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Office of the City Attorney
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City Attorney

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June 1, 2004

HONORABLE CITY COUNCIL
Oakland, California

Subject: *Lolinh Saelee v. City of Oakland, et al*
United States District Court Case No. C 03-3342 WHA
Our File No. 23202 – Oakland Police Department –
Police Conduct – Excessive Force

Dear President De La Fuente and Members of the City Council:

Pursuant to Section 401 of the Charter, the City Attorney has prepared and recommends adoption of a resolution authorizing settlement of the above-entitled matter arising from an incident on January 24, 2003, in which an OPD officer injured plaintiff while plaintiff was being arrested in the 2400 block of 25th Avenue, Oakland. This matter was approved by the Council at the May 18, 2004 closed session.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Nine Thousand Five Hundred Dollars and No Cents (\$9,500), to be made payable to Lolinh Saelee and Diana T. Frappier Esq., his attorney.

Respectfully submitted,

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

JOHN A. RUSSO
City Attorney

Attorney Assigned:
Peter Hallifax

322346

10.9CC
ORA/COUNCIL
JUN 1 2004

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.



PH/aah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LOLINH SAELEE v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C-03-3342 WHA, OUR FILE NO. 23202, IN THE AMOUNT OF \$9,500.00. (OAKLAND POLICE DEPARTMENT – CIVIL RIGHTS VIOLATION)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Lolinh Saelee v. City of Oakland, et al., United States District Court Case No. C 03-3342 WHA, City Attorney's File No. 23202, for a sum not to exceed a total of Nine Thousand Dollars Five Hundred and No Cents (\$9,500.00) payable by the City of Oakland to Lolinh Saelee and Diana T. Frappier, Esq., his attorney of record.

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 Nine Thousand Five Hundred Dollars and No Cents (\$9,500.00) be paid to Lolinh Saelee and Diana T. Frappier, Esq., her attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN AND PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

322365

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OAKLAND CITY COUNCIL
JUN 1 2004