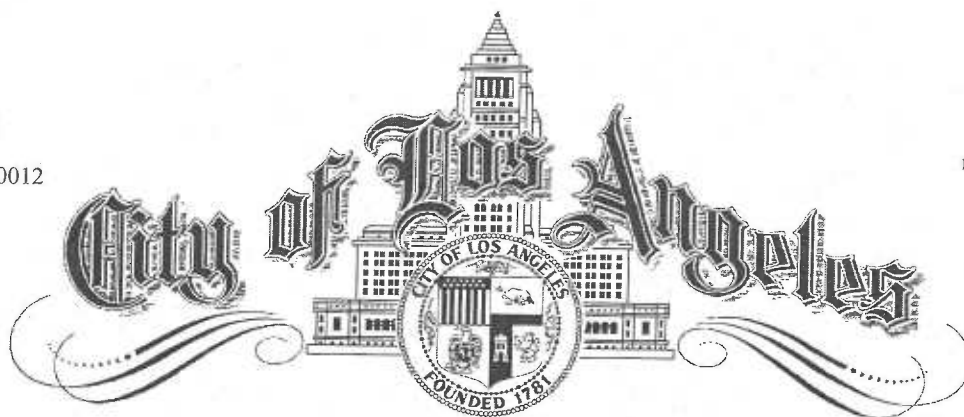


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MICHAEL N. FEUER
City Attorney

REPORT NO. R 1 4 - 0 2 8 7

JUN 2 4 2014

REPORT RE:

OUTSIDE COUNSEL EXPENDITURES FISCAL YEAR 2014

The Honorable Budget & Finance Committee
of the City of Los Angeles
Room 1010, City Hall
200 North Spring Street
Los Angeles, California 90012

Honorable Members:

Attached please find the Citywide Outside Counsel Expenditures Report for Fiscal Year 2014 as of March 31, 2014. Information is included for all City departments, regardless of funding source, and expenditure data is provided for each contract and includes appropriation amounts and contract balances.

If you have any questions, please contact Assistant City Attorney Anne Haley at: 213-978-7009.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Feuer', written over a white background.

MICHAEL N. FEUER
City Attorney

Attachment

cc: Honorable Eric Garcetti, Mayor
Miguel Santana, City Administrative Office
Gerry Miller, Chief Legislative Analyst
General Managers

RECAP OF EXPENDITURES BY CLIENT DEPARTMENT
FISCAL YEAR 2013/14
As of Third Quarter Ending March 31, 2014

CLIENT DEPARTMENT	FISCAL YEAR 2013/14 (as of 3/31/14)		
	General Fund	Special Fund	Total
Council-Controlled Departments			
▪ Citywide/Other	3,319,494	-	3,319,494
▪ Finance	327,316	-	327,316
▪ Fire	24,577	-	24,577
▪ Housing & Community Investment Department	141,274		141,274
▪ Information Technology Agency		286,564	286,564
▪ Police	1,274,650	-	1,274,650
▪ Public Works		762,326	762,326
Sub-total	5,087,311	1,048,890	6,136,201
Pension Funds			
▪ Fire & Police Pensions	-	303,599	303,599
▪ Los Angeles City Employees Retirement System	-	223,803	223,803
▪ Water & Power Retirement Plan*	-	-	-
Sub-total	-	527,402	527,402
Proprietary Departments			
▪ Los Angeles World Airports	-	1,451,510	1,451,510
▪ Port of Los Angeles	-	901,952	901,952
▪ Water & Power	-	2,970,003	2,970,003
Sub-total	-	5,323,465	5,323,465
Workers Compensation			
▪ Fire	5,000		5,000
▪ Police	5,294	-	5,294
▪ Various City Departments	60,473	-	60,473
Sub-total	70,767	-	70,767
Conflict Panel			
▪ Citywide	2,042,837	-	2,042,837
▪ Building & Safety	8,812	-	8,812
▪ Ethics	17,852	-	17,852
▪ EERC/CAO	185,391	-	185,391
▪ Fire	-	-	-
▪ Harbor	14,524	-	14,524
▪ Housing & Community Investment Dept	63,620	-	63,620
▪ Police	617,144	-	617,144
▪ Recreation & Parks	4,558	-	4,558
▪ Water & Power	-	825	825
Sub-total	2,954,739	825	2,955,564
GRAND TOTAL CITYWIDE EXPENDITURES	8,112,817	6,900,582	15,013,399

*No information provided.

OUTSIDE COUNSEL EXPENDITURE REPORT THROUGH MARCH 31, 2014

CITYWIDE/OTHER

CONTRACT NUMBER	LAW FIRM	MATTER/ CASE NAME	BRIEF DESCRIPTION	APPROPRIATIONS		EXPENDITURES		BALANCE
				FY2014	CUM. AS OF 3/31/14	FY2014	CUM. AS OF 3/31/14	
118698	CHRISTIE, PARKER & HALE	Intellectual Property (Citywide)	Legal assistance in intellectual property matters	-	100,000	17,708	78,035	21,965
113455	DRINKER BIDDLE & REATH LLP <i>(formerly Eisenberg, Raizman, Thurston & Wong LLP)</i>	BC381773 - Nicole Fahmie, et al. v. COLA, Sandra Carter v. COLA/ ADA (PW/Citywide)	Class action concerning the use of City sidewalks and access to public transportation from City sidewalks by the disabled.	248,810	1,832,310	419,920	1,832,031	279
117061	KATTEN MUCHIN ROSENMAN, LLP*	P3 Matter	Legal assistance in the evaluation and implementation of public-private partnerships relating to City-owned parking structures and parking meters	-	325,000	70,932	262,488	62,512
115552	KRONICK MOSKOVITZ TIEDEMANN & GIRARD	Fiscal Emergency (City Atty/ Citywide)	Related to the City Council's adoption of the resolution and ordinance declaring a fiscal emergency and authorizing reductions in work hours for city employees.	-	6,566	-	4,361	2,205
118838	MEYERS NAVE	USDC CV10-5782 - Mark Willis et al v COLA/ ADA (PW/Citywide)	This lawsuit arises out of Americans with Disabilities Act allegations regarding the City's sidewalks and curbs.	1,762,667	3,487,667	1,667,674	2,608,789	878,878
120019	MEYERS NAVE	USDC CV06-04691 - Michael Hunt; CV09-6731 - Matt Dowd; CV11-6832 Zuvich et al v City/ Constitutional Law (Rec & Parks/Citywide)	This lawsuit arises out of challenges to LAMC Section 42.15, which is the freedom of expression ordinance for the Venice Boardwalk and LA City Council Rule of Decorum 12.	-	825,600	45,044	766,575	59,025
121421	MEYERS NAVE	Alameda Books/ Constitutional Law (Citywide)	Constitutional challenge to the multiple use restriction included as part of LAMC Section 12.70 which prohibits more than one Adult Entertainment Business within the same building.	-	65,000	4,714	29,979	35,021
122193	OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.	see Drinker Biddle	see Drinker Biddle	293,582	321,082	321,082	321,082	-
120558	REMCHO, JOHANSEN & PURCELL, LLP	Fiscal Advice (Council/Citywide)	Council Redistricting Litigation	700,000	1,220,000	770,125	1,085,545	134,455
122286	STEPTOE & JOHNSON LLP	General Citywide Tax/ERISA Advice (Pensions)	In light of the increase in tax related questions arising within various City departments and the lack of internal resources in this area of the law, there is a recognized need to have tax counsel retained for general advice.	-	10,000	2,295	2,295	7,705
	T O T A L			3,005,059		3,319,494		

NOTES: Katten Muchin expenditures in FY14 were paid by DOT; in prior years, CAO paid for the contract. All other contracts are paid by the City Attorney.

FINANCE

CONTRACT NUMBER	LAW FIRM	MATTER/ CASE NAME	BRIEF DESCRIPTION	APPROPRIATIONS		EXPENDITURES		BALANCE
				FY2014	CUM. AS OF 3/31/14	FY2014	CUM. AS OF 3/31/14	
106214	COLANTUONO & LEVIN, P.C.	BC363959 Ardon; BC363735 TracFone Wireless; BC104694 J2 Global Communications LLC; BC406473 Nextel Boost of California LLC dba Boost Mobile/Telephone Users Tax (Finance)	A declaratory relief case in which the plaintiffs seek a declaration that the City's purported "increase" in the Utility Users Tax paid by wireless telephone customers is illegal under Proposition 218.	-	2,461,500	313,695	2,358,999	102,501
122342	THEODORA ORINGER PC	see Colantuono	see Colantuono	-	90,000	13,621	13,621	76,379
T O T A L				-		327,316		

NOTES: The above outside counsel expenditures were paid by the Office of the City Attorney.

FIRE

CONTRACT NUMBER	LAW FIRM	MATTER/ CASE NAME	BRIEF DESCRIPTION	APPROPRIATIONS		EXPENDITURES		BALANCE
				FY2014	CUM. AS OF 3/31/14	FY2014	CUM. AS OF 3/31/14	
119635	ALBRIGHT, YEE & SCHMIT LLP	BC336783 - Brenda Lee v. COLA/Employment (LAFD)	Plaintiff firefighter alleges discrimination and retaliation due to her race and sexual orientation.	-	573,500	1,438	569,090	4,410
109849	LIEBERT, CASSIDY & WHITMORE	CV04-4334 Achan/Ackley et al. v. COLA/FLSA (LAFD)	Achan is similar to Haro & Cleveland matters. Achan was dropped out of the case and the court took the next plaintiff in sequence (Ackley); case number has not changed.	45,000	1,371,750	2,118	1,318,508	53,242
109883	LIEBERT, CASSIDY & WHITMORE	CV02-9587 - Haro v. COLA/ FLSA (LAFD)	Dual function firefighter/paramedics claim entitlement to premium overtime when assigned to paramedic duty.	45,000	435,971	8,466	393,103	42,868
118837	LIEBERT, CASSIDY & WHITMORE	Ramsey v COLA/FLSA (LAFD)	Case involves claims by an LAFD firefighter that he was not eligible for the FLSA's partial overtime exemption for firefighters while he was assigned to a rescue ambulance.		388,000	12,555	231,576	156,424
T O T A L				90,000		24,577		

NOTES: The above outside counsel expenditures were paid by the Office of the City Attorney.

HOUSING & COMMUNITY INVESTMENT DEPARTMENT

CONTRACT NUMBER	LAW FIRM	MATTER/ CASE NAME	BRIEF DESCRIPTION	APPROPRIATIONS		EXPENDITURES		BALANCE
				FY2014	CUM. AS OF 3/31/14	FY2014	CUM. AS OF 3/31/14	
122192	ALBRIGHT, YEE & SCHMIT LLP	Ninoos Benjamin v. COLA/Employment (formerly under CDD)	Plaintiff alleges multiple employment claims including harassment, racial discrimination, hostile work environment and retaliation, and also alleges torts claim derivative of his employment claims.	20,947	185,947	118,380	181,268	4,679
109391	BEST BEST & KRIEGER LLP	Various (formerly under Housing)	Legal assistance on various matters	170,000	1,049,546	16,112	951,528	98,018
123515	BEST BEST & KRIEGER LLP	BC512759 - Town House Retail Center	Legal assistance on various matters	7,500	7,500	6,782	6,782	718
115159	MEYERS NAVE	None	Provide legal counsel and counsel on issues regarding the New Market Tax Credits program.	-	486,333	-	226,113	260,220
	T O T A L			198,447		141,274		

NOTES: *Albright contract and Best Best & Krieger contract #123515 was paid by the City Attorney, Meyers contract was paid by CDD (now HCID).

INFORMATION TECHNOLOGY DEPARTMENT

CONTRACT NUMBER	LAW FIRM	MATTER/ CASE NAME	BRIEF DESCRIPTION	APPROPRIATIONS		EXPENDITURES		BALANCE
				FY2014	CUM. AS OF 3/31/14	FY2014	CUM. AS OF 3/31/14	
120020	BEST BEST & KRIEGER LLP	Various/Cable Television Agreements	Legal assistance on cable TV agreements	298,155	845,251	286,564	732,364	112,886
123755	BEST BEST & KRIEGER LLP*	Citywide Free Internet Service Project	Legal assistance in developing a City of L.A. Broadband Request for Proposal and other related legal services. (See Notes below.)	300,000	300,000	-	-	300,000
	T O T A L			598,155		286,564		

NOTES: ITA transferred funding to the City Attorney's for THE Best Best & Krieger contract.

POLICE

CONTRACT NUMBER	LAW FIRM	MATTER/ CASE NAME	BRIEF DESCRIPTION	APPROPRIATIONS		EXPENDITURES		BALANCE
				FY2014	CUM. AS OF 3/31/14	FY2014	CUM. AS OF 3/31/14	
119634	ALBRIGHT, YEE & SCHMITT LLP	BC434486 - Marvin Brent v. COLA; BC466319 - Carr v. COLA/Employment (LAPD)	Brent case alleges retaliation and violations of the Peace Officers' Bill of Rights against the LAPD. City Atty's Office received ten new claims referred to as the "Carr" litigation which involves quota related allegations involving LAPD.	517,368	2,367,368	496,236	2,346,236	21,132
122189	ALBRIGHT, YEE & SCHMITT LLP	Amando Perez v. COLA/Employment (LAPD)	Plaintiff alleges one cause of action for "whistleblower" retaliation under Labor Code Section 1102.5.	62,128	72,128	61,297	62,614	9,514
122190	ALBRIGHT, YEE & SCHMITT LLP	Danielle Wells v. COLA/Employment (LAPD)	Plaintiff alleges 3 causes of action under FEHA: disability discrimination, disability harassment, and retaliation. She also alleges "whistleblower" retaliation under Labor Code Section 1102.5.	65,527	75,527	60,760	65,091	10,436
122191	ALBRIGHT, YEE & SCHMITT LLP	Mark Garza v. COLA/Employment (LAPD)	Plaintiff alleges 4 causes of action under California's Fair Employment & Housing Act (FEHA): discrimination based on race, and retaliation. There's also Labor Code Section 1102.5 cause of action for "whistleblower" retaliation.	74,104	84,104	55,940	63,934	20,170
115056	BURKE WILLIAMS SORENSEN	BC150151 - Grobeson v. COLA/Discrimination (LAPD)	Claims of sexual orientation discrimination, harassment and related retaliation during employment as an LAPD sergeant.	-	1,337,000	22,949	1,334,850	2,150
122287	GREINES MARTIN RICHLAND STEIN	Christian Rodriguez Litigation/Gang Injunction (LAPD)	Federal class action lawsuit seeks injunctive relief & monetary damages for a group of over 5,000 gang members who were served with various gang injunctions.	-	260,000	219,550	219,550	40,450
123475	GREINES MARTIN RICHLAND STEIN	Rohayent Eriza Gomez/Excessive Use of Force	Federal class action lawsuit seeks injunctive relief & monetary damages for a group of over 5,000 gang members who were served with various gang injunctions.	200,000	200,000	147,799	147,799	52,201
108296	LIEBERT, CASSIDY & WHITMORE	CV04-8592 - Alaniz v. COLA/FLSA (LAPD)	Plaintiffs claims to have worked unpaid meal breaks.	-	883,750	73,074	883,750	-
108297	LIEBERT, CASSIDY & WHITMORE	CV03-2109 - Nolan v. COLA/FLSA (LAPD)	Class action brought under the FLSA for alleged unpaid overtime at LAPD.	-	1,391,500	95,641	1,391,500	-