



City of Oakland

Office of the City Clerk
Oakland City Hall,
1 Frank H. Ogawa Plaza,
Room 201
Oakland, California 94612

Legislation Text

File #: 003769, **Version:** 1

Subject: Ke'Van Pope

From: City Attorney

Recommendation: Adopt a Resolution authorizing and directing the City Attorney to compromise and settle the case of Ke'Van Pope v. City of Oakland, Alameda County Superior Court, our matter no. 21005, arising out of excess force allegations in the amount of \$195,000.00 (Oakland Police Department)

CITY OF OAKLAND

ONE FRANK H. OGAWA PLAZA . 6TH FLOOR - OAKLAND, CA 94612

Office of the City Attorney (510) 238-3601

John A. Russo FAX: (610) 238-6500

City Attorney TDD: (510) 839-6451

July 15, 2003

HONORABLE CITY COUNCIL

Oakland, California

President De La Fuente and Members of the City Council:

Subject: Ke'Van Pope v. City of Oakland, et al.

Alameda County Superior Court, Unlimited Jurisdiction

Case No. 841719-0

Our Matter No. 21005 (Police Services)

Pursuant to 401 of the Charter, the City Attorney has prepared and requests your approval of a resolution authorizing compromise and settlement of the above-entitled action for the sum of One Hundred Ninety-Five Thousand Dollars (\$195,000.00), payable to Plaintiff Ke'Van Pope and to Robert Henry Blumenthal, his attorney of record.

This lawsuit arises out of allegations of excess force by Oakland Police officers. Mr. Pope sustained a gunshot wound and permanent physical injuries as a result of the incident. Settlement authority in this matter was extended by the Council in a sum not to exceed \$225,000.00

The settlement is recommended to avoid the risk of an adverse verdict at trial and the additional exposure for attorneys' fees should that occur.

Respectfully submitted,

;@JOHN A RUSSO
City Attorney

Attorney Assigned:
James F. Hodgkins Item 0. la ce,

ORA/Council
July 15, 2003

OAKLAND CITY COUNCIL

RESOLUTION No. C. M. S.

JF

RESOLUTION AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO COMPROMISE AND SETTLE THE CASE OF KE'VAN POPE v. CITY OF OAKLAND, ALAMEDA COUNTY SUPERIOR COURT, OUR MATTER NO. 21005, ARISING OUT OF EXCESS FORCE ALLEGATIONS IN THE AMOUNT OF \$195,000.00.
(POLICE SERVICES)

RESOLVED: That the City Attorney is authorized and directed to settle the case of KE'VAN POPE v. CITY OF OAKLAND, et al., City Attorney's File No. 21005, arising out of excess force allegations, for a sum not to exceed a total of One Hundred Ninety-Five Thousand Dollars and No Cents (\$195,000.00).

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 ONE HUNDRED NINETY-FIVE THOUSAND DOLLARS and NO CENTS (\$195,000.00) be paid to KE'VAN POPE and his attorney of record, ROBERT HENRY BLUMENTHAL, ESQ.

IN COUNCIL, OAKLAND, CALIFORNIA, ..., 20__

PASSED BY THE FOLLOWING VOTE:

AYES- BRUNNER, BROOKS, CHANG, DE LA FLIENTE, NADEL, QUAN, REID, and WAN

NOES-

ABSENT-

ABSTENTION-

ATTEST:

CEDA FLOYD

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

item 10. to CC,
ORA/Council
July 15, 2003
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