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Long Beach, California

C-2

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September 1, 2009

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$45,000 in full settlement of lawsuit entitled *Able Garcia v. City of Long Beach, et al.*, Case No. CV07-2266 DDP

DISCUSSION

On October 30, 2006, Long Beach police officers arrested Plaintiff for a noise disturbance. Plaintiff claims that the police used excessive force in making the arrest and that the police officers searched his home in violation of the Fourth Amendment.

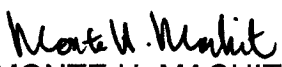
Following settlement discussions with Plaintiff's counsel and a federal mediator, Plaintiff has agreed to settle this matter for \$45,000. The proposed settlement was presented to the Economic Development and Finance Committee on August 4, 2009, and was approved on that date. We therefore ask authority to pay the sum of \$45,000 in full settlement of this lawsuit.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By   
MONTE H. MACHIT  
Principal Deputy

MHM:ivs