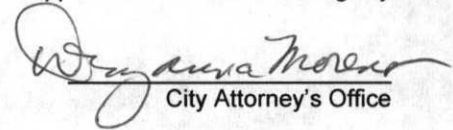


14 SEP 25 PM 2:49

  
City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. 85195 C.M.S.

---

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF DONNA WHITE V. CITY OF OAKLAND, UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA NO. C11-03846 NC, CITY ATTORNEY'S FILE NO. 28414 IN THE AMOUNT OF THREE HUNDRED FORTY-EIGHT THOUSAND DOLLARS (\$348,000.00) (PUBLIC WORKS DEPARTMENT/OFFICE OF PARKS AND RECREATION - AMERICAN DISABILITIES ACT (ADA) ACCESS)**

**WHEREAS**, Plaintiff Donna White alleges she was denied legally compliant disabled access at Woodminster Amphitheater on October 10, 2010 and October 9, 2011; and

**WHEREAS**, Plaintiff Donna White filed the above-referenced action to recover monetary damages and attorneys' fees for denial of legally compliant disabled access to her; and

**WHEREAS**, the City has determined to compromise and settle Plaintiff Donna White's claim against it for the sum of Three Hundred Forty-eight Thousand Dollars and No Cents (\$348,000.00); and

**WHEREAS**, the City has agreed to perform the injunctive relief pursuant to agreement of the parties to improve disabled access to Woodminster Amphitheater; now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Donna White v. City of Oakland, United States District Court, Northern District of California Case No. C11-03846 NC for a sum not to exceed Three Hundred Forty-eight Thousand Dollars and No Cents (\$348,000.00) payable by the City of Oakland, of which sum Twenty-three Thousand Dollars and No Cents (\$23,000.00) constitutes monetary damages, and the remaining Three Hundred Twenty-five Thousand Dollars and No Cents (\$325,000.00) constitutes attorneys' fees; 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 Forty-eight Thousand Dollars and No Cents (\$348,000.00) be paid to Paul Rein in Trust for Donna White.

IN COUNCIL, OAKLAND, CALIFORNIA,

OCT 07 2014

PASSED BY THE FOLLOWING VOTE:

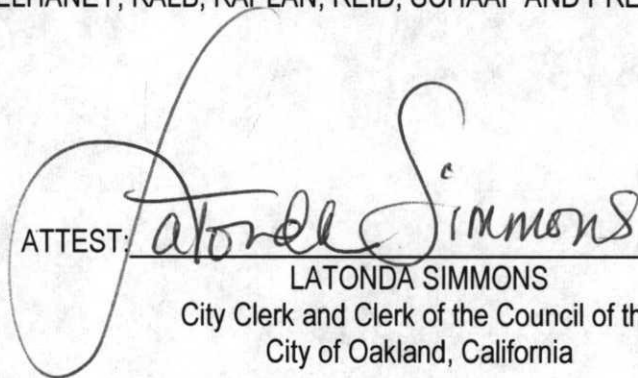
AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF AND PRESIDENT  
KERNIGHAN - 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:

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

1393549