



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Richard Doyle,  
City Attorney

**SUBJECT:** SETTLEMENT OF RUIZ v. CITY  
OF SAN JOSE

**DATE:** September 21, 2018

## **RECOMMENDATION**

Approve a settlement in the case of *Ruiz v. City of San Jose* in the amount of \$125,000.00, and authorize the City Attorney to execute a Settlement Agreement.

## **OUTCOME**

Settle the lawsuit brought by five plaintiffs with a payment by the City of \$125,000.00, including attorney fees; each side to bear their own costs.

## **BACKGROUND**

In 2014 and 2015, Plaintiffs were each arrested by SJPD pursuant to undercover "sting" or "decoy" operations. In November 2017, Plaintiffs filed the subject complaint alleging that the arrests were discriminatory and without probable cause and seeking class action status.

## **ANALYSIS**

Under the proposed settlement, Plaintiffs (and their attorneys) will receive \$125,000.00. This is a negotiated settlement between the parties to avoid the risks inherent in litigation.

## **PUBLIC OUTREACH/INTEREST**

This memorandum and the Settlement Agreement have been posted on the City's website for the October 2, 2018 agenda.

## **COST SUMMARY/IMPLICATIONS**

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

**CEQA**

Not Applicable. Not a Project; File No. PP10-066(h), Settlement Agreements.

RICHARD DOYLE  
City Attorney

By

  
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CLIFFORD S. GREENBERG  
Sr. Deputy City Attorney

cc: David Sykes, City Manager

For questions, please contact RICHARD DOYLE, City Attorney, at (408) 535-1900