

CITY OF OAKLAND



04030-2 2111:41

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

December 21, 2004

HONORABLE CITY COUNCIL
Oakland, California

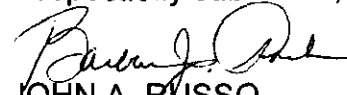
Subject: *Nackesha Wortham, Kennie Wortham, Wanda Brown & Gerald Johnson v. City of Oakland, et al*
United States District Court Case No. C 02-0610 MEJ
Our File No. 21710 – Oakland Police Department
Automobile Collision/Personal Injury

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 an accident on February 5, 2001 at the intersection of Church Street and Bancroft Avenue, between a vehicle driven by Nackesha Wortham and an OPD car. The matter was not heard in closed session.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Eighteen Thousand Dollars and No Cents (\$18,000.00), to be made payable to Nackesha Wortham, Kennie Wortham, Wanda Brown, Gerald Johnson and Michael J. Haddad, Esq., their attorney of record.

Respectfully submitted,



for JOHN A. RUSSO
City Attorney

Attorney Assigned:
James F. Hodgkins

331929

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.


JFH/aah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF NACKESHA WORTHAM, KENNIE WORTHAM, WANDA BROWN AND GERALD JOHNSON v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C02-0610 MEJ, OUR FILE NO. 21710, IN THE AMOUNT OF \$18,000.00. THIS CASE INVOLVES AN AUTOMOBILE COLLISION BETWEEN AN OPD VEHICLE AND PLAINTIFFS' VEHICLE WHICH OCCURRED ON FEBRUARY 5, 2001. (OAKLAND POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Nakesha Wortham, et al. v. City of Oakland, et al., United States District Court Case No. C 02-0610, City Attorney's File No. 21710, for a sum not to exceed a total of Eighteen Thousand Dollars and No Cents (\$18,000.00) payable by the City of Oakland to Nakesha Wortham, Kennie Wortham, Wanda Brown, Gerald Johnson and Michael J. Haddad, 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 Eighteen Thousand Dollars and No Cents (\$18,000.00) be paid to Nakesha Wortham, Kennie Wortham, Wanda Brown, Gerald Johnson and Michael J. Haddad, Esq., their attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

NOES-

ABSENT-

ABSTENTION-

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