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CITY OF OAKLAND



13 MAY -8 AM 11:07

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

Office of the City Attorney
Barbara Parker
City Attorney

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May 21, 2013

HONORABLE CITY COUNCIL
Oakland, California

Subject: Vernesta Johnson, et al., v. City of Oakland
United States District Court Case No. C12-01725
City Attorney File No. 28811 (OPD – Civil rights/Wrongful death)

President Kernighan 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 Fifty Thousand Dollars and No Cents (\$50,000.00), payable to plaintiffs Vernesta Johnson and Rubina Munaf, as the Guardian Ad Litem of S.M., and their attorney of record, Law Offices of John L. Burris.

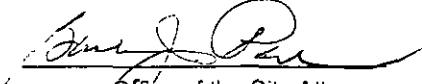
This action arises out of a September 25, 2011 incident in which Arthur Raleigh was fatally shot during a foot chase and physical confrontation with an Oakland Police Officer. Settlement of this matter is recommended to avoid the risk of a more adverse jury verdict. This matter was heard in closed session on May 7, 2013.

Respectfully submitted,


BARBARA PARKER
City Attorney

Attorney assigned:
William E. Simmons

1140854


Office of the City Attorney

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RESOLUTION No. _____ C.M.S.

WES:csc

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF VERNESTA JOHNSON, ET AL. v. CITY OF OAKLAND, UNITED STATES DISTRICT COURT CASE NO. C12-01725 LB, CITY ATTORNEY'S FILE NO. 28811, IN THE AMOUNT OF FIFTY THOUSAND DOLLARS AND NO CENTS (\$50,000.00) (OAKLAND POLICE DEPARTMENT-CIVIL RIGHTS/WRONGFUL DEATH)

WHEREAS, on September 25, 2011 Plaintiff s decedent was fatally shot in a confrontation with an Oakland Police Officer, and

WHEREAS, the Plaintiffs filed the above entitled lawsuit seeking damages for said injuries, and

WHEREAS, the City of Oakland has determined that settlement in this amount, without an admission of liability, is in the best interest of the City; now therefore, be it

RESOLVED: that the City Attorney is authorized and directed to settle the matter of Vernesta Johnson, et al. v. City of Oakland, et.al., United States District Court Case No. C12-01725, City Attorney File No. 28811, for the sum of Fifty Thousand Dollars and No Cents (\$50,000.00) payable to plaintiffs Vernesta Johnson and Rubina Munaf, as the Guardian Ad Litem of S.M., and their attorney of record, Law Offices of John L. Burris.

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 Fifty Thousand Dollars and No Cents (\$50,000.00) be made payable to plaintiffs Vernesta Johnson and Rubina Munaf, as the Guardian Ad Litem of S.M., and their attorney of record, Law Offices of John L. Burris.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES -

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LATONDA SIMMONS
City Clerk and Clerk of the Council