

Barbara J. Parker

CITY ATTORNEY'S OFFICE

2023 JUL -6 PM 7:45
FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL

RESOLUTION NO. 89816 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF 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 FOR THE SUM OF FOUR HUNDRED THOUSAND DOLLARS AND NO CENTS (\$400,000.00) (OAKLAND POLICE DEPARTMENT – EXCESSIVE FORCE)

WHEREAS, on June 1, 2020 Plaintiff Timothy Michael Ryan (“Ryan”), a KCBS Radio news reporter, attended demonstrations in downtown Oakland which followed the murder of George Floyd; and

WHEREAS, Ryan claims Ryan suffered a right foot fracture and two torn ankle ligaments while running from tear gas deployed in the area of 8th Street and Broadway; and

WHEREAS, Ryan claims this use of tear gas by OPD officers violated Ryan’s rights under the First and Fourth Amendments; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise the 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; now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the lawsuit of Plaintiff Timothy Michael Ryan in the amount of Four Hundred Thousand Dollars and No Cents (\$400,000.00); 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,

PASSED BY THE FOLLOWING VOTE: JUL 18 2023

AYES - FIFE, GALLO, ~~RAMACHANDRAN~~, KALB, KAPLAN, RAMACHANDRAN, REID, AND PRESIDENT FORTUNATO BAS -7

NOES 0

ABSENT 0

ABSTENTION 0

7- Excused- Jenkins

ATTEST:

Asha Reed

ASHA REED

City Clerk and Clerk of the Council of the City of Oakland, California