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CITY OF OAKLAND



10 MAY -6 PM 3:51

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney
John A. Russo
City Attorney

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May 18, 2010

HONORABLE CITY COUNCIL
Oakland, California

Subject: Michael Foster v. City of Oakland.
United States District Court Case No. CV08-1944 EDL
Our File No. 26293

President Brunner and Members of the City Council:

Pursuant to §401 of the Charter, the City Attorney has prepared a resolution and requests your approval of same, authorizing compromise and settlement of the above-entitled action in the total sum of \$40,000, payable to plaintiff Michael Foster and his attorney of record, A. Cabral Bonner.

The action claims that the Office of Parks and Recreation failed to accommodate former employee Michael Foster's disability in violation of California's Fair Employment and Housing Act and the Americans with Disability Act. This matter was presented in Closed Session on May 4, 2010.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

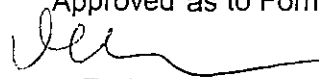
Attorney Assigned:
Vicki Laden

654369

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2010 MAY -6 PM 5:10

Approved as to Form and Legality



Oakland 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 MICHAEL FOSTER v. CITY OF OAKLAND, UNITED STATES DISTRICT COURT CASE NO. CV08-1944EDL, OUR FILE NO. 26293, IN THE AMOUNT OF \$40,000.00 (OFFICE OF PARKS AND RECREATION)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Michael Foster v. City of Oakland, United States District Case No. CV08-1944 EDL, City Attorney's File No. 26293, for a sum not to exceed a total amount of Forty Thousand Dollars and No Cents (\$40,000.00), payable to Michael Foster and A. Cabral Bonner, plaintiff's attorney of record.

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

FURTHER RESOLVED: That the sum of Forty Thousand Dollars and No Cents (\$40,000.00) be paid to Michael Foster and A. Cabral Bonner, plaintiff's attorney of record.

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