

CITY OF OAKLAND



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July 18, 2023

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Timothy Michael Ryan v. City of Oakland, Roland Holmgren, and Patrick Gonzales*
United States District Court Case No. 4:22-cv-00521 DMR
City Attorney File No. X05376
(Oakland Police Department – Excessive Force)

President Fortunato Bas 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 lawsuit of Plaintiff Timothy Michael Ryan (“Ryan”) in the above-entitled lawsuit for the sum of Four Hundred Thousand Dollars and No Cents (\$400,000.00).

On June 1, 2020 Ryan, a KCBS Radio news reporter, attended demonstrations in downtown Oakland which followed the murder of George Floyd. At 8th Street and Broadway at approximately 7:40 p.m., Oakland Police Department officers (“OPD”) and Alameda County Sheriff’s Office deputies deployed a large amount of tear gas. Ryan ran into the street to escape the tear gas, rolled Ryan’s right ankle, and suffered a fracture in the right foot and two torn ankle ligaments. OPD later acknowledged this use of tear gas was excessive.

Without admitting liability, the City has determined to compromise Ryan’s lawsuit in the amount of Four Hundred Thousand Dollars and No Cents (\$400,000.00). This amount includes satisfaction of Ryan’s employer’s workers’ compensation lien, and Ryan’s claimed damages, attorneys’ fees, and costs.

The City Council authorized settlement of this case in Closed Session on Thursday, June 21, 2023 (moved by Councilmember Noel Gallo and seconded by Councilmember Dan Kalb - 6 Ayes, 2 Absent – Councilmember Kevin Jenkins and Councilmember Janini Ramachandran).

Respectfully submitted,

A handwritten signature in black ink that reads "Barbara J. Parker".

BARBARA J. PARKER
City Attorney

Assigned Attorney:
Kevin P. McLaughlin