

RESOLUTION NUMBER R- 305519
DATE OF FINAL PASSAGE JAN 11 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING PAYMENT FOR EXPERT SERVICES RENDERED IN LITIGATION IN THE CASE OF *MARCUS R. ABBE, ET AL. V. CITY OF SAN DIEGO*, USDC CASE NO. 05CV1629 DMS [SDPOA #2]

WHEREAS, on August 16, 2005, current and former San Diego Police Department officers filed a lawsuit against the City in the case of *Marcus R. Abbe, et al. v. City of San Diego*, USDC Case No. 05cv1629 DMS [SDPOA #2]. The case was consolidated by the United States District Court with a related case, *Brett H. Burkett, et al. v. City of San Diego*, USDC Case No. 06cv538 DMS. There are approximately 1500 Plaintiffs; and


WHEREAS, the City, through its outside counsel, engaged LECG LLC and Wildan Homeland Solutions to provide expert services in conjunction with the jury trial that resulted in a final judgment in favor of the City; and

WHEREAS, LECG LLC has requested payment for expert services in the amount of \$368,733.71 and Wildan Homeland Solutions has requested payment for expert services in the amount of \$15,129.00 for a grand total for such expert services in the amount of \$383,862.71; NOW THEREFORE,

BE IT RESOLVED that the City's Chief Financial Officer is authorized to expend an amount not to exceed \$368,733.71 from the Public Liability Fund, solely, and exclusively for the purpose of providing funds for the expert services rendered by LECG LLC incurred in the SDPOA #2 litigation.

BE IT FURTHER RESOLVED that the City's Chief Financial Officer is authorized to expend an additional amount not to exceed \$15,129.00 from the Public Liability Fund, solely, and exclusively for the purpose of providing funds for the expert services rendered by Wildan Homeland Solutions incurred in the SDPOA #2 litigation.

APPROVED: JAN I. GOLDSMITH, City Attorney

By: 
George F. Schaefer
Deputy City Attorney

GFS:ca
12/17/2009
Aud. Cert.: 3000002904
Or. Dept: City Attorney
R-2010-442

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 5 2010.

ELIZABETH S. MALAND
City Clerk

By: 
Deputy City Clerk

Approved: 1.11.10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

The City of San Diego
COMPTROLLER'S CERTIFICATE

CERTIFICATE OF UNALLOTTED BALANCE

ORIGINATING CC 3000002904
 DEPT. NO.: 1211

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: _____
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Funcional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
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: \$383,862.71

Vendor: Two vendors: LECG LLC (\$368,733.71) : Willdan Homeland Solutions (\$15,129.00)

Purpose: Authorize the Mayor to pay invoices for expert services rendered by the above stated vendors in Marcus Abbe et al. v. City of San Diego, USDC Case Nos. 05cv1629 and 06cv0538 DMS (RBB). Authorize the CFO to expend \$383,862.71 from the Public Liability Fund 720045 to pay the above two expenditures.

Date: December 16, 2009 By: Pam Halbut 12/16/09
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Funcional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
	720045				512008		1515000011		\$383,862.71
TOTAL AMOUNT									\$383,862.71

CC-361 (REV 7-09)

FUND OVERRIDE

CC 3000002904

R 305519

JAN 05 2010

Funds Reservation 3000002904

General Data			
Document type	12	Document type	030
Company code	CSD1	Document date	12/16/2009
FM area	CSD1	Posting date	12/16/2009
Controlling area	CSD1	Currency	USD/ 1.00000
Statistics			
Entered by	PHALBERT	Created on	12/16/2009
Last changed by	PHALBERT	Last changed	12/16/2009
More Data			
Text	LECG LLC & Willdan Homeland Solutions-Marcus Abbe		
Reference			
Overall Amount	383,862.71 USD		

Document item 001			
Text	For expert services rendered-Marcus Abbe v City		
Commitment item	512008	Funds center	1515000011
Fund	720045	G/L account	512008
Cost center	1515000011	Due on	
Vendor		Customer	
Amount	383,862.71 USD		
Original amount	383,862.71 USD		

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