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

Office of the City Attorney  
John A. Russo  
City Attorney

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

July 21, 2009

**HONORABLE CITY COUNCIL**  
Oakland, California

**Re: Estate of "Jody" Mack Miller Woodfox, et al. v. City of Oakland, et. al.**  
**United States District Court No. 08-04148 WHA**  
**Our File No. 26717**

President Brunner and Members of the City Council:

Pursuant to §401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action in the total amount of Six Hundred Fifty Thousand Dollars (\$650,000.00) to resolve the distributed as follows: distributed as follows: One Hundred Fifty Thousand Dollars (\$162,500.00) to Janice Collins and the Law Offices of John L. Burris; One Hundred Fifty Thousand Dollars (\$162,500.00) to Shamila Smart, g.a.l. for JaBreon Park and the Law Offices of John L. Burris; One Hundred Fifty Thousand Dollars (\$162,500.00) to Aisha Nalls Coleman, g.a.l. for John Woodfox and the Law Offices of John L. Burris; and One Hundred Fifty Thousand Dollars (\$162,500.00) to Karina Sanders, g.a.l. for Mack Woodfox and the Law Offices of John L. Burris to settle the claims in this lawsuit.

This suit stems from the fatal shooting of "Jody" Mack Miller Woodfox by an Oakland police officer on July 25, 2008.

This settlement is recommended as a compromise of this matter and to avoid a potentially adverse jury verdict and is within the authority extended by the City Council during the July 7, 2009 closed session

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John A. Russo".

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Stephen Q. Rowell

RWH

OAKLAND CITY COUNCIL

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND

RESOLUTION NO. \_\_\_\_\_ C.M.S.

09 JUL -9 PM 3:31

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO SETTLE THE CASE OF ESTATE OF "JODY" MACK MILLER WOODFOX, ET AL. V. THE CITY OF OAKLAND, ET AL., U.S. DISTRICT COURT ACTION NO. C 08-04148 WHA, OUR FILE NO. 26717, IN THE AMOUNT OF SIX HUNDRED FIFTY THOUSAND (\$650,000.00). THIS CASE INVOLVES ALLEGED USE OF EXCESS POLICE FORCE. (PSA)**

**WHEREAS:** Janice Collins, JaBreon Park, John Woodfox and Mack Woodfox claim that "Jody" Mack Miller Woodfox died as the result of excess police force;

**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 settle the case of Estate of "Jody" Mack Miller Woodfox et. a. v. The City of Oakland, et al., United States District Court Action No. C 08-04148 WHA, in the in the total amount of Six Hundred Fifty Thousand Dollars (\$650,000.00) to resolve case to be distributed as follows: One Hundred Fifty Thousand Dollars (\$162,500.00) to Janice Collins and the Law Offices of John L. Burris; One Hundred Fifty Thousand Dollars (\$162,500.00) to Shamila Smart, g.a.l. for JaBreon Park and the Law Offices of John L. Burris; One Hundred Fifty Thousand Dollars (\$162,500.00) to Aisha Nalls Coleman, g.a.l. for John Woodfox and the Law Offices of John L. Burris; and One Hundred Fifty Thousand Dollars (\$162,500.00) to Karina Sanders, g.a.l. for Mack Woodfox and the Law Offices of John L. Burris.

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

**FURTHER RESOLVED:** That in the total amount of Six Hundred Fifty Thousand Dollars (\$650,000) to resolve this case to be distributed as follows: One Hundred Fifty Thousand Dollars (\$162,500.00) to Janice Collins and the Law Offices of John L. Burris; One Hundred Fifty Thousand Dollars (\$162,500.00) to Shamila Smart, g.a.l. for JaBreon Park and the Law Offices of John L. Burris; One Hundred Fifty Thousand Dollars (\$162,500.00) to Aisha Nalls Coleman, g.a.l. for John Woodfox and the Law Offices of John L. Burris; and One Hundred Fifty Thousand Dollars (\$162,500.00) to Karina Sanders, g.a.l. for Mack Woodfox and the Law Offices of John L. Burris to settle the claims in this lawsuit.

IN COUNCIL, OAKLAND, CALIFORNIA.

**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