

MOTION

I HEREBY MOVE that the Council ADOPT the following recommendations of the City Attorney for payment of adverse judgment in the case entitled Sinisha Nisevic v. City of Los Angeles, Los Angeles Superior Court Case No. SC111319. (This case arises from a sewage back up on August 4, 2010, that flooded the Plaintiffs' home office and destroyed his personal property. The back up occurred because of root intrusion in the City's sewer main line), **SUBJECT TO THE APPROVAL OF THE MAYOR:**

1. APPROVE payment of the Plaintiff's judgment against the City in the amount of \$6,187,678.68, plus \$566.69 per day after April 30, 2014, until the judgment is paid.
2. AUTHORIZE the City Attorney to execute all documents necessary to pay the judgment.
3. AUTHORIZE and INSTRUCT the City Attorney, without further instruction, to draw the amount of \$6,187,678.68, plus \$566.69 per day after April 30, 2014, payable to Manatt, Phelps & Phillips, LLP Attorney Client Trust Account from the Sewer Operations and Maintenance Fund No. 760, Account 50JX82, titled PW-Sanitation Expense & Equipment.
4. AUTHORIZE the City Attorney, or designee, to prepare Controller instructions for any necessary technical adjustments, subject to the approval of the City Administrative Officer, and AUTHORIZE the Controller to implement the instructions.

**(Budget and Finance Committee waived consideration of the above matter)**

PRESENTED BY \_\_\_\_\_  
PAUL KREKORIAN  
Councilmember, 2nd District

SECONDED BY \_\_\_\_\_  
MITCHELL ENGLANDER  
Councilmember, 12th District

ep  
CF 14-0404  
April 11, 2014

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