

14 DEC 23 AM 11:19

CITY OF OAKLAND



ONE FRANK H. OGAWA PLAZA • 6<sup>TH</sup> FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
Barbara Parker  
City Attorney

(510) 238-3601  
FAX: (510) 238-6500  
TDD: (510) 839-6451

January 6, 2015

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Mohammed Harun Aarsalai, et al. v. City of Oakland, et al.  
Alameda County Superior Court No. RG11565214  
City Attorney File No. 28044  
(Oakland Police Department – Battery)**

President 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 claim for the sum of Forty Thousand Dollars and No Cents (\$40,000.00), payable to Ben Rosenfeld Attorney-Client Trust Account.

This action arises out of the alleged battery of plaintiffs Timothy Simons, Kristen Snelling and Amber Thomas by Oakland Police Department officers during a protest on the freeway on March 4, 2010.

The Council authorized settlement of this case in Closed Session on Tuesday, January 6, 2015.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Barbara J. Parker'.

BARBARA J. PARKER  
City Attorney

*[Signature]*  
City Attorney's Office

14 DEC 23 AM 11:19

# OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF MOHAMMED HARUN ARSALAI, ET AL. v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG11545214, CITY ATTORNEY'S FILE NO. 28044 IN THE AMOUNT OF FORTY THOUSAND DOLLARS (\$40,000.00) (OAKLAND POLICE DEPARTMENT - BATTERY/NEGLIGENCE)**

**WHEREAS**, Plaintiffs Timothy Simons, Kristen Snelling and Amber Thomas allege they were subjected to the use of excessive force by Oakland Police Department officers on March 4, 2010; and

**WHEREAS**, Plaintiffs Timothy Simons, Kristen Snelling and Amber Thomas filed the above-referenced action to recover monetary damages for their injuries; and

**WHEREAS**, The City Council has determined to compromise and settle Plaintiff Timothy Simons, Kristen Snelling and Amber Thomas' claims against it for the sum of Forty Thousand Dollars and No Cents (\$40,000.00); now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Mohammed Harun Arsalai., et al. v. City of Oakland, et al., Alameda County Superior Court Case No. RG11565214 for a sum not to exceed Forty Thousand Dollars and No Cents (\$40,000.00) payable by the City of Oakland; and be it

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

**FURTHER RESOLVED:** That the sum of Forty Thousand Dollars and No Cents (\$40,000.00) be paid to Ben Rosenfeld Attorney-Client Trust Account.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

- AYES -
- NOES -
- ABSENT -
- ABSTENTION -

ATTEST: \_\_\_\_\_

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