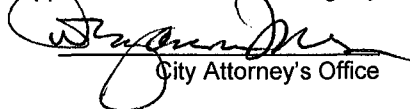


2015 DEC 23 PM 2:46

  
City Attorney's Office

# OAKLAND CITY COUNCIL

Resolution No. 85945 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF STEPHEN TURNER V. CITY OF OAKLAND, ET AL., ALAMEDA COUNTY SUPERIOR COURT CASE NO. RG14745550, CITY ATTORNEY'S FILE NO. 30046 IN THE AMOUNT OF FORTY-FIVE THOUSAND DOLLARS AND NO CENTS (\$45,000.00) (OAKLAND POLICE DEPARTMENT – MOTOR VEHICLE ACCIDENT)**

**WHEREAS**, on February 26, 2014, plaintiff Stephen Turner was driving eastbound on 13<sup>th</sup> Street and entered the intersection at Webster Street on a green light when an Oakland Police Department officer driving a marked police vehicle southbound on Webster Street activated the overhead light rack and entered the intersection at 13<sup>th</sup> Street on a red light, striking plaintiff's vehicle, resulting in injury to plaintiff and damage to his vehicle; and

**WHEREAS**, upon entering the intersection against the red light, the emergency vehicle was required to exercise due care to avoid striking motorists who had the right of way at the intersection; and

**WHEREAS**, Stephen Turner filed Alameda County Superior Court Case No. RG14-745550 against the City of Oakland, et al. seeking compensation for his damages; now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of Stephen Turner v. City of Oakland, et al., Alameda County Superior Court Case No. RG14-745550, City Attorney's File No. 30046, for the sum of Forty-five Thousand Dollars and No Cents (\$45,000.00), 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 paid to Law Office of Theresa A. Baumgartner and Stephen Turner.

IN COUNCIL, OAKLAND, CALIFORNIA,

JAN 05 2016

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GUILLÉN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY — 8

NOES - 0

ABSENT - 0

ABSTENTION - 0

ATTEST:



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