

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, DECEMBER 8, 2008
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rules for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

Conference with Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(a):

**CS-1 *City of San Diego v. Gabriel, Roeder, Smith & Co.*
San Diego County Superior Court Case No. GIC852419 (Severed)**

DCA Assigned: D. Bamberg

This is a lawsuit filed by the City of San Diego against, among others, Gabriel Roeder Smith & Company and Rick A. Roeder, individually. In closed session, the Mayor and City Council will meet with Deputy City Attorneys Daniel F. Bamberg and Andrew Jones to discuss a potential settlement of the matter.

**CS-2 *Marcus Abbe, et al. (190⁺ Individual Police Officers) v. City of San Diego*
United States District Court Case No. 05 CV 1629 DMS;
and 06 CV 0538 DMS (RBB) (“POA II”)**

DCA Assigned: G. Schaefer

Over 1500 former and current San Diego police officers sued the City in federal court for unpaid wages, including overtime. The federal court conducted a settlement conference on November 21, 2008 that resulted in an impasse. The jury trial is set to commence on January 5, 2009. The City Attorney needs to brief the Mayor and City Council in closed session on the status of the litigation.