

FILED
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OAKLAND
2008 JUL -2 PM 3:32

Approved as to Form and Legality

RWH
Office of the City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. 81454 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JANEITH GLENN-DAVIS V. CITY OF OAKLAND, UNITED STATES DISTRICT COURT NO. C02-02257 SI IN THE AMOUNT OF \$1,281,593.83 (OAKLAND POLICE DEPARTMENT). PLAINTIFF OBTAINED A JURY VERDICT IN 2006, LATER REDUCED BY COURT ORDER, IN THE LAWSUIT ALLEGING UNLAWFUL DISCRIMINATION ON THE BASIS OF GENDER AND PREGNANCY WHEN THE CITY DID NOT PROMOTE PLAINTIFF TO THE RANK OF CAPTAIN OF POLICE.

WHEREAS: Janeith Glenn-Davis claimed discrimination based on gender and pregnancy under federal and state law, and an adverse jury verdict was entered in February 2006,

WHEREAS: Settlement is recommended as a compromise of this matter and to avoid further post-judgment motions, appellate costs, and attorneys' fees.

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Glenn-Davis v. City of Oakland, United States District Court No. C02-02257 SI, City Attorney's File No. X01528, for a sum of One Million Two Hundred Eighty-One Thousand, Five Hundred Ninety-Three Dollars and 83 Cents (\$1,281,593.83), payable by the City of Oakland; and be it

FURTHER RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Glenn-Davis v. City of Oakland, United States District Court No. C02-02257 SI, City Attorney's File No. X01528, in the following payments: (1) a sum of Six Hundred Eighty One Thousand, Five Hundred Ninety-Three Dollars and 83 Cents (\$681,593.83), to be paid to Janeith Glenn-Davis in full payment of the judgment and interest thereon, and (2) a sum of negotiated attorneys' fees and costs as follows: payments of \$445,000 to the Scott Law Firm and \$155,000 to the Law Offices of John Burris, attorneys of record; and be it

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

IN COUNCIL, OAKLAND, CALIFORNIA, JUL 15 2008

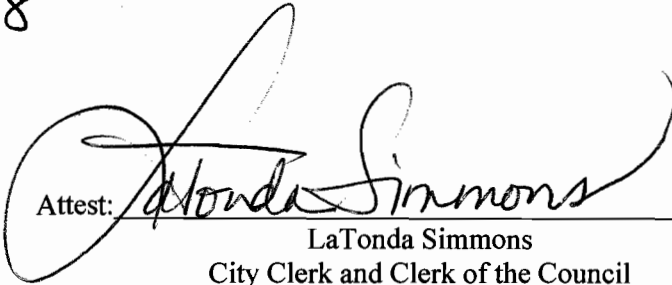
PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- 0

ABSTENTION- 0

Attest:  _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

Date of Attestation: _____