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# OAKLAND CITY COUNCIL

## RESOLUTION NO. 81565 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF *SYLVIA DEWITT V. CITY OF OAKLAND, ET AL.*, ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG07313266, IN THE AMOUNT OF $125,000.00 (OFFICE OF THE FORMER CITY AUDITOR)**

**WHEREAS,** on February 8, 2007, Sylvia DeWitt filed a lawsuit alleging that she was subjected to sexual harassment by former City Auditor Roland Smith and that she also experienced retaliation.

**WHEREAS,** Sylvia DeWitt has agreed to accept the amount of One Hundred Twenty-Five Thousand Dollars ($125,000), in payment from the City, subject to approval of the Oakland City Council, as full settlement of her claims against the City in this referenced action;

**WHEREAS,** former City Auditor Roland Smith will contribute an additional Seventy-Five Thousand Dollars ($75,000) of his personal funds to resolve plaintiff's claims against him, for a global settlement of Two Hundred Thousand Dollars ($200,000); it is hereby

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of *Sylvia DeWitt v. City of Oakland, et al.*, Alameda County Superior Court Case No. RG07313266, City Attorney's File No. X02990, for a sum not to exceed a total amount of One Hundred Twenty-Five Thousand Dollars ($125,000).

**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 One Hundred Twenty-Five Thousand Dollars ($125,000) be paid to Sylvia DeWitt and Jason M. Erlich, Esq., her attorney of record.

IN COUNCIL, OAKLAND, CALIFORNIA, _____OCT 7 2008_____

**PASSED BY THE FOLLOWING VOTE:**

AYES-  BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, and PRESIDENT DE LA FUENTE — 8

NOES- 0

ABSENT- 0

ABSTENTION- 0

ATTEST: _____

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

DATE OF ATTESTATION: _____

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