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December 7, 2004

**HONORABLE CITY COUNCIL**  
Oakland, California

President De La Fuente and Members of the City Council:


**Subject: Tony Goodspeed, Jr. v. City of Oakland.**  
**United States District Court C 02 5827 VW**  
**Our Case File No. 22422 (Oakland Police Department)**

Pursuant to Section 401 of the Charter, the City Attorney recommends settlement of the above-entitled matter arising out of a police detention allegedly involving excess force.. Goodspeed was the subject of a traffic stop near his residence at the corner of 79<sup>th</sup> and Arthur Streets on January 2, 2002. He claims that he was beaten while he was prone and handcuffed, and suffered injuries to his face and teeth.

Due to the risk of an adverse jury verdict, settlement is recommended in the amount of Twenty-Five Thousand Dollars (\$25,000.00), payable to plaintiff Tony Goodspeed, Jr. and John L. Burris, his attorney of record.

The matter was heard in closed session on November 16, 2004.

Respectfully submitted,

  
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Rachel Wagner

OAKLAND CITY COUNCIL

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

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

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RZW/rzw *RZW*

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF TONY GOODSPEED, JR. v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C 02 5827 VW , OUR FILE NO. 22422, A POLICE CONDUCT CASE IN THE AMOUNT OF \$25,000.00 (OAKLAND POLICE DEPARTMENT). MR. GOODSPEED ALLEGES THAT HE WAS HANDCUFFED AND BEATEN ON JANUARY 2, 2002 NEAR 79<sup>th</sup> AND ARTHUR STREETS, IN CONNECTION WITH A TRAFFIC STOP.**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Tony Goodspeed, Jr. v. City of Oakland, et al., City Attorney's File No. 22422, for a sum not to exceed Twenty-Five Thousand Dollars and No Cents (\$25,000.00) made payable to Tony Goodspeed, Jr. and John L. Burris, Esq. his 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 Twenty-Five Thousand Dollars and No Cents (\$25,000.00) be made payable to Tony Goodspeed, Jr. and John L. Burris, Esq., his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**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