RESOLUTION NUMBER R- 284762

ADOPTED ON OCT 11 1994

WHEREAS, in Closed Session on September 13, 1994, the City Council, by the following vote: Yeas, Districts 1, 2, 4, 5, 6, 7, 8; Nays, none; Not Present, District 3; Ineligible, Mayor; authorized the retention of the law firm of Higgs, Fletcher & Mack to represent the City in the defense of litigation in the case, Solar Turbines Incorporated v. Navistar International Transportation Corp., et al. v. City of San Diego, et al., United States District Court Case No. 921612 GT (BTM), and

WHEREAS, the Council authorized the expenditure of funds for that purpose; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego that the City Manager be and he is hereby authorized to retain the law firm of Higgs, Fletcher & Mack as counsel representing the City in the case of Solar Turbines Incorporated v. Navistar International Transportation Corp., et al. v. City of San Diego, et al.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is hereby authorized to set aside and expend an amount not to exceed \$150,000.00 for the purpose

of paying legal fees and costs incurred by counsel in representing The City of San Diego.

APPROVED: John W. Witt, City Attorney

Ву

C. Alan Sumption

Senior Chief Deputy City Attorney

CAS:ds:Lit. 9/14/94 Aud.Cert:

Or.Dept:Atty

R-95-472

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## The City of San Diego CERTIF ATE OF CITY AUDITOR AND CONTROLLER

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