



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: NORA FRIMANN,
City Attorney

SUBJECT: PAREDES v. CITY OF SAN
JOSE, ET. AL. – SETTLEMENT

DATE: March 19, 2025

RECOMMENDATION

Approve a settlement in the case of *Paredes v. City of San Jose, et. al.*, U.S. Dist. Ct., N.D. Cal., case no 5:22-cv-00758, in the amount of \$1,600,000.00 and authorize the City Attorney to execute a Settlement Agreement.

OUTCOME

Settle the lawsuit brought by Plaintiff Anthony Paredes with a payment by the City of \$1,600,000.00, each side to bear their own costs, including attorneys' fees.

BACKGROUND

This lawsuit arises from the use of a police canine to apprehend Plaintiff in response to a reported theft of liquor at a supermarket. The Plaintiff fled into the yards of nearby residences pursued by police officers with a police canine and helicopter surveillance. The Plaintiff was located when the canine alerted on a garbage can where Plaintiff was hiding. When officers tipped over the garbage can, the canine bit and held Plaintiff's throat and did not disengage in response to verbal commands or the e-collar, a device that administers an electric impulse to a dog's neck to modify behavior. The handling officer was unable to disengage his canine from the Plaintiff's throat for approximately 60 seconds. Upon apprehension, officers discovered that Plaintiff was unarmed.

Plaintiff alleged serious injuries to his face, head, and neck as a result of the incident.

ANALYSIS

This is a negotiated settlement between the parties to avoid the risks inherent in litigation. The proposed agreement will conclude the litigation without further cost, expense, or risk of loss to the City or City employees.

PUBLIC OUTREACH/INTEREST

This memorandum and the Settlement Agreement have been posted on the City's website for the March 25, 2025 agenda.

COST SUMMARY/IMPLICATIONS

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

CEQA

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

By /s/ Nora Frimann
NORA FRIMANN
City Attorney

cc: Jennifer Maguire, City Manager

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