RESOLUTION NUMBER R- 304385

DATE OF FINAL PASSAGE DEC 2 2008

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO CONTINUE AN AGREEMENT WITH SULLIVAN HILL LEWIN REZ & ENGEL, A PROFESSIONAL LAW CORPORATION FOR SERVICES IN THE MATTER ENTITLED JANET M. WOOD V. CITY OF SAN DIEGO, U.S. DISTRICT COURT NO. 03CV1910, AND AUTHORIZING THE COMPTROLLER TO EXPEND RELATED FUNDS.

WHEREAS, in September 2003 Janet M. Wood sued the City of San Diego as a representative class, Plaintiff claming women and unmarried retirees receive less pension benefit than others. City prevailed in District Court by summary judgment motion.

WHEREAS, Plaintiff appealed and the Ninth Circuit Court of Appeals reversed and remanded back to the District Court in September 2007.

WHEREAS, On September 16, 2008, the City Council voted in Closed Session on Item CS-3, *Janet Wood v City*, Federal District Court Case No. 03 CV 1910, approving the litigation strategy and to authorize the continued retention of outside counsel. The motion was made by Council President Peters and the second by Council President Pro Tem Madaffer. The motion passed 8 to 0.

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized to continue the retention of Sullivan Hill Lewin Rez & Engel, A Professional Law Corporation for outside counsel services for an additional amount not to exceed \$100,000 to

defend any and all claims in Janet M. Wood v City of San Diego.

BE IT FURTHER RESOLVED, that City Comptroller is authorized to expend up to \$100,000 from the Public Liability Fund.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By
Lawrence V. Tomanek
Chief Deputy City Attorney

LVT:ca 10/16/08

Vetoed:

Aud. Cert.: AC #2900306

Or.Dept:ATTY R-2009-483

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of __NOV_1 8 2008 __.

ELIZABETH S. MALAND City Clerk

Deputy City Clerk

Approved: (date)

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(date)

JERRY SANDERS, Mayor

SANDERS, Mayor

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING

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