

RESOLUTION NUMBER R- 305670
DATE OF FINAL PASSAGE MAR 18 2010

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO RETAIN STRADLING YOCCA CARLSON & RAUTH TO PROVIDE LEGAL SERVICES IN CONNECTION WITH THE PROPOSED MCGUIGAN JUDGMENT SALE AND TRANSFER, AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO EXPEND UP TO \$65,000.00 FOR THE COVERAGE OF STRADLING YOCCA CARLSON & RAUTH'S LEGAL FEES AND COSTS RELATED TO THIS MATTER.

WHEREAS, on December 12, 2006, the Superior Court of the State of California for the County of San Diego entered a Judgment Approving Settlement of Class Action (the "Judgment") in the case of *William J. McGuigan v. City of San Diego, et al.*, Case No. GIC 849883; and,

WHEREAS, the Judgment approved the terms of a Settlement Agreement and Release (the "Settlement") between William J. McGuigan as plaintiff ("Plaintiff"), individually and on behalf of a class consisting of all past, present and future San Diego City Employees' Retirement System ("SDCERS") members and beneficiaries pursuant to which the City agreed to pay to SDCERS the sum of \$173,000,000; and,

WHEREAS, the professional services of Stradling Yocca Carlson & Rauth are needed in connection with the proposed McGuigan Judgment Sale and Transfer; and,

WHEREAS, the issues surrounding the Judgment Sale and Transfer are highly complex and technical; and,

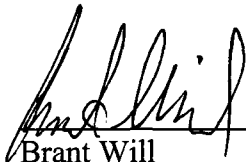
WHEREAS, the Office of the City Attorney does not have the necessary expertise to handle the issues surrounding the Judgment Sale and Transfer; and,

WHEREAS, the law firm of Stradling Yocca Carlson & Rauth has the necessary expertise; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized to enter into an agreement with Stradling Yocca Carlson & Rauth for the provision of legal services legal services in connection with the proposed McGuigan Judgment Sale and Transfer, in an amount not to exceed \$65,000.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend up to \$65,000 from the Fund 100000, Cost Center 1500000001.

APPROVED: JAN I. GOLDSMITH, City Attorney

By  _____
Brant Will
Deputy City Attorney

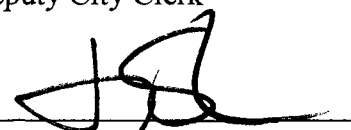
BW: PFP: als
02/25/10
Or. Dept: Debt Management
R-2010-604

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 09 2010.

ELIZABETH S. MALAND
City Clerk

By  _____
Deputy City Clerk

Approved: 3-18-10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

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CITY OF SAN DIEGO

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