

RESOLUTION NUMBER R- 305806
DATE OF FINAL PASSAGE FEB 8 2010

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO
RETAIN SCHWARTZ SEMERDJIAN HAILE BALLARD &
CAULEY LLP TO PROVIDE LEGAL SERVICES IN THE
THALHEIMER, ET AL. V. CITY OF SAN DIEGO, ET AL., U.S.
DISTRICT COURT CASE NO. 09-CV-2862-IEG

WHEREAS, suit has been brought against the City in the matter of *Thalheimer, et. al. v. City of San Diego, et al.*, U.S. District Court Case No. 09-CV-2862-IEG; and

WHEREAS, the City Attorney has determined he has a conflict of interest; and

WHEREAS, the City Attorney is recommending the retention of the firm of Schwartz Semerdjian Haile Ballard & Cauley LLP, who has the necessary skills and experience to assist the City in this matter; and

NOW, THEREFORE,


BE IT RESOLVED, that the firm of Schwartz Semerdjian Haile Ballard & Cauley, LLP are authorized to defend the City of San Diego in the matter of *Thalheimer, et al. v. City of San Diego, et. Al.*, U.S. District Court Case No. 09-CV-2862-IEG.

BE IT FURTHER RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized to enter into an agreement with Schwartz Semerdjian Haile Ballard & Cauley LLP for legal services in the in the matter of *Thalheimer, et al. v. City of San Diego, et. Al.*, U.S. District Court Case No. 09-CV-2862-IEG, in an amount not to exceed \$100,000.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend up to \$100,000 for this contract applying the FY2010 FTE allocation,

Contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Paul F. Prather
Deputy City Attorney

PFP:lkj:als
01/29/2010
02/03/2010 REV.
Or.Dept:Atty.
R-2010-530

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of FEB 02 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 2-8-10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor