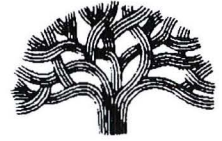


FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

15 OCT -8 AM 1:31

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

October 20, 2015

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Joshua Daniels v. City of Oakland, et al.**  
**Case No. 3:14-cv-03088**  
City Attorney File No. 29913, (Oakland Public Works –Personal Injury)

President Gibson McElhaney 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 Two Hundred Five Thousand Dollars and No Cents (\$205,000.00), payable to Nina Joshua Daniels.

This action arises out of Mr. Daniels's injuries which he alleges that he sustained due to the acts or omissions of City employees.

The Council authorized settlement of this case in Closed Session on Tuesday, October 6, 2015 (moved by Councilmember Noel Gallo and seconded by Councilmember Rebecca Kaplan - 5 Ayes, 1 Noe – Councilmember Brooks, 1 Absent – President Gibson McElhaney and 1 Abstention – Councilmember Guillen.

Respectfully Submitted,

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

BARBARA J. PARKER  
City Attorney

A small, stylized handwritten mark or flourish, possibly a lowercase 'f' or a similar character.

15 OCT -8 AM 1:31

# OAKLAND CITY COUNCIL

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

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JOSHUA DANIELS v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA CASE NO. 3:14-CV-03088, CITY ATTORNEY'S FILE NO. 29913, IN THE AMOUNT OF TWO HUNDRED FIVE THOUSAND DOLLARS AND NO CENTS (\$205,000.00) (OAKLAND PUBLIC WORKS—PERSONAL INJURY)**

**WHEREAS**, Joshua Daniels alleges that he incurred damages as a result of the acts or omissions of City employees; and

**WHEREAS**, Joshua Daniels, filed a personal-injury lawsuit against the City; and

**WHEREAS**, without admitting fault or wrongdoing, the City has determined to compromise and settle Joshua Daniels's claims against it for the sum of Two Hundred Five Thousand Dollars and No Cents (\$205,000.00) payable by the City of Oakland; now, therefore, be it

**RESOLVED:** That the City of Oakland is authorized and directed to compromise and settle the case of Joshua Daniels v. City of Oakland, et al., United States District Court, Northern District of California Case No. 3:14-cv-03088, City Attorney's File No. 29913, for a sum not to exceed Two Hundred Five Thousand Dollars and No Cents (\$205,000.00); and be it

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

**FURTHER RESOLVED:** That the sum of Two Hundred Five Thousand Dollars and No Cents (\$205,000.00) be paid to Joshua Daniels.

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