

RESOLUTION NUMBER R- 306864

DATE OF FINAL PASSAGE JUN 28 2011

A RESOLUTION AUTHORIZING ADDITIONAL FUNDING FOR THE RETENTION OF BROWN LAW GROUP TO PROVIDE LEGAL SERVICES 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 the necessary skills and experience to assist the City in this matter; and

WHEREAS, on December 7, 2010, the City Council approved the retention of the Brown Law Group and approved funding the retention in an amount not to exceed \$200,000; and

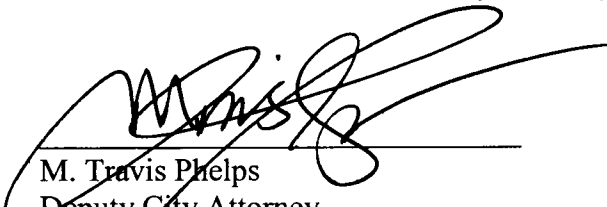
WHEREAS, the Brown Law Group has notified the City that it has or will soon expend the full \$200,000 and is in need of additional funding to continue its representation of the City;

NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the City Attorney is authorized to amend the Legal Services Agreement with the Brown Law Group for legal services and expenses incurred in the case of *Scott Kessler v City of San Diego*, San Diego Superior Court Case number 37-2009-00092899-CU-WE-CTL, in an amount not to exceed an additional \$250,000 for a total contract amount of \$450,000.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to appropriate and expend an additional \$250,000, for a total amount not to exceed \$450,000 from Public Liability Fund 720045 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  
6/8/2011  
Or.Dept: Chief Operating Officer

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~JUN 21 2011~~

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 6.28.11  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor