

CITY OF OAKLAND



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

October 21, 2003

HONORABLE CITY COUNCIL
Oakland, California

President De La Fuente and Members of the City Council:

Subject: Thurston v. City of Oakland et.al.
United States District Court No. C-01 3859 WDB
Our File No. 21395

Pursuant to §401 of the Charter, and the action of the Council at its September 30, 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 Fifteen Thousand Dollars (\$15,000.00), payable to Kereem Thurston and his attorney of record, John L. Burris, Esq.

This action arises out of an arrest on October 15, 2002. Mr. Thurston claims that the officers used excessive force against him. The officers deny Mr. Davidson'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 read "John A. Russo".

JOHN A. RUSSO
City Attorney

Item # 10.7 CC
ORA/ Council
October 21, 2003

OAKLAND CITY COUNCIL

BWN

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF KEREEM THURSTON v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C-01 3839 WDB, OUR FILE NO. 21395, IN THE AMOUNT OF \$15,000.00. THIS CASE INVOLVES A CLAIM OF USE OF EXCESSIVE FORCE. (OAKLAND POLICE DEPARTMENT-ALLEGED CIVIL RIGHTS VIOLATION)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Kereem Thurston v. City of Oakland, et al., United States District Court No. C-01 3859 WDB, our file No. 21395 for a sum not to exceed a total of Fifteen Thousand Dollars (\$15,000.00), payable to Kereem Thurston and his attorney of record, John L. Burris, 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 Fifteen Thousand Dollars (\$15,000.00) be paid to Kereem Thurston and his attorney of record, John L. Burris, 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

10.7CC
ORA/COUNCIL
OCT 21 2003

~~**10.14CC**~~
~~**ORA/COUNCIL**~~
~~**SEP 15 2003**~~