

OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY CLERK
OAKLAND

RESOLUTION NO. 82313 C.M.S.

2009 SEP 22 PM 4:20

JAR:SGR

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO SETTLE THE CASE OF CHARLES DAVIS, JR. V. THE CITY OF OAKLAND, ET AL., U.S. DISTRICT COURT ACTION NO. C08-04538 JCS, OUR FILE NO. 25878, IN THE AMOUNT OF ONE MILLION TWO HUNDRED THOUSAND (\$1,200,000.00). THIS CASE INVOLVES ALLEGED USE OF EXCESS POLICE FORCE. (PSA)

WHEREAS: Charles Davis Jr. claims that he was injured 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 Charles Davis, Jr. v. The City of Oakland, et al., United States District Court Action No. C08-04538 JCS, in the in the total amount of One Million Two Hundred Thousand Dollars (\$1, 200,000.00) to be paid to Charles Davis, Jr. and his attorney, Richard J. Simons.

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 the total amount of One Million Two Hundred Thousand Dollars (\$1, 200,000.00) to be paid to Charles Davis, Jr. and his attorney, Richard J. Simons to settle the claims in this lawsuit.

IN COUNCIL, OAKLAND, CALIFORNIA.

OCT 6 2009

PASSED BY THE FOLLOWING VOTE:

AYES- ~~BROOKS, DE LA FUENTE~~ KAPLAN, KERNIGHAN, NADEL, QUAN, REID AND PRESIDENT BRUNNER - 6

NOES- De La Fuente - 1

ABSENT- 0

ABSTENTION- 0

Excused- Brooks - 1

Attest: 
LATONDA SIMMONS

CITY CLERK AND CLERK OF THE COUNCIL