



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 4 - 0 3 6 9

SEP 3 0 2014

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

REPORT RE:

PROPOSED 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 regarding the settlement of this pending litigation be scheduled and held in closed session pursuant to California Government Code Section 54956.9(d)(1). Government Code Section 54956.9 requires you to state publicly, prior to the closed session, what subdivision of that 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.

This matter involves settlement of a lawsuit filed by the City of Los Angeles for express indemnity against Clarke Contracting Corporation to recover a portion of a settlement by the City with the plaintiffs in a related case entitled Susan Morris and P.J. Pesce v. City of Los Angeles.

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:ns