

CITY OF OAKLAND



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October 21, 2025

HONORABLE CITY COUNCIL
Oakland, California

Subject: Emilio Castellanos and Dinah Castellanos v. City of Oakland, Eric McGinity and DOES 1-50
Case No. 23CV055346
City Attorney File No. 35252
(Oakland Police Department – Negligence/Vicarious Liability)

President Jenkins 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 above-entitled lawsuit for the sum of Three Hundred Fifty-Five Thousand Dollars and No Cents (\$355,000.00).

Emilio Castellanos and Dinah Castellanos allege that on December 5, 2021, they were involved in a motor vehicle accident involving Police Officer Eric McGinity at the intersection of Foothill Blvd approaching 68th Avenue in Oakland. They allege that Officer McGinity negligently drove into the intersection on a red light and collided with Castellanos' vehicle. Emilio Castellanos and Dinah Castellanos allege that Officer McGinity was negligent and that the City of Oakland is liable because the accident occurred while the officer was in the course and scope of employment.

Emilio and Dinah Castellanos allege that they suffered injuries in the accident, including physical injuries, lost wages, and general damages. Emilio Castellanos alleges he underwent surgery for broken hand and finger bones, requiring the placement of hardware. Dinah Castellanos alleges injuries including back, neck, and shoulder sprains and Post-Traumatic Stress Disorder.

The City has determined that settlement in the amount of Three Hundred Fifty-Five Thousand Dollars and No Cents (\$355,000.00) without admitting liability and to avoid further litigation, is in the best interest of the City.

The City Council authorized settlement of this case in Closed Session on Thursday, October 9, 2025 (moved by Council President Kevin Jenkins and seconded by Councilmember Noel Gallo - 5 Ayes, 3 Excused – Councilmembers Rowena Brown, Ken Houston, and Janani Ramachandran).

Respectfully submitted,


RYAN RICHARDSON
City Attorney

Assigned Attorney:
Lorena Matei

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