

RESOLUTION NUMBER R- 305208

DATE OF FINAL PASSAGE SEP 11 2009

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO CONTINUE AN AGREEMENT WITH PAUL PLEVIN SULLIVAN & CONNAUGHTON, LLP IN AN ADDITIONAL AMOUNT UP TO \$100,000 TO PROVIDE LEGAL SERVICES IN CONNECTION WITH THE DEFENSE OF JAMES M. CHAPIN AND PENNY L. CASTLEMAN V. OFFICE OF THE CITY ATTORNEY, CITY OF SAN DIEGO, ET AL., AND AUTHORIZING THE COMPTROLLER TO EXPEND RELATED FUNDS

WHEREAS, on or about October 10, 2005, James M. Chapin and Penny L. Castleman filed a complaint for wrongful constructive termination in the case titled *Chapin and Castleman v. Aguirre and City of San Diego*, Federal District Court, Southern District of California, Case No. 05 CV 1906 R (POR); and

WHEREAS, outside legal counsel was necessary to represent the City because the parties are former city employees and the complaint arises out of the actions allegedly taken by the City Attorney's Office and The City of San Diego; and

WHEREAS, the firm of Paul Plevin Sullivan & Connaughton, LLP has the necessary skills and experience to continue assisting the City in defense of this matter within the required time frame; and

WHEREAS, the Council authorized the continued retention of Paul Plevin Sullivan & Connaughton, LLP to assist the City in defense of this matter. Representation costs to date have been approximately \$350,000; and

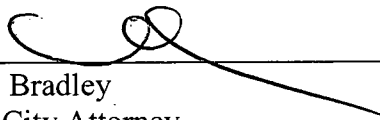
WHEREAS, On November 10, 2008, the City Council approved continued retention of Paul Plevin Sullivan & Connaughton, LLP by Resolution 304345; NOW, THEREFORE;

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized to continue the contract with Paul Plevin Sullivan & Connaughton, LLP for outside counsel services for an additional amount not to exceed \$100,000 to defend any and all claims by *James M. Chapin and Penny L. Castleman v. Office of The City Attorney, City of San Diego.*

BE IT FURTHER RESOLVED, that the City Comptroller is authorized to expend up to \$100,000 from the Public Liability Fund 81140.

APPROVED: JAN I. GOLDSMITH, City Attorney

By

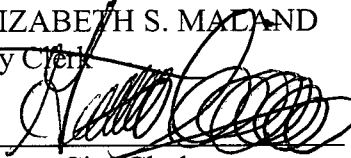


Todd F. Bradley
Deputy City Attorney

TFB:jdf
06/12/09
Or.Dept:ATTY
R-2009-1294

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 01 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 9-11-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor