

RESOLUTION NUMBER R-298162

ADOPTED ON JULY 1, 2003

WHEREAS, in Closed Session on July 1, 2003, the City Council, by the following vote:
Yeas, 8, Districts 1 through 7 and Mayor Dick Murphy; Nays, 0; and District 8 absent, and
approved the following; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Manager be
and he is hereby authorized and empowered to pay the sum of \$18,638.72 in the settlement of
each and every claim against the City of San Diego, its agents and employees, in Ninth Circuit
Court of Appeals Case No. 00-55406 *Phillip Paulson v. City of San Diego, et al.* for costs and
attorneys' fees resulting from the pleadings offered by Phillip Paulson in opposition to the
petition for certiorari made by the City of San Diego to the United States Supreme Court.

BE IT FURTHER RESOLVED, that the City Auditor and Comptroller be and he is
hereby authorized to issue one check in the sum of \$18,638.72 made payable to PHILLIP
PAULSON and his attorneys, LAW OFFICES OF JAMES E. McELROY and ACLU
FOUNDATION OF SAN DIEGO AND IMPERIAL COUNTIES, in full settlement of the
attorneys' fees and costs incurred in the United States Supreme Court.

BE IT FURTHER RESOLVED, that said funds are to be payable from Fund No. 81140.

APPROVED:

CASEY GWINN, City Attorney

By 
Edward A. Cahill, Deputy City Attorney

EAC:dmt
7/01/03
Aud.Cert: 2400025
Or.Dept: 81140
R-2004-61
Form=claimr.frm

**The City of San Diego
CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

CERTIFICATE OF UNALLOTTED BALANCE

AC 2400025

ORIGINATING

DEPT. NO.:

81140

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: _____ Fund: _____

Purpose: _____

Date: _____ By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

| ACCTG. LINE | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT |
|--------------|-------|------|------|------|---------|-----------|-------------------|-------------|----------|--------|
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| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | |

FUND OVERRIDE

CERTIFICATION OF UNENCUMBERED BALANCE

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$18,638.72

Vendor: Philip Paulson and his attorneys of record, James E. McElroy and Jordan Budd

Purpose: Authorizing the expenditure for the settlement of each and every claim against the City, its agents and employees, resulting from the civil rights claim of Philip Paulson.

Date: June 24, 2003 By: _____

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA

| ACCTG. LINE | CY PY | FUND | DEPT | ORG. | ACCOUNT | JOB ORDER | OPERATION ACCOUNT | BENF/ EQUIP | FACILITY | AMOUNT |
|--------------|-------|-------|-------|------|---------|-----------|-------------------|-------------|----------|-------------|
| 001 | 0 | 81140 | 81140 | 3404 | 4823 | 81141 | | | | \$18,638.72 |
| | | | | | | | | | | |
| | | | | | | | | | | |
| | | | | | | | | | | |
| TOTAL AMOUNT | | | | | | | | | | \$18,638.72 |

FUND OVERRIDE

AC 2400025