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Office of the City Attorney
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City Attorney

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February 17, 2009

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Jane Roe v. City of Oakland and Richard Valerga*
U.S. Northern District Court Action No. C 08-04228 CW
Our Matter No. X03235 (Police Department –
Civil Rights/Sexual Assault)

President Brunner and Members of the City Council:

Pursuant to §401 of the Charter, and the action of the Council at its February 3, 2009 closed session, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action in the total sum of One Hundred Ten Thousand Dollars and No Cents (\$110,000.00), payable to James B. Chanin Attorney Trust Account.

Plaintiff Jane Roe alleges that, on March 19, 2005, former police officer Richard A. Valerga, using his authority as an Oakland Police officer, forced her to submit to an unwarranted traffic stop, forced her to sit in his police car and then physically touched her. The plaintiff is the latest of nineteen (19) women who have sued claiming Valerga assaulted them while he was on duty. As with the previously settled cases, settlement of this case is recommended to avoid the substantial risk of an adverse jury verdict.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "John A. Russo".

JOHN A. RUSSO
City Attorney

Attorneys assigned:
Randolph W. Hall
William E. Simmons

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 FEB -2 PM 3:17

Approved as to Form and Legality


Office of the City Attorney

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

WES

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO SETTLE THE CASE OF JANE ROE V. CITY OF OAKLAND AND RICHARD VALERGA, U.S. DISTRICT COURT ACTION NO. C08-04228 CW, OUR FILE NO. X03235, IN THE AMOUNT OF \$110,000.00. THIS CASE INVOLVES ALLEGED CIVIL RIGHTS VIOLATIONS (POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to settle the case of Jane Roe v. City of Oakland and Richard Valerga, U.S. Northern District Court Action No. C08-04228 CW, Our File No. X03235 (POLICE DEPARTMENT), for the sum of One Hundred Ten Thousand Dollars (\$110,000,000).

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

FURTHER RESOLVED: That the sum of One Hundred Ten Thousand Dollars (\$110,000,000) be paid to the James B. Chanin Attorney Trust Account.

In Council, Oakland, California.

PASSED BY THE FOLLOWING VOTE:

AYES: BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID and
PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION-

ATTEST:

LATONDA SIMMONS
CITY CLERK AND CLERK OF THE COUNCIL
OF THE CITY OF OAKLAND, CALIFORNIA