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CITY OF OAKLAND



2006 MAR 22 PM 12:28

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Office of the City Attorney  
John A. Russo  
City Attorney

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April 4, 2006

**HONORABLE CITY COUNCIL**  
Oakland, California

**Subject: *Lynart Collins v. City of Oakland, et al***  
**United States District Court Case No. C-05-00672 WHA**  
**Our File No. 24310 – Oakland Police Department**

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 settlement of the above-entitled matter arising from an incident on April 1, 2004, in which plaintiff was shot by an Oakland police officer during his arrest. This matter was presented to council in closed session on March 21, 2006.

Due to the risk of an adverse jury verdict under the circumstances, settlement is recommended in the amount of Fifteen Thousand Dollars and No Cents (\$15,000.00). The settlement will be paid in two separate amounts. The first will be a payment for costs of \$9,500.00, payable to Wayne Johnson, Esq. The second will be a payment of \$5,500.00, payable to Lynart Collins and Wayne Johnson, Esq., his attorney.

Respectfully submitted,

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

JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
Charles E. Vose

367563

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Approved as to Form and Legality  
*Chad*  
Oakland City Attorney's Office

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# OAKLAND CITY COUNCIL

RESOLUTION No. \_\_\_\_\_ C.M.S.

CEV:cr

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF LYNART COLLINS v. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT CASE NO. C-05-00672 WHA, OUR FILE NO. 24310 FOR A TOTAL AMOUNT OF \$15,000.00. THIS CASE INVOLVES THE SHOOTING OF PLAINTIFF BY AN OAKLAND POLICE OFFICER (OAKLAND POLICE DEPARTMENT)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Lynart Collins v. City of Oakland, et al., United States District Court Case No. C-05-00672WHA, City Attorney's File No. 24310, for a sum not to exceed a total amount of Fifteen Thousand Dollars and No Cents (\$15,000.00).

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

**FURTHER RESOLVED:** That the sum of Fifteen Thousand Dollars and No Cents (\$15,000.00) be paid to Lynart Collins and Wayne Johnson, Esq., his attorney. The settlement will be paid in two separate amounts. The first will be a payment for costs of \$9,500.00, payable to Wayne Johnson, Esq. The second will be a payment of \$5,500.00, payable to Lynart Collins and Wayne Johnson, Esq., his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, and  
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: \_\_\_\_\_

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