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CITY OF OAKLAND



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City Attorney

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May 20, 2014

HONORABLE CITY COUNCIL
Oakland, California

Subject: Joyce Ogden and her attorney Joseph Jung
City Attorney File No. C29538
(Oakland Police Department - Auto Collision)

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 claim for the sum of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) made payable to Joyce Ogden and her attorney Joseph Jung.

This action arises out of a January 2, 2013 incident in which the City's police vehicle collided with the claimant's vehicle. Settlement of this matter is recommended to avoid the risk of litigation.

The Council authorized settlement of this matter in Closed Session on Tuesday, May 20, 2014, moved by Councilmember Larry Reid and seconded by Councilmember Dan Kalb – 6 Ayes, 2 Absent – Councilmembers Rebecca Kaplan and Noel Gallo.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Barbara J. Parker'.

BARBARA J. PARKER
City Attorney

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Office of the City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CLAIM OF JOYCE OGDEN AND HER ATTORNEY JOSEPH JUNG, CITY ATTORNEY'S CLAIM NO. C29538, IN THE AMOUNT OF SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$7,500.00) (OAKLAND POLICE DEPARTMENT – AUTO COLLISION)

WHEREAS, claimant alleges that on January 2, 2013, a city police vehicle collided with the claimant vehicle traveling on Havenscourt Boulevard; and

WHEREAS, the claimant filed the above entitled claim seeking payment 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 claim of Joyce Ogden and her attorney Joseph Jung, our file C29538, for the sum of Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) payable to Joyce Ogden and her attorney Joseph Jung; 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 Seven Thousand Five Hundred Dollars and No Cents (\$7,500.00) be made payable to Joyce Ogden and her attorney Joseph Jung.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF, AND
PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____

LATONDA SIMMONS
City Clerk and Clerk of the Council of the
City of Oakland, California