



**CITY OF LODI
COUNCIL COMMUNICATION**

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AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$119,670.48).

MEETING DATE: January 21, 2009 City Council Meeting

PREPARED BY City Attorney's Office

RECOMMENDED ACTION: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$119,670.48).

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskovitz, Tiedemann & Girard and Miscellaneous Invoices for services incurred relative to the Environmental Abatement Program litigation and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution

Invoice No.	Date	Description	Water Acct.
134616	Oct-09	Hemming Morse, Inc.	406.00
134776	Nov-09	Hemming Morse, Inc.	5,331.00
4996	Nov07-Sep08	Tatro Tekosky Sadwick LLP	25,481.87
5048	Oct-Nov 2008	Tatro Tekosky Sadwick LLP	28,958.91
	Dec-08	Carol M. Langford, Expert Witness	30,635.00
	Dec-09	Jones Hall Expert Witness	17,960.00
	Jan-2-9 2008	Jones Hall Expert Witness	5,295.00
Total			\$114,067.78

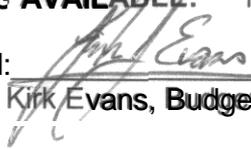
Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

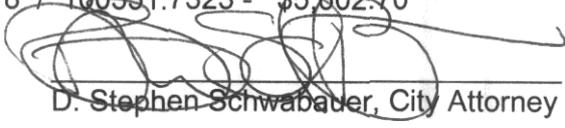
Matter No.	Invoice No.	Date	Description	100351.7323
11233.026	242335	12/25/08	Lodi First v. City of Lodi	5,332.40
11233.027	242335	12/25/08	Citizens for Open Gov't v. City of Lodi	180.00
11233.029	242335	12/25/08	AT&T v. City of Lodi	90.30
Total				\$ 5,602.70

FISCAL IMPACT: Expenses in the amount of \$5,602.70 will be paid out of the General Fund and \$5,512.40 billed to Wal-Mart for City's defense of the Lodi First and Citizens for Open Government litigation, the remaining expenses will be paid out of the Water Fund.

FUNDING AVAILABLE: 184010.7323 - \$114,067.78 / 100351.7323 - \$5,602.70

Approved:


Kirk Evans, Budget Manager


D. Stephen Schwabauer, City Attorney

APPROVED:


Blair King, City Manager