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CITY OF OAKLAND



2010 JUL 15 PM 4:48

ONE FRANK H. OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
John A. Russo  
City Attorney

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July 20, 2010

**HONORABLE CITY COUNCIL**  
Oakland, California

President Jane Brunner and Members of the City Council:

**Subject: Reginald Oliver, et al. v. City of Oakland, et al.,  
Harold Jackson, et al. v. City of Oakland, et al.  
United States District Court Nos. C08-04914 TEH  
City Attorney File No's.: X03258, X03264 (OPD)**

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends adoption of a resolution authorizing compromise and settlement of the above-captioned actions in the sum of Two Million Dollars (\$2,000,000), to the attorney trust account of the Law Offices of John L. Burris.

The plaintiffs claim that their civil rights were violated when search warrants were issued based upon false affidavits submitted by Oakland police officers. The settlement covers the plaintiffs' damage claims.

The above settlement is recommended to avoid the risk of an adverse verdict should the matter proceed to trial.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'John A. Russo', written in a cursive style.

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Stephen Rowell

669419

OAKLAND CITY COUNCIL

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RESOLUTION NO. \_\_\_\_\_ C.M.S. 2010 JUL 15 PM 4:49

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**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASES OF REGINALD OLIVER, et. al. v. CITY OF OAKLAND et al., and HAROLD JACKSON et. al. v. CITY OF OAKLAND, et al., UNITED STATES DISTRICT COURT CASE NO.. C08-04914 THE, OUR FILE NOS. X03258 AND X03264, CASE ALLEGING VIOLATIONS OF CIVIL RIGHTS IN THE AMOUNT OF \$2,000,000. (POLICE SERVICES AGENCY)**

**WHEREAS:** Plaintiffs allege that their civil rights were violated by the issuance of search warrants based upon false affidavits prepared by Oakland police officers;

**WHEREAS:** Settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the cases of Reginald Oliver, et al., and Harold Jackson, et al., City Attorney's File No. s X03258 and X03264, for a sum not to exceed a total of Two Million Dollars (\$2,000,000) payable to the attorney trust account of the Law Offices of John L. Burris.

**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 Two Million Dollars (\$2,000,000.00) be paid to the attorney trust account of the Law Offices of John L. Burris.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_.

**PASSED BY THE FOLLOWING VOTE:**

AYES – BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND PRESIDENT BRUNNER,

NOES –  
ABSENT –  
ABSTENTION -

Attest: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
Of the City of Oakland, California

Date of Attestation: \_\_\_\_\_