



**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(\$56,978.56).

**MEETING DATE:** August 6,2008 City Council Meeting

**PREPARED BY** City Attorney's Office

**RECOMMENDED ACTION:** That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement litigation in the total amount of \$56,194.56, and various other cases being handled by Outside Counsel in the amount of \$784.00.

**BACKGROUND INFORMATION:** Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; and Kronick, Moskovitz, Tiedemann & Girard 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**

Matter No.	Invoice No.	Date	Description	184010.7323
8008	109587	June-08	City of Lodi v. Donovan (Envision)	\$48,659.21
		Apr-May--08	Carol Langford,Expert Witness	\$715.00
				<b>\$49,374.21</b>

**Kronick Moskovitz Tiedemann & Girard - Invoices Distribution**

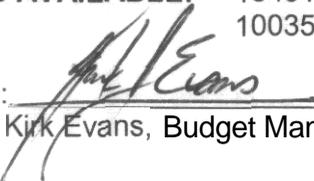
Matter No.	Invoice No.	Date	Description	100351.7323
11233.026	239725	06/25/08	Lodi First v. City of Lodi	\$784.00

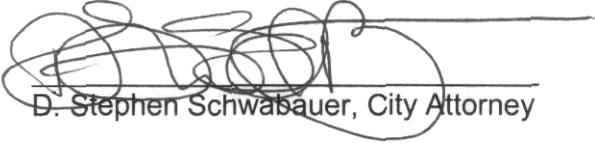
**MISCELLANEOUS**

Invoice No.	Date	Description	184010.7323
20076679	1/25/2008	Legalink, Inc.	1,800.55
20076680	1/11/2008	Legalink, Inc.	993.75
20076681	1/24/2008	Legalink, Inc.	2,017.50
20076682	2/13/2008	Legalink, Inc.	2,008.55
			<b>\$6,820.35</b>

**FISCAL IMPACT:** Expenses in the amount of \$784.00 will be paid out of the General Fund and billed to Walmart for City's defense of the Lodi First litigation. The remaining expenses will be paid out of the Water Fund.

**FUNDING AVAILABLE:** 184010.7323 - \$56,194.56  
100351.7323 - \$ 784.00

Approved:   
Kirk Evans, Budget Manager

  
D. Stephen Schwabauer, City Attorney

APPROVED:   
Blair King, City Manager