

FILED
OFFICE OF THE CITY CLERK
OAKLAND

M. Dea
City Attorney's Office

19 MAY -9 PM 3:37

OAKLAND CITY COUNCIL

RESOLUTION NO. 87631 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF SUSAN JEFFRIES AND GEORGE FITZGERALD v. CITY OF OAKLAND, ET AL, U.S. DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, CASE NO. 18-CV-04498-KAW, IN THE AMOUNT OF FORTY THOUSAND DOLLARS AND NO CENTS (\$40,000.00) (PARKS AND RECREATION – AMERICAN’S WITH DISABILITIES ACT VIOLATION)

WHEREAS, This action arises from an incident on August 11, 2017, wherein Plaintiffs Susan Jeffries and George Fitzgerald filed this lawsuit against the City, alleging violations of the American with Disabilities Act (“ADA”). Plaintiffs, who are hearing impaired, allege that they were not provided equal access to programs at the Woodminster Amphitheatre; and

WHEREAS, U.S. District Court, Northern District of California, Case No. 18-CV-04498-KAW was filed against the City of Oakland alleging violations of the American with Disabilities Act (“ADA”); and

WHEREAS, in order to avoid the risk of an adverse jury verdict under the circumstances; now therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Susan Jeffries and George Fitzgerald v. City of Oakland, Case No. 18-CV-04498-KAW, City Attorney’s File No. 32553, for the sum of Forty Thousand Dollars and No Cents (\$40,000.00); 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:

MAY 21 2019

AYES: BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN AND PRESIDENT REID *—8*

NOES: *0*

ABSENT: *0*

ABSTENTION: *0*

ATTEST:



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