

RESOLUTION NUMBER R- 300738

ADOPTED ON AUG 0 2 2005

WHEREAS, a civil complaint in *People of the State of California v. Grissom, et. al.* (Superior Court Case No. GIC 850246) and a cross-complaint in *San Diego City Employees' Retirement System v. Aguirre, et.al.* (Superior Court Case No. GIC 841845) names as defendants and/or cross-defendants certain current and former Retirement Board members and/or current or former City employees; and

WHEREAS, some of these defendants and cross-defendants have requested that the City of San Diego provide for their legal representation under a resolution providing for indemnification of Retirement Board members that was approved by the City Council on November 18, 2002 (Resolution No. R-297335) or as employees under the provisions of California Government Code section 995; and

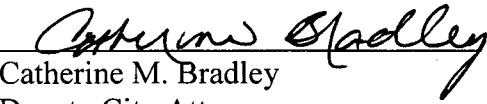
WHEREAS, the law firm of Procopio Cory Hargreaves and Savitch has provided a legal analysis of the City's defense obligations; and

WHEREAS, in order to allow a public discussion of the requests for legal representation, the City Council must waive the attorney-client and attorney work-product privileges for the written analysis described above; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, on behalf of the City of San Diego, that the protections of the attorney-client and the attorney work-product privileges are waived as to the written analysis prepared for the City by the law firm Procopio Cory Hargreaves & Savitch relating to the City's defense obligations for the individuals named in the complaint *People of the State of California v. Grissom, et. al.*, and the cross-complaint *San Diego City Employees' Retirement System v. Aguirre, et. al.*

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By


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CMB:jab
08/23/2005
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