

CITY OF OAKLAND



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Office of the City Attorney
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December 7, 2004

HONORABLE CITY COUNCIL
Oakland, California

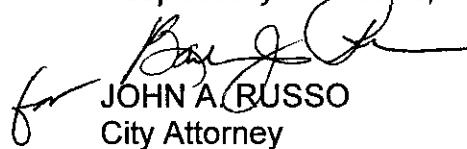
Subject: *Griselvia Castaneda v. City of Oakland, et al*
United States District Court Case No. C 02 5358 MHP (BZ)
Our File No. 22028 –Police Services
Civil Rights – Sexual Battery

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 incident on May 13, 2001, in which plaintiff alleges she was sexually assaulted by an on-duty Oakland Police officer.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Ninety-five Thousand Dollars and No Cents (\$95,000.00), to be made payable to Griselvia Castaneda and Dennis Roberts, Esq., her attorney of record. This matter was previously passed by the City Council at closed session on June 1, 2004.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

Attorney Assigned:
James F. Hodgkins
333197

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

FILED
OFFICE OF THE CITY CLERK
OAKLAND

[Signature]
JPH/aaah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF GRISELVIA CASTANEDA v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C 01 5358 MHP(BZ), OUR FILE NO. 22028, IN THE AMOUNT OF \$95,000.00. THE CASE INVOLVES ALLEGATION OF SEXUAL BATTERY BY AN OAKLAND POLICE OFFICER (POLICE SERVICES)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Griselvía Castaneda v. City of Oakland, et al., United States District Court Case No. C 02 5358 MHP (BZ), City Attorney's File No. 22028, for a sum not to exceed a total of Ninety-five Thousand Dollars and No Cents (\$95,000.00) payable by the City of Oakland to Griselvía Castaneda and Dennis Roberts, Esq., her 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 Ninety-five Thousand Dollars and No Cents (\$95,000.00) be paid to Griselvía Castaneda and Dennis Roberts, Esq., her 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