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CITY OF OAKLAND



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City Attorney

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July 9, 2019

HONORABLE CITY COUNCIL
Oakland, California

Subject: Susanna Oto & Mary Kate Hallock v. City of Oakland
Case No. RG18895256
City Attorney File No. 32507
**(Parks, Recreation and Youth Development – Employment
Discrimination and Retaliation)**

President Kaplan and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled claim for the sum of Fifty Thousand Dollars and Zero Cents (\$50,000.00), payable to Susanna Oto and of Fifty Thousand Dollars and Zero Cents (\$50,000.00), payable to Mary Kate Hallock.

Ms. Oto and Ms. Hallock sued the City alleging they were fired or constructively terminated in retaliation for reporting potentially illegal activity at an event at a City recreation center and because they are white. The City has determined that settlement in this amount and without any admission of liability or wrongdoing is consistent with the City's position that the City did not discriminate or retaliate against Ms. Oto or Ms. Hallock in any way, and is in the best interest of the City.

The Council authorized settlement of this case in Closed Session on Tuesday, June 18, 2019 (moved by Vice Mayor Larry Reid and seconded by Councilmember Noel Gallo - 7 Ayes, 1 No - Councilmember Lynette Gibson McElhaney).

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

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Approved as to Form and Legality


City Attorney's Office

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SUSANNA OTO & MARY KATE HALLOCK v. THE CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG18895256, IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND NO CENTS (\$50,000.00) TO EACH PLAINTIFF AS A RESULT OF ALLEGED EMPLOYMENT DISCRIMINATION AND RETALIATION. (PARKS, RECREATION, AND YOUTH DEVELOPMENT DEPARTMENT – EMPLOYMENT)

WHEREAS, Ms. Oto and Ms. Hallock sued the City alleging they were fired or constructively terminated in retaliation for reporting potentially illegal activity at an event at a City recreation center and because they are white; and

WHEREAS, Ms. Oto alleges lost wages of approximately \$35,000 to date, and Ms. Hallock asserts lost wages of approximately \$45,000; and

WHEREAS, Ms. Oto and Ms. Hallock filed the lawsuit listed above, seeking damages and attorney's fees; and

WHEREAS, the City of Oakland denies that it has discriminated or retaliated against Susanna Oto in any way; and

WHEREAS, the City of Oakland denies that it has discriminated or retaliated against Mary Kate Hallock in any way; and

WHEREAS, the City of Oakland has determined that settlement in this amount without any admission of liability or wrongdoing is consistent with the City's position that the City did not discriminate or retaliate against Ms. Oto or Ms. Hallock in any way and is in the best interest of the City; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the above-listed lawsuit for Fifty Thousand Dollars and No Cents (\$50,000.00) to Susanna Oto and her counsel, and Fifty Thousand Dollars and No Cents (\$50,000.00) to Mary Kate Hallock and her counsel; and be it

FURTHER RESOLVED: That the City Administrator is authorized and directed to issue settlement payments as negotiated by the City Attorney with Susanna Oto, Mary Kate Hallock, and their counsel; 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.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BAS, GALLO, KALB, GIBSON MCELHANEY, REID, TAYLOR, THAO, AND PRESIDENT KAPLAN,

NOES -

ABSENT -

ABSTENTION -

ATTEST:

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

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