

[Signature]
City Attorney's Office

15 APR 30 PM 3:07

OAKLAND CITY COUNCIL

Resolution No. 85566 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF L.W., A MINOR, BY AND THROUGH HIS GUARDIAN AD LITEM, TROYREAC HENRY V. CITY OF OAKLAND, ET AL., UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA CASE NO. 3:14-CV-01877 LB, CITY ATTORNEY'S FILE NO. 29763 IN THE AMOUNT OF FORTY-FIVE THOUSAND DOLLARS (\$45,000.00) (OAKLAND POLICE DEPARTMENT – EXCESSIVE FORCE)

WHEREAS on the night of April 3, 2013, plaintiff minor L.W., then 16, was detained by OPD officers following a radio report of an armed robbery at 10th and Jefferson Streets, and witness identification that he and his companions were suspects; and

WHEREAS, a detaining officer, mistakenly believing one of the suspects was reaching for a weapon, discharged his firearm, injuring one of the suspects and causing L.W. to fear for his life; and

WHEREAS, L.W., a minor, by and through his guardian ad litem, Troyreac Henry, filed United States District Court Case No.C14-01877 LB against the City of Oakland, et al., alleging emotional distress related to witnessing the shooting of his companion, now, therefore, be it

RESOLVED: That the City Attorney is authorized and directed to compromise and settle the case of L.W., a minor, by and through his guardian ad litem, Troyreac Henry, v. City of Oakland, et al., United States District Court Case No.C14-01877 LB, City Attorney's File No. 29763, for the sum of Forty-Five Thousand Dollars and No Cents (\$45,000.00), with Ten Thousand Dollars and No Cents (\$10,000.00) of said sum to be allocated and used for services for L.W.; and be it

FURTHER RESOLVED: That the City Attorney is further authorized and directed to take whatever steps may be necessary to effect said settlement; and be it

FURTHER RESOLVED: That the sum of Forty-Five Thousand Dollars and No Cents (\$45,000.00) be made payable to the Law Offices of John L. Burris in trust for L.W.

IN COUNCIL, OAKLAND, CALIFORNIA,

MAY 19 2015

PASSED BY THE FOLLOWING VOTE:

AYES - ~~BROOKS~~, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, ~~REID~~ AND
PRESIDENT GIBSON MCELHANEY - 6

NOES - Brooks - 1

ABSENT -

ABSTENTION -

Excused - Reid - 1

ATTEST:

[Signature]
LATONDA SIMMONS

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