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Oakland City Attorney's Office

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OFFICE OF THE CITY CLERK
OAKLAND

08 JUN -4 PM 3:35

OAKLAND CITY COUNCIL

RESOLUTION No. 81369 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF FRED MESTAS AND KEVIN JOHNSON V. CITY OF OAKLAND, ET AL., CALIFORNIA COURT OF APPEAL CASE NO. A120153, IN THE AMOUNT OF \$6,000.00 (OAKLAND POLICE DEPARTMENT)

WHEREAS, on November 30, 2006, Fred Mestas and Kevin Johnson filed a lawsuit alleging that claiming that the City deprived them of counsel during an Internal Affairs interview in violation of the Public Safety Officer Bill of Rights Act (California Government Code section 3300, et seq.); and

WHEREAS, Fred Mestas and Kevin Johnson have agreed to accept the amount of Six Thousand Dollars and No Cents (\$6,000.00), subject to approval of the Oakland City Council, as full settlement of their claims against the City in this referenced action; it is hereby

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Fred Mestas and Kevin Johnson v. City of Oakland, et al., California Court of Appeal Case No. A120153, City Attorney's File No. X02962 for a sum not to exceed a total amount of Six Thousand Dollars and No Cents (\$6,000.00).

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps as may be necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Six Thousand Dollars and No Cents (\$6,000.00) be paid to Fred Mestas and Kevin Johnson and Harry S. Stern, their attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, JUN 17 2008

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, and
PRESIDENT DE LA FUENTE - 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: *[Signature]*
LATONDA SIMMONS
City Clerk and Clerk of the Council
of the City of Oakland, California

DATE OF ATTESTATION: _____