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07 NOV 14 PM 2:34

CITY OF OAKLAND



ONE FRANK OGAWA PLAZA • 6TH FLOOR • OAKLAND, CALIFORNIA 94612

Office of the City Attorney  
John Russo  
City Attorney

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December 4, 2007

**HONORABLE CITY COUNCIL**  
Oakland, California


**Subject: Jack Zolowicz; et al. v. City of Oakland; et al.**  
**United States District Court, Northern District of California**  
**Case No. C 06 5915 MJJ**  
**City Attorney File No. 25224 (Police Services)**

President De La Fuente and Members of the City Council:

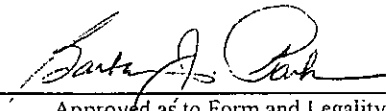
Pursuant to Section 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action for the sum of Three Hundred and Fifty Thousand Dollars and No Cents (\$350,000.00) payable to Plaintiff Jack Zolowicz and James B. Chanin, Esq., his attorney. The City Attorney's office recommends settlement of this matter to avoid the possibility of an adverse jury verdict.

This action involves excessive force and unlawful arrest claims against Oakland police officers arising from an incident near the Oakland Coliseum. This matter was heard in closed session on October 16, 2007.

Respectfully submitted,

  
JOHN A. RUSSO  
City Attorney

Attorney Assigned:  
JENNIFER N. LOGUE

  
Approved as to Form and Legality

FILED  
OFFICE OF THE CITY CLERK  
OAKLAND CITY COUNCIL

2007 NOV 20 PM 12:18  
RESOLUTION No. \_\_\_\_\_ C.M.S.

JNL

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF JACK ZOLOWICZ; ET AL. v. CITY OF OAKLAND; ET AL., UNITED STATES DISTRICT COURT CASE NO. C06-05915 MJJ, IN THE AMOUNT OF \$350,000.00. (POLICE DEPARTMENT - CIVIL RIGHTS VIOLATION, EXCESS FORCE)**

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Jack Zolowicz; et al. v. City of Oakland, et al., City Attorney's File No. 25224, for the sum of Three Hundred and Fifty Thousand Dollars and No Cents (\$350,000.00); and be it

**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 Three Hundred and Fifty Thousand Dollars and No Cents (\$350,000.00) be payable to Plaintiff Jack Zolowicz and James B. Chanin, Esq., his attorney.

IN COUNCIL, OAKLAND, CALIFORNIA, \_\_\_\_\_, 20\_\_\_\_

**PASSED BY THE FOLLOWING VOTE:**

- AYES- BRUNNER, KERNIHGAN, NADEL, REID, QUAN, BROOKS, CHANG and PRESIDENT DE LA FUENTE
- NOES-
- ABSENT-
- ABSTENTION-

ATTEST: \_\_\_\_\_  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California