



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 4 - 0 0 4 9
FEB 0 7 2014

**REQUEST FOR CLOSED SESSION PURSUANT TO
GOVERNMENT CODE SECTION 54956.9(d)(1)**

REPORT RE:

RECOMMENDATION FOR SETTLEMENT

CITY OF LOS ANGELES v. CLARKE CONTRACTING CORPORATION
LASC CASE NO. BC 467844
2222 NICHOLS CANYON ROAD, LOS ANGELES
(COUNCIL DISTRICT FOUR)

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

Honorable Members:

This Office recommends that discussions with, and advice from, legal counsel with respect to possible action in the above-captioned lawsuit be scheduled and held in closed session pursuant to California Government Code Section 54956.9(d)(1).

Government Code Section 54956.9(g) requires you to state publicly, prior to the closed session, which subsection 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.

This case arises from a landslide resulting from a sewer realignment project on land owned by the Mountains Recreation and Conservation Authority. The plaintiffs in a related case claim that the project was designed improperly causing water to run off a

walking trail onto the plaintiffs' property. Clarke Contracting was the sewer contractor that built the realigned sewer line.

If you have any questions regarding this matter, please contact Deputy City Attorney Peter E. Langsfeld at (213) 978-8205. He or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM/PEL/mrc