

RESOLUTION NUMBER R- 309763

DATE OF FINAL PASSAGE JUN 11 2015

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO AUTHORIZING AN AGREEMENT FOR LEGAL SERVICES WITH GOMEZ TRIAL ATTORNEYS AND BARON & BUDD, P.C. IN CONNECTION WITH CLAIMS RELATED TO PCBs AS ALLEDGED IN *SAN DIEGO UNIFIED PORT DISTRICT AND CITY OF SAN DIEGO V. MONSANTO COMPANY, SOLUTIA INC., AND PHARMACIA CORPORATION (USDC 15CV0578-WQH(JLB))*.

WHEREAS, the City of San Diego has brought suit against Monsanto Company, Solutia Inc., and Pharmacia Corporation [Defendants] seeking recovery of funds for the removal of PCBs manufactured by Defendants; and

WHEREAS, in Closed Session on March 17, 2015, the City Council authorized by unanimous vote, a legal services agreement between the City of San Diego and Gomez Trial Attorneys and Baron & Budd, P.C. [Outside Counsel]; and


WHEREAS, Outside Counsel seeks a 25% contingency fee from the "gross recovery" as defined in the legal services agreement and will advance costs and deduct those costs from any "gross recovery"; and

WHEREAS, the Office of the San Diego City Attorney will retain complete control over the conduct of the case; will retain a veto power over any decisions made by Outside Counsel; and the Office of the San Diego City Attorney will assign an attorney with supervisory authority to be personally involved in overseeing the litigation; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the Mayor or his designee is authorized to execute, for and on behalf of the City, the Agreement for Legal Services Between the City of San Diego, Gomez Trial Attorneys, and Baron & Budd, P.C. in

connection with *San Diego Unified Port District and City of San Diego v. Monsanto Company, Solutia Inc., and Pharmacia Corporation (USDC 15cv0578-WQH(JLB))*.

APPROVED: JAN I. GOLDSMITH, City Attorney

By   
\_\_\_\_\_  
Paul F. Prather  
Deputy City Attorney

PFp:sab  
05/12/15  
Or.Dept: City Attorney  
Doc. No.: 1016627

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 02 2015.

ELIZABETH S. MALAND  
City Clerk

By   
\_\_\_\_\_  
Deputy City Clerk

Approved: 6/11/15  
\_\_\_\_\_  
(date)

  
\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

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

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 2 2015, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherr Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Todd Gloria	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 11 2015.


(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California

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