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CITY OF OAKLAND



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Office of the City Attorney
John A. Russo
City Attorney

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April 6, 2004

HONORABLE CITY COUNCIL
Oakland, California

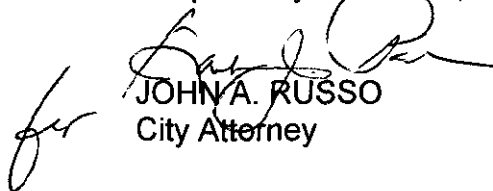
Subject: *Jose Ortiz v. City of Oakland, et al*
Alameda County Superior Court Case No. 2002-045451
Our File No. 21470 – Oakland Police Department –
Police Conduct/Civil Rights Violation

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 March 27, 2001, wherein it is alleged that officers of the Oakland Police Department falsely arrested the plaintiff.

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), to be made payable to Jose Ortiz and Miles Washington, Esq., his attorney of record.

Respectfully submitted,


JOHN A. RUSSO
City Attorney

Attorney Assigned:
James F. Hodgkins
318711

10900
ORA/COUNCIL

APR 06 2004

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.


JFH/aah

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JOSE ORTIZ v. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. 2002-045451, OUR FILE NO. 21470, IN THE AMOUNT OF \$15,000.00. (OAKLAND POLICE DEPARTMENT)

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of Jose Ortiz v. City of Oakland, et al., Alameda County Superior Court Case No. 2002-045451, City Attorney's File No. 21470, for a sum not to exceed a total of Fifteen Thousand Dollars and No Cents (\$15,000.00) payable by the City of Oakland to Jose Ortiz and Miles Washington, 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 Fifteen Thousand Dollars and No Cents (\$15,000.00) be paid to Jose Ortiz and Miles Washington, Esq., his attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2004

PASSED BY THE FOLLOWING VOTE:

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

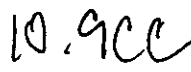
NOES-

ABSENT-

ABSTENTION-

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

318712


ORA/COUNCIL

APR 06 2004