

2024.03.18 11:50:10

APPROVED AS TO FORM AND LEGALITY

Burton J. Parker

CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. 90383 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SANCREASA BLU AND A.A. BY AND THROUGH HER GUARDIAN AD LITEM SANCREASA BLU V. CITY OF OAKLAND, BENJAMIN OLSON, KEITH PEREA, BROOKE NOLETTE, AND DOES 1 THROUGH 100, UNITED STATES DISTRICT COURT, CASE NO. 4:23-cv-01655-AGT, CITY ATTORNEY FILE NO. 35161, FOR THE SUM OF SIXTY THOUSAND DOLLARS AND NO CENTS (\$60,000.00) (OAKLAND POLICE DEPARTMENT – EXCESSIVE FORCE, FALSE ARREST)

WHEREAS, the Oakland Police Department (“OPD”) received a call from a citizen stating that the citizen had located their stolen vehicle near a Popeyes restaurant located at 70th Street and International Boulevard; and

WHEREAS, Plaintiffs Sancreasa Blu and A.A.’s vehicle matched the description of the stolen vehicle; and

WHEREAS, OPD officers effectuated a high-risk traffic stop of Plaintiffs ‘vehicle, conducted pat searches, placed Blu in handcuffs, and placed both Plaintiffs in the back of police vehicles; and

WHEREAS, officers confirmed the vehicle was not stolen and released Plaintiffs without citing them; and

WHEREAS, Plaintiffs allege excessive force and false arrest in violation of the Fourth Amendment, supervisory liability, violation of the Bane Act, and claims for assault, false imprisonment, and negligence; and

WHEREAS, Plaintiffs filed Sancreasa Blu, et al. v. City of Oakland, et al., United States District Court, Case No. 4:23-cv-01655-AGT; and

WHEREAS, the City has considered all the evidence, litigation costs, and litigation risks in this case; and

WHEREAS, the City has determined that it is in the City's best interest to settle this lawsuit without admitting liability or wrongdoing and to avoid further litigation; and

WHEREAS, the parties and their legal counsel have negotiated a fair and reasonable settlement of these claims; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Sancreasa Blu, et al. v. City of Oakland, et al., United States District Court, Case No. 4:23-cv-01655-AGT, City Attorney File No. 35161 for the sum of Sixty Thousand Dollars and Zero Cents (\$60,000.00), payable to Plaintiffs and their attorneys; and be it

FURTHER RESOLVED: that the City Attorney is authorized and directed to take whatever steps that may be necessary to effect said settlement.

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 30 2024

PASSED BY THE FOLLOWING VOTE:

AYES - ~~FIFE~~, GALLO, JENKINS, KALB, KAPLAN, RAMACHANDRAN, ~~REID~~, AND
PRESIDENT FORTUNATO BAS - 6

NOES - 0

ABSENT - 0

ABSTENTION - 0

2 Excused - Fife & Reid

ATTEST:



ASHA REED

City Clerk and Clerk of the Council of the
City of Oakland, Califor