



**CITY OF LODI  
COUNCIL COMMUNICATION**

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**AGENDA TITLE:** Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$136,051.84).

**MEETING DATE:** February 6, 2008 City Council Meeting

**PREPARED BY:** City Attorney's Office

**RECOMMENDED ACTION:** That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement litigation in the total amount of \$135,049.94, and various other cases being handled by Outside Counsel in the amount of \$1,001.90.

**BACKGROUND INFORMATION:** Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskovitz, Tiedemann & Girard and Miscellaneous Invoices for services incurred relative to the Environmental Abatement Program litigation and various other matters that are currently outstanding and need to be considered for payment.

**Folger Levin & Kahn - Invoices Distribution**

Matter No.	Invoice No.	Date	Description	Water Acct. Amount
8008	106312	12/01/07	Col v. Envision	134,843.69
<b>Total</b>				<b>\$134,843.69</b>

**Kronick Moskovitz Tiedemann & Girard - Invoices Distribution**

Matter No.	Invoice No.	Date	Description	100351.7323
11233.026	236342	12/25/07	Lodi First v. City of Lodi	285.00
11233.027	236342	12/25/07	Citizens for Open Government v.	98.10
11233.028	236342	12/25/07	Personnel and Employment	55.00
11233.029	236342	12/25/07	AT&T v. City of Lodi	234.80
11233.030	236342	12/25/07	Water Supply Issues	329.00
Total				1,001.90

**JAMS Mediation Services**

	Date	Description	WaterAcct
0001385927-110	12/28/2007	State of Calif.v.M&P Invest.	206.25
<b>Total</b>			<b>\$206.25</b>

APPROVED: \_\_\_\_\_  
Blair King, City Manager

**FISCAL IMPACT:** Expenses in the amount of \$1,001.90 will be paid out of the General Fund and \$383.10 billed to Walmart for City's defense of the Lodi First litigation and Citizens for an Open Government. The remaining expenses will be paid out of the Water Fund.

**FUNDING AVAILABLE:** Water Fund \$135,049.94  
General Fund \$ 1,001.90

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Stephen Schwabauer, City Attorney

Approved: \_\_\_\_\_  
Kirk Evans, Budget Manager