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*[Signature]*  
City Attorney's Office

18 NOV 29 PM 4: 17

# OAKLAND CITY COUNCIL

RESOLUTION NO. 87450 C.M.S.

**RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF S.P.W. v. CITY OF OAKLAND, ET AL, U.S. DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA CASE NO. C-17-6884-SK, IN THE AMOUNT OF SIXTY THOUSAND AND NO CENTS (\$60,000.00) AS A RESULT OF A CIVIL RIGHTS VIOLATION ON NOVEMBER 16, 2016 (OAKLAND POLICE DEPARTMENT – CIVIL RIGHTS VIOLATION)**

**WHEREAS**, S.P.W. asserts that she sustained injuries requiring medical treatment when Oakland Police Officer Anthony Martinelli allegedly used excessive force on November 16, 2016 near "E" Street in Oakland; and

**WHEREAS**, U.S. District Court for the Northern District of California C-17-6884-SK was filed against the City of Oakland alleging negligence; and

**WHEREAS**, in order to avoid the risk of an adverse jury verdict under the circumstances; now, therefore, be it

**RESOLVED:** That the City Attorney is authorized and directed to compromise and settle the case of S.P.W. v. City of Oakland, C-17-6884-SK, City Attorney's File No. 31959, for the sum of Sixty Thousand Dollars and No Cents (\$60,000.00); 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.

IN COUNCIL, OAKLAND, CALIFORNIA

DEC 11 2018

PASSED BY THE FOLLOWING VOTE:

AYES: ~~ALL~~, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLÉN, KALB, KAPLAN, ~~AND OTHERS~~ - 6

NOES: 0

ABSENT: 1 Rend

ABSTENTION: 0

Excused - 1 Brooks

ATTEST: *[Signature]*  
LATONDA SIMMONS  
City Clerk and Clerk of the Council  
of the City of Oakland, California