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OAKLAND

Approved as to Form and Legality


City Attorney's Office

2016 JAN 21 PM 4:40

OAKLAND CITY COUNCIL

Resolution No. 85975 C.M.S.

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF ANA BIOCINI, ET AL. V. CITY OF OAKLAND, ET AL., UNITED STATES COURT, NORTHERN DISTRICT OF CALIFORNIA CASE NO. 14-03315, CITY ATTORNEY'S FILE NO. 29896, IN THE AMOUNT OF FOUR HUNDRED FIFTY THOUSAND DOLLARS AND NO CENTS (\$450,000.00) (OAKLAND POLICE DEPARTMENT)

WHEREAS, Ana Biocini, Rafael Jaramillo, Maria Claudia Jaramillo, Diego Jaramillo, Patricia Jaramillo, Felipe Jaramillo, and Juan Carlos Jaramillo ("Plaintiffs") allege that they incurred damages as a result of the acts or omissions of City employees; and

WHEREAS, Plaintiffs filed a survival and wrongful death lawsuit against the City; and

WHEREAS, without admitting fault or wrongdoing, the City has determined to compromise and settle Plaintiffs' claims against it for the sum of Four Hundred Fifty Thousand Dollars and No Cents (\$450,000.00) payable by the City of Oakland; now, therefore, be it

RESOLVED: That the City of Oakland is authorized and directed to compromise and settle the case of *Ana Biocini, et al. v. City of Oakland, et al.*, United States Court, Northern District of California Case No. 14-03315, City Attorney's File No. 29896, for a sum not to exceed Four Hundred Fifty Thousand Dollars and No Cents (\$450,000.00); and be it

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

FURTHER RESOLVED: That the sum of Four Hundred Fifty Thousand Dollars and No Cents (\$450,000.00) be paid to Plaintiffs.

IN COUNCIL, OAKLAND, CALIFORNIA,

FEB 02 2016

PASSED BY THE FOLLOWING VOTE:

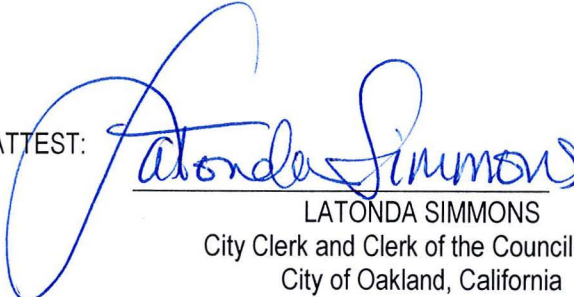
AYES - ~~Brooks~~, CAMPBELL-WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY - 7

NOES - Brooks - 1

ABSENT - 0

ABSTENTION - 0

ATTEST:


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