

APRIL 21, 2022

CLOSED SESSION REPORT OF FINAL ACTION

Date of Meeting: *Thursday, April 21, 2022*

Litigation Negotiations

NAME OF ACTION:

Jorge Gonzalez and Pedro Rivas v. City of Oakland, Oakland Police Department, Daniel Darnell Mullens and DOES 1 - 100
Alameda County Superior Court Case No. RG21091854

This matter is listed as **Item No. 1(f)** on the Closed Session Agenda:

The Council authorized settlement in the amount of **\$ 45,000.00.**

This case arose out of an incident occurring on **March 31, 2020.**

FACTS/ISSUES:

On March 31, 2020, an Oakland Police Department (“OPD”) vehicle driven by OPD Officer Daniel Darnell Mullens collided with a motor vehicle driven by Plaintiff Jorge Gonzalez, with co-Plaintiff Pedro Rivas as a passenger. Plaintiff Gonzalez’s vehicle was stopped on Adeline Street at the intersection of 7th Street awaiting a red light to change. In pursuit of an armed robbery suspect and with lights and sirens activated, Officer Mullens’ vehicle turned from 7th Street onto Adeline Street and struck Plaintiff Gonzalez’s vehicle. Plaintiff Gonzalez alleges, as a result of the collision, injuries, including to the back and neck, lost income, and other damages.

Co-Plaintiff Rivas previously settled all of Plaintiff Rivas’s claims for \$15,000. Settlement with Plaintiff Gonzalez with fully resolve this matter.

Motion Made by: **Councilmember Gallo**

Motion Seconded by: **Vice Mayor Kaplan**

AYES: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas= 8

NOES: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=

ABSENT: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=

ABSTENTIONS: Fife, Gallo, Kalb, Kaplan, Reid, Taylor, Thao and President Fortunato Bas=