



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


CLIFFORD S. GREENBERG
Sr. Deputy City Attorney

cc: David Sykes, City Manager

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