



## Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** NORA FRIMANN,  
City Attorney

**SUBJECT: SETTLEMENT OF SANDERLIN,  
ET AL. v. CITY OF SAN JOSE,  
ET AL.**

**DATE:** May 22, 2025

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### **RECOMMENDATION**

Approve the settlement in the case *Derrick Sanderlin, et al. v. City of San José, et al.* in the total amount of \$620,000 to resolve claims brought by the seven plaintiffs with pending claims and authorize the City Attorney to execute settlement agreements with those plaintiffs.

Approve separate settlements in the case *Derrick Sanderlin, et al. v. City of San José, et al.* in the amount of \$500,000 to Plaintiffs Derrick Sanderlin and Cayla Sanderlin, \$40,000 to Plaintiff Vera Clanton, \$20,000 to Plaintiff Breanna Contreras, \$20,000 to Plaintiff Pietro Di donato, \$20,000 to Plaintiff Adira Sharkey, and \$20,000 to Plaintiff Joseph Stukes, and authorize the City Attorney to execute settlement agreements.

### **OUTCOME**

The City's payment of \$620,000 will fully and finally resolve all pending claims in the lawsuit filed on July 23, 2020, entitled *Derrick Sanderlin, et al. v. City of San José*, in the United States District Court for the Northern District of California, case number 20-cv-04824-BLF.

### **BACKGROUND**

On May 29, 2020, San Jose police officers responded to a protest in downtown San Jose, which they declared to be an unlawful assembly after protestors assaulted drivers on the freeway, vandalized property, and threw objects at officers causing injuries to protesters and police officers. The claims in this case arose from police responses to protests on May 29, May 30 and June 2 subsequent to dispersal orders. During the police response to crowd violence, each plaintiff sustained an injury allegedly caused by police officers' use of less lethal projectiles. Plaintiffs alleged that officers' use of projectiles violated their civil rights and caused physical and emotional injuries.

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## **ANALYSIS**

This is a negotiated settlement between the parties to mitigate the risk inherent in litigation. As described above in detail, the City will pay a total sum of \$620,000 in full satisfaction and settlement of all claims by all seven plaintiffs. All plaintiffs will dismiss their entire lawsuit and release all known and unknown claims against the City and all City employees with prejudice. The proposed agreements will conclude the litigation without further cost, expense, or risk of loss to the City and City employees. The parties will bear their own respective attorneys' fees and litigation costs.

## **PUBLIC OUTREACH/INTEREST**

This memorandum and the six Settlement Agreements have been posted on the City's website for the June 3, 2025 agenda.

## **COST SUMMARY/IMPLICATIONS**

The settlements will be paid from the City's claims reserve fund.

## **CEQA**

Not a Project; PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.

By                     /s/                      
NORA FRIMANN  
City Attorney

cc: Jennifer Maguire, City Manager

For questions, please contact NORA FRIMANN, City Attorney, at (408) 535-1900