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2016 JAN 21 PM 4:44

CITY OF OAKLAND

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February 2, 2016

HONORABLE CITY COUNCIL Oakland, California

Subject: Ana Biocini, et al. v. City of Oakland, et al.

Case No. 14-03315

City Attorney File No. 29896, (Oakland Police Department)

President Gibson McElhaney 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 Four Hundred Fifty Thousand Dollars and No Cents (\$450,000.00) payable to Plaintiffs Ana Biocini, Rafael Jaramillo, Maria Claudia Jaramillo, Diego Jaramillo, Patricia Jaramillo, Felipe Jaramillo, and Juan Carlos Jaramillo ("Plaintiffs").

This action arises out of the unfortunate death of Plaintiffs' family member during the Oakland Police Department's response to Ana Biocini's 911 call on July 8, 2013.

The Council authorized settlement of this case in Closed Session on Tuesday, January 19, 2016 (moved by Councilmember Rebecca Kaplan and seconded by Councilmember Abel Guillén - 6 Ayes, 1 Absent – Councilmember Larry Reid and 1 Abstention – Councilmember Desley Brooks.

Respectfully submitted,

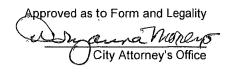
BARBARA J. PARKER

City Attorney

Attorney assigned: David Pereda

OFFICE OF THE CITY CLERK

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OAKLAND CITY COUNCIL

Resolution No.	C.M.S.
RESOLUTION AUTHORIZING AND TO COMPROMISE AND SETTLE THE V. CITY OF OAKLAND, ET AL., UNIT DISTRICT OF CALIFORNIA CASE FILE NO. 29896, IN THE AMOUNTHOUSAND DOLLARS AND NO POLICE DEPARTMENT)	IE CASE OF ANA BIOCINI, ET AL. TED STATES COURT, NORTHERN NO. 14-03315, CITY ATTORNEY'S NT OF FOUR HUNDRED FIFTY
WHEREAS, Ana Biocini, Rafael Jaramillo Patricia Jaramillo, Felipe Jaramillo, and Juan Carincurred damages as a result of the acts or omiss	
WHEREAS, Plaintiffs filed a survival and	wrongful death lawsuit against the City; and
WHEREAS, without admitting fault or wro compromise and settle Plaintiffs' claims against it Thousand Dollars and No Cents (\$450,000.0 therefore, be it	for the sum of Four Hundred Fifty
RESOLVED: That the City of Oakland is settle the case of <i>Ana Biocini</i> , et al. v. City of Oak District of California Case No. 14-03315, City Atto Four Hundred Fifty Thousand Dollars and No Cel	orney's File No. 29896, for a sum not to exceed
FURTHER RESOLVED: That the City At take whatever steps necessary to effect said sett	torney is further authorized and directed to lement; and be it
FURTHER RESOLVED: That the sum of No Cents (\$450,000.00) be paid to Plaintiffs.	Four Hundred Fifty Thousand Dollars and
IN COUNCIL, OAKLAND, CALIFORNIA,	
PASSED BY THE FOLLOWING VOTE:	
AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, G GIBSON MCELHANEY NOES - ABSENT -	GUILLEN, KALB, KAPLAN, REID AND PRESIDENT
ABSTENTION – ATTEST:	
,,,, <u></u> ,,	LATONDA SIMMONIS

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