



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 6 - 0 2 8 1
SEP 0 7 2016

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

REVISED REPORT RE:

MILES v. CITY OF LOS ANGELES
LASC CASE NO. BC547126

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. 16-0990

Honorable Members:

This Office recommends that discussion with, and advice from, legal counsel with respect to recommendation for City Council action in the above-captioned 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 division 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.

We recommend that Council approve the retention of Tharpe & Howell, LLP for outside legal services with respect to the above-captioned litigation, for three years, in an

amount not to exceed \$500,000, and that \$500,000 be transferred from the Unappropriated Balance, Outside Counsel Including Workers Compensation line item to the City Attorney, Fund No. 100, Department No. 12, Account No. 009301 for that contract. We also recommend waiver of the firm's conflicts in its representation of co-defendants to the City in *Bravo Maximillian v. City of Los Angeles, et al.*, LASC Case No BC572635, *Sharon Klugman, et al. v. City of Los Angeles, et al.*, LASC Case No BC546468, and *Byanca Molina v. City of Los Angeles, et al.*, LASC Case No BC56690. We further ask that the matter be placed on the Budget and Finance Committee's closed session calendar as soon as is practicable.

If you have any questions regarding this matter, please contact Assistant City Attorney Anne Haley at (213) 978-7009. A 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:AH:lc