuesday, November 5, 2014 (moved by Councilmember Gibson McElhaney and seconded by Councilmember Kaplan – 7 Ayes, 1 Absent – Councilmember Gallo).

Respectfully submitted,

  
BARBARA J. PARKER  
City Attorney

Attorney Assigned:  
Charles E. Vose

  
City Attorney's Office

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# OAKLAND CITY COUNCIL

2014 DEC -3 PM 1:00

RESOLUTION No. \_\_\_\_\_ C.M.S.

CEV

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ABEL CORDOVA-MUNOZ, ET AL V. CITY OF OAKLAND, ET AL, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG09-489243, IN THE AMOUNT OF TWENTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$25,000.00) AS A RESULT OF AN ARREST ON OR ABOUT NOVEMBER 9, 2008 (OAKLAND POLICE DEPARTMENT)**

**WHEREAS**, Abel Cordova-Munoz and Carlos Olea were arrested on November 9, 2008 (the incident); and

**WHEREAS**, Yoremi Valente and Martha Valente witnessed the arrest; and

**WHEREAS**, Abel Cordova-Munoz, Carlos Olea, Martha Valente and Yoremi Valente claimed various injuries as a result of the incident; and

**WHEREAS**, Alameda County Superior Court Action RG09-489243 was filed against the City of Oakland as a result of the incident; and

**WHEREAS**, in order to avoid the risk of an adverse jury verdict under the circumstances; now therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Abel Cordova-Munoz, et al v City of Oakland, et al, City Attorney's File No. 27177, for the sum of Twenty-Five Thousand Dollars and No Cents (\$25,000.00); 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 Twenty-Five Thousand Dollars and No Cents (\$25,000.00) be payable to Plaintiffs Abel Cordova-Munoz, Carlos Olea, Martha Valente & Yoremi Valente and their attorney Kelechi Charles Emeziem.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE.

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST

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