

JANUARY 18, 2024

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, January 18, 2023*

Litigation Negotiations

NAME OF ACTION:

Julio Rodriguez Lemus v. City of Oakland, Victor Garcia-Parra, Jr. and Does 1-30, inclusive
Alameda County Superior Court Case No. 22CV005194

This matter is listed as **Item No. 1(a)** on the Closed Session Agenda:

The council authorized settlement in the amount of **\$185,000**

This case arose out of incidents occurring on **October 11, 2020**

FACTS/ISSUES:

Plaintiff Julio Rodriguez Lemus (“Lemus”) alleges that on October 20, 2020 they were involved in a vehicle collision with an Oakland Police Department (“OPD”) vehicle at the intersection of 80th Avenue and International Boulevard. Lemus alleges that the officer caused the accident by driving negligently and at an excessive speed. Lemus also alleges that the collision caused them bodily injury including lumbar spine bulging, herniated discs, pain and suffering and anxiety. Lemus seeks damages for past and future medical expenses and pain and suffering. The approved settlement resolves all claims with Lemus in this matter.

The City has determined that settlement in the amount of \$185,000.00, without admitting liability and to avoid further litigation, is in the City’s best interest.

Motion Made by: **Councilmember Jenkins**

Motion Seconded by: **Councilmember Reid**

AYES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas=7

NOES: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =

ABSENT: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =1

ABSTENTIONS: Fife, Gallo, Jenkins, Kalb, Kaplan, Ramachandran, Reid, and President Fortunato Bas =