

RESOLUTION NUMBER R- 314652  
DATE OF FINAL PASSAGE MAR 17 2023

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO  
APPROVING THE LEGAL SERVICES AGREEMENT TO RETAIN  
AKIN GUMP STRAUSS HAUER & FELD LLP  
AS OUTSIDE COUNSEL TO PROVIDE LEGAL SERVICES  
RELATING TO THE MATTER OF ANDRE VERDUN V. CITY  
OF SAN DIEGO

WHEREAS, the City of San Diego (City) is a named Defendant in the matter of *Andre Verdun v. City of San Diego*, Case No. USDC 19cv0839 ABJ (WVG). The City moved for summary judgment in the case and prevailed. *Verdun v. City of San Diego*, 549 F. Supp. 3d 1192 (S.D. Cal. 2021). Plaintiffs appealed to the Ninth Circuit, and the City prevailed on appeal. *Verdun v. City of San Diego*, 51 F.4th 1033 (9th Cir. 2022). Plaintiffs intend to file a petition for certiorari to the Supreme Court; and

WHEREAS, Akin Gump Strauss Hauer & Feld LLP has considerable experience in litigating matters before the Supreme Court; and

WHEREAS, Akin Gump Strauss Hauer & Feld LLP is able to assist with the City's defense on a pro bono basis; and

WHEREAS, pursuant to San Diego City Charter Article 5, section 40, the City Council is empowered to employ outside counsel when such assistance or advice is necessary; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, as follows:

1. That the City Attorney's Office is authorized to retain Akin Gump Strauss Hauer & Feld LLP on a pro bono basis as outside counsel to provide legal services to the City on the *Andre Verdun v. City of San Diego* litigation matter.

APPROVED: MARA W. ELLIOTT, City Attorney

By

  
Tyler L. Krentz  
Chief Deputy City Attorney

TLK:aml  
February 15, 2023  
Or. Dept: City Attorney's Office  
CC No. N/A  
Doc. No. 3222226

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of MAR 14 2023

DIANA J.S. FUENTES  
City Clerk

By

  
Deputy City Clerk

Approved: \_\_\_\_\_

3/17/23  
(date)

  
TODD GLORIA, Mayor

Vetoed: \_\_\_\_\_

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on MAR 14 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAR 17 2023.

(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:

TODD GLORIA

Mayor of The City of San Diego, California.

(Seal)

DIANA J.S. FUENTES

Interim City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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