

RESOLUTION NUMBER R- 306439
DATE OF FINAL PASSAGE DEC 14 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING THE RETENTION OF, AND EXPENDITURES FOR, BROWN LAW GROUP WITH REGARD TO LITIGATION IN THE CASE OF SCOTT KESSLER V. CITY OF SAN DIEGO, SAN DIEGO SUPERIOR COURT CASE NUMBER 37-2009-00092899-CU-WE-CTL

WHEREAS, a lawsuit has been filed by former City employee Scott Kessler alleging wrongful termination and retaliation by the City of San Diego in the case of *Scott Kessler v City of San Diego*, San Diego Superior Court case no. 37-2009-00092899-CU-WE-CTL; and,

WHEREAS, there is a conflict of interest with the City Attorney's Office defending the case; and,

WHEREAS, the firm of the Brown Law Group has defended the City in other employment cases, and,

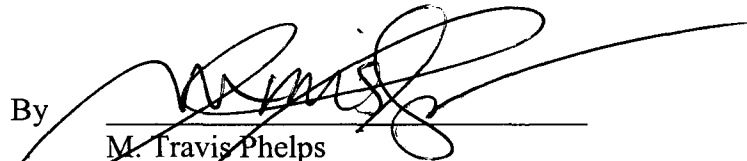
WHEREAS, it is estimated counsel may require \$200,000 for related litigation expenses, including attorney fees, costs and expert fees; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized to retain the firm the Brown Law Group to defend wrongful termination and retaliation claims alleged against the City of San Diego in the case of *Scott Kessler v City of San Diego*, San Diego Superior Court Case number 37-2009-00092899-CU-WE-CTL; and the Comptroller is authorized to pay for said services in an amount not to exceed, \$200,000.

BE IT FURTHER RESOLVED, the Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$200,000 from Fund 720045-Public Liability Fund for the

contract mentioned above, 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 
M. Travis Phelps
Deputy City Attorney

MTP:kat
11/22/2010
Or.Dept:City Attorney

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC. 7 2010.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 12.14.10
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

R - 306439