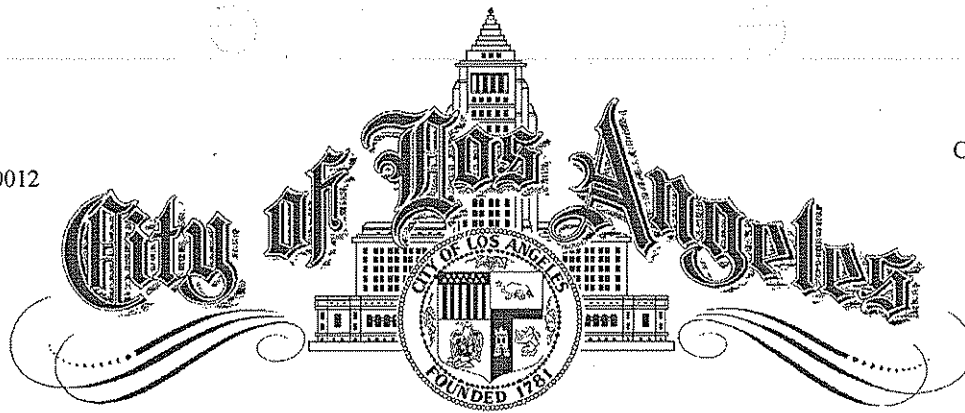


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CARMEN A. TRUTANICH
City Attorney

REPORT NO. **R 1 0 - 0 2 7 3**

AUG 0 6 2010

**REQUEST FOR CLOSED SESSION PURSUANT TO
GOVERNMENT CODE SECTION 54956.9(a)**

REPORT RE:

**MJ COLLECTIVES LITIGATION
LASC CASE NO. BC433942 (LEAD CASE) and ALL RELATED ACTIONS; AND**

**WEST VALLEY CAREGIVERS *et al.* v. CITY OF LOS ANGELES
USDC CASE NO. CV10 4150 SJO AJW**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No. 08-0923

Honorable Members:

This Office recommends that discussions with, and advice from, legal counsel regarding this pending litigation be scheduled and held in closed session pursuant to California Government Code Section 54956.9(a). Government Code Section 54956.9(a) requires you to state publicly, prior to the closed session, what subdivision of this Section authorizes the closed meeting, and that the closed session is being held to confer or discuss with, or receive advice from, legal counsel regarding pending litigation.

These matters involve more than 30 separate lawsuits filed against the City by medical marijuana dispensaries, collectives, owners, operators, and patients. The lawsuits challenge the City's Medical Marijuana Ordinance on a wide variety of legal

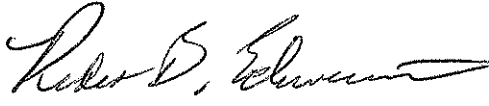
grounds and seek to enjoin enforcement of the City's Ordinance. In limited instances, the litigants also allege unlawful "takings" of their marijuana dispensing business and seek compensatory damages against the City. Since late May 2010, this Office has defended the City against thirty separately noticed requests for temporary restraining orders and preliminary injunctions. All rulings received to date have been in favor of the City. However, the cases and related notices, briefing schedules, hearings, and judicial decisions will continue.

We request that this matter be placed on the closed session portion of the City Council's agenda of Wednesday, August 11, 2010.

If you have any questions regarding this matter, please contact Special Assistant City Attorney Jane Usher at (213) 978-8100 or Chief Assistant City Attorney David Michaelson at (213) 978-7178. They and other members of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

CARMEN A. TRUTANICH, City Attorney

By 

PEDRO B. ECHEVERRIA
Chief Assistant City Attorney

PBE:JU:lee