

CITY OF OAKLAND



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February 6, 2024

HONORABLE CITY COUNCIL  
Oakland, California

**Subject: Julio Rodriguez Lemus v. City of Oakland, Victor Garcia-Parra, Jr., and Does 1-30, inclusive  
Alameda County Superior Court Case No. 22CV005194  
City Attorney File No. 34527  
(Oakland Police Department - Auto Accident)**

President Fortunato Bas 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 lawsuit for the sum of One Hundred Eighty-Five Thousand Dollars and Zero Cents (\$185,000.00), payable to Julio Rodriguez Lemus and their attorneys.

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 80<sup>th</sup> 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.

The City Council authorized settlement of this case in Closed Session on Thursday, January 18, 2024 (moved by Councilmember Kevin Jenkins and seconded by Councilmember Treva Reid - 7 Ayes, 1 Absent – Councilmember Noel Gallo).

Respectfully submitted,

A handwritten signature in blue ink that reads "Barbara J. Parker".

BARBARA J. PARKER  
City Attorney

Assigned Attorney:  
Courtney O’Brien