

RESOLUTION NUMBER R- 306867

DATE OF FINAL PASSAGE JUN 28 2011

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING THE CONTINUED RETENTION
OF LATHAM & WATKINS REGARDING MARK ANNIS V.
CITY OF SAN DIEGO (SDPOA #3C), SAN DIEGO SUPERIOR
COURT CASE NO. 37-2008-00092949

WHEREAS, on October 2, 2008, a lawsuit raising regarding pension issues was filed by current and former San Diego police officers in the case of *Mark Annis v. City of San Diego* (SDPOA #3C);

WHEREAS, the *Annis* case was stayed pending the outcome of related federal and state litigation;

WHEREAS, the related federal and state litigation was resolved in favor of the City of San Diego;

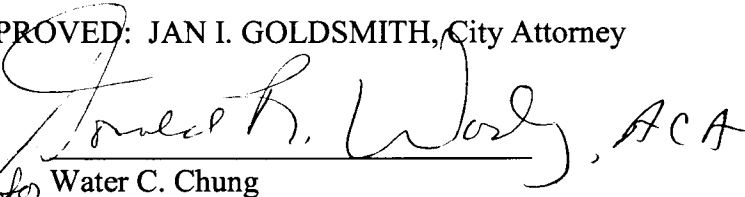
WHEREAS, in anticipation that the stay of the *Annis* case will soon be vacated, the City must further defend itself in the litigation; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that the Council authorizes:

1. The City Attorney to enter into a contract with Latham & Watkins, for outside counsel services in an amount not to exceed \$35,000 to continue to defend the City in litigation in *Mark Annis v. City of San Diego*, San Diego Superior Court Case No. 37-2008-00092949; and

2. The Chief Financial Officer to appropriate and expend an amount not to exceed \$35,000 for the contract mentioned above from the Public Liability Fund No. 720045, 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.

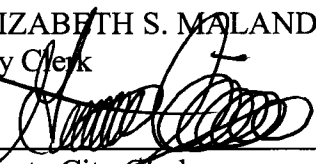
APPROVED: JAN I. GOLDSMITH, City Attorney

By: , ACA
for Water C. Chung
Deputy City Attorney

WCC:slc
5/25/11
CC: 3000004224
Or.Dept: City Attorney
R-2011-916

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