



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 4 - 0 3 7 8

OCT 22 2014

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

REPORT RE:

PENDING LITIGATION

H5 CAPITAL WESTWOOD, LLC v. CITY OF LOS ANGELES
LASC CASE NO. BC149622

(COUNCIL DISTRICT 5)

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

Honorable Members:

This Office recommends that discussions with, and advice from, legal counsel regarding pending litigation be scheduled for and held in closed session pursuant to Government Code Section 54956.9(d)(1). Government Code Section 54956.9(g) requires that the City Council state publicly, prior to the closed session, what subdivision of this section authorizes the closed session, and that the closed session is being held to confer or discuss with, or receive advice from, legal counsel regarding pending litigation against the City.

The pending litigation before you seeks to compel the City to approve project permits for two proposed restaurants in Westwood Village and damage claims for a regulatory taking in H5 Capital Westwood, LLC v. City of Los Angeles (LASC Case No. BC149622).

If you have any questions regarding this matter, please contact Deputy City Attorney Kenneth Fong at (213) 978-8235. He or another member of this Office will be present when you consider this matter to answer any questions that you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 
DAVID MICHAELSON
Chief Assistant City Attorney

DM/KTF:ns