

RESOLUTION NUMBER R- 307422

DATE OF FINAL PASSAGE MAY 16 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE SETTLEMENT BETWEEN
HAROLD KOSAKOFF, ARLENE KOSAKOFF, THE ESTATE
OF ALAN KOSAKOFF, AND THE CITY OF SAN DIEGO

WHEREAS, on October 6, 2008, HAROLD KOSAKOFF, ARLENE KOSAKOFF, and
THE ESTATE OF ALAN KOSAKOFF, filed suit against the City of San Diego [City] alleging
wrongful death and constitutional violations. Plaintiffs brought suit in the United States District
Court. The suit is entitled Harold Kosakoff, et al. v. City of San Diego, et al., Case No.
08cv1819 IEG (NLS) [Litigation]; and

WHEREAS, the City Council in closed session on April 9, 2012, authorized settlement of
the Litigation for an amount consistent with the amounts set forth below and pursuant to such
other terms more fully set forth in the Settlement Agreement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. Authorizing the sum of \$162,400 to be paid from the Public Liability Fund No.
720045, in settlement of each and every claim for damages, interest, costs, and fees of any type,
including attorney fees, against City of San Diego, its agents and employees, arising from the
wrongful death claim of Harold Kosakoff, Arlene Kosakoff and the Estate of Alan Kosakoff,
United States District Court Case No. 08cv1819 IEG (NLS).

2. Authorizing the Chief Financial Officer to appropriate and expend \$162,400 from the
Public Liability Fund, Fund 720045, contingent upon the Chief Financial Officer first furnishing

one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

3. Authorizing the Comptroller to issue a check in the amount of \$162,400 made payable to the Law Offices of Eugene Iredale, Harold Kosakoff and Arlene Kosakoff.

APPROVED: JAN I. GOLDSMITH, City Attorney

By Donald F. Shanahan
Donald F. Shanahan
Chief Deputy City Attorney

DFS:slc
April 23, 2012
Or.Dept:City Atty
R-2012-552

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~MAY 08 2012~~

ELIZABETH S. MALAND
City Clerk

By [Signature]
Deputy City Clerk

Approved: 5.16.12
(date)

[Signature]
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor