

<u>MEETING DATE</u>	06/26/06
<u>AGENDA ITEM</u>	Consideration of Authorization to Amend Existing Legal and Professional Services Agreements, Including Approval of Extension of Agreement Terms and Rate Changes

ATTACHMENTS

		<u>Pages</u>
1	Firm Resumes	1-138

ATKINSON ANDELSON LOYA RUUD & ROMO

ATTACHMENT 1

RIVERSIDE
3612 MISSION INN AVENUE UPPER LEVEL
RIVERSIDE CALIFORNIA 92501
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PLEASANTON CALIFORNIA 94588
(925) 227 9200
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A PROFESSIONAL CORPORATION

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CERRITOS CALIFORNIA 90703 8597
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RECEIVED
05 JAN 31 AM 11 25
CITY ATTORNEY
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1555 CAPITOL MALL SUITE 645
SACRAMENTO CALIFORNIA 95814
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SAN DIEGO CALIFORNIA 92127
(619) 485 9526
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OUR FILE NUMBER
000845 00000
515288v1

January 27, 2005

Via Overnight Mail

Carol A Schwab
City Attorney
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232

RE Response to Request for Letter of Intent

Dear Carol

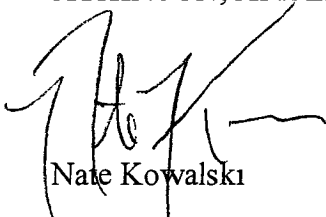
This letter is in response to your request for a Letter of Intent from our firm regarding our desire to continue providing contract legal services for the City of Culver City. We understand that your office plans to bring this matter before your City Council in the near future. We look forward to being included in your presentation.

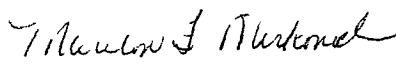
This firm has provided contract services to the City of Culver City for the past five years. Our proposed legal services include workplace investigations, labor relations, employment law, civil litigation, and land use/eminent domain. Attached please find our firm resume, attorney biographies and rate sheet.

Should you have any questions, please do not hesitate to call.

Sincerely,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO


Nate Kowalski
NJK kdc
Enclosures


Marilou F Mirkovich

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ATKINSON ANDELSON LOYA RUUD & ROMO

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OUR FILE NUMBER

000845 00000

515151V1

List of Representative Clients

Members of our firm have represented dozens of cities, counties and special districts in labor employment, land use, eminent domain and other civil litigation. The following is a partial list of the public agencies for whom members of the firm have provided services in the last decade.

Cities

City of Bell Gardens
City of Cathedral City
City of Culver City
City of Hesperia
City of Glendora
City of Huntington Beach
City of Inglewood
City of Lancaster
City of Long Beach
City of Manhattan Beach
City of National City

Cities

City of Pasadena
City of Pomona
City of Redondo Beach
City of Rialto
City of San Marino
City of Santa Paula
City of Temple City
City of Thousand Oaks
City of Torrance
City of Upland
City of Ventura

Counties

County of Los Angeles
County of Merced
County of Riverside
County of Tulare

Special Districts

Housing Authority of the City of Los Angeles
Metropolitan Water District of Southern California
Padre Dam Municipal Water District
Santa Paula Library District
South Coast Area Transit District



CITY OF CULVER CITY

Response to Request for Letter of Intent

Atkinson, Andelson, Loya, Ruud & Romo
A Professional Law Corporation

January 27, 2005



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Atkinson, Andelson, Loya, Ruud & Romo

Over the last two and a half decades, we have become one of California's most widely respected law firms. Our more than 5,000 private and public sector clients include corporations, partnerships, and other business entities, school and community college districts, trade groups, municipalities, and various state agencies.

Our uncompromising approach to high quality legal work enables us to provide consistently practical management solutions in the key practice areas of litigation, labor relations, employment law, real estate, public and private finance, construction law, business law, bankruptcy, estate planning and administration, and taxation.

We take an active role in representing our clients' interests across the state. Our proficiency in a number of foreign languages allows us to be responsive to the needs of our clients and their communities.

Our philosophy is driven by a continuing investment in knowing the broad spectrum of legal issues that affect public agencies. The firm grasps these issues and counsels clients with an orientation toward preventive, practical service. We believe that the key to providing effective legal service is open, honest and regular communication between the client and our firm. We place emphasis on precise information-sharing to avoid misinterpretation and provide our clients with clear direction. Central to this approach of course is proactive communication, common sense advice and ongoing recognition that our success is tied to our clients' satisfaction.

A



LITIGATION

Our litigation attorneys have handled virtually all types of litigation in both state and federal courts, participating in jury trials, arbitrations, mediations, and class actions. We have litigated cases involving wrongful termination, personal injury, toxic torts, insurance coverage, construction defects, discrimination, real estate, and debt collection.

We regularly appear in federal and state courts and have extensive experience in alternative dispute resolution, including arbitrations and mediations. We have also litigated before the Public Employment Relations Board and various state agencies regulating labor standards, unemployment compensation, and occupational safety and health.

We attribute our unparalleled success and high level of client satisfaction to our unique approach to litigation. When a client requests litigation assistance, we initially focus on identifying our client's goals. In some instances, our client's goals might include engaging in alternative dispute resolution such as early mediation. In other instances, our client's goals might require us to aggressively litigate an unmeritorious claim. Regardless, we include our clients in the process, fully analyzing the risks presented by the case early on and constantly communicating with the client throughout the litigation.

General Litigation

Our general litigation practice serves clients across a range of major disputes and civil litigation, from counseling to trial and appeal. This practice often involves complex, multi-jurisdictional matters involving multiple adversaries.

Appellate Practice

Our trial and appellate lawyers have assisted our clients in achieving success in the face of the most difficult legal problems. We have honed the art of appellate advocacy through countless arguments before federal and state appellate courts. We have also mastered trial court litigation through extensive first chair experience and wide range involvement in the presentation of legal issues for trial courts.

Premises Liability

Our premises liability lawyers advise and defend public agencies with respect to a variety of premises issues. We also counsel clients on liability prevention in this area.

EMPLOYMENT

We place significant emphasis on proactive client counseling. Our attorneys develop strong working relationships with in-house counsel and public agency administrators. Through these relationships we strive to manage employee turnover, successfully merge organizations, provide human resource training and communicate and implement liability reduction techniques. Areas of particular interest to our clients include interpretation of the federal and state disability laws, understanding the family and medical leave laws, workplace health and safety, and prevention of alcohol and drug use in the workplace.

In addition to these specialized areas, we advise clients on a broad array of topics, including sound employee practices concerning federal and state wage and hour laws, employment eligibility verification and equal employment opportunity compliance, affirmative action obligations and recordkeeping duties, and posting requirements facing public agencies.

We also prepare employee handbooks, policies and manuals, and review and revise existing employee handbooks and policies. We provide organized training programs to sensitize managers to the various pending employment issues and to provide managers with options on how to comply with the law and avoid litigation while carrying out their supervisory responsibilities.

Our attorneys also have extensive experience with all personnel issues, including discipline and termination, drafting, reviewing, and revising employment contracts, policies and procedures, hiring procedures (including criminal background checks), leaves of absence, layoffs, officer and employee conflicts of interest, employment discrimination, and employment litigation. Representative areas of employment expertise include the following:

Age Discrimination

We counsel public agencies in handling individual terminations and claims or reductions in force to minimize age discrimination claims. Our attorneys structure settlement agreements to comply with the special rules applicable to age discrimination cases. We defend against administrative agency charges and lawsuits brought under the federal and state age discrimination laws.

Disability Discrimination

We offer advice and management training to ensure compliance with the federal and state disability discrimination laws. We actively defend public agencies in administrative proceedings and discrimination lawsuits and assist public agencies to develop policies and procedures designed to prevent disability discrimination claims.



Gender, Race, National Origin and Religious Discrimination

Our attorneys handle numerous EEOC and state administrative agency charges as well as federal and state lawsuits alleging discrimination on the basis of gender, race, national origin, religion, and other protected classifications. We advise public agencies on how to avoid claims of discrimination or minimize company liability for such claims.

Family and Medical Leave

The Family and Medical Leave Act (FMLA) and analogous state laws generally require covered public agencies to provide eligible employees with up to 12 weeks of unpaid leave for specified medical reasons. We routinely provide legal advice to public agencies regarding employees who request, take, and return from leave. We focus on the interplay between state and federal laws and regulations, including disability discrimination laws, workers' compensation laws, family medical leave laws, and pregnancy disability laws, to implement preventive policies concerning leaves.

Harassment

Our attorneys draft and assist with the implementation of effective policies against harassment. We also conduct management and supervisory training to prevent unlawful harassment and can guide public agencies through independent workplace investigations. Our attorneys have decades of experience representing management in administrative and court proceedings involving claims of harassment based on sex, race, national origin, age, religion, and disability.

Privacy Issues

Our attorneys routinely counsel public agencies with respect to employee privacy matters. We assist public agencies in developing or evaluating personnel policies dealing with privacy issues, including employee drug testing procedures, monitoring of employees' telephone, email, and internet usage, and employer usage of consumer credit, motor vehicle, and criminal background reports during the hiring or promotion process.

Employment Policies & Procedures/Audits

We assist public agencies in drafting comprehensive employee handbooks and manuals. These handbooks and manuals emphasize employer rights, clearly set forth expectations for employees, and avoid the unwarranted guarantees of "fairness" or "due process" that frequently become the basis for breach of employment contract lawsuits.

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Wage and Hour

Our attorneys assist public agencies to achieve compliance with the minimum wage overtime and recordkeeping requirements of all federal and state wage and hour laws. We also assist public agencies in complying with other state wage and hour laws such as those governing vacation pay and wage deductions. We also defend wage and hour lawsuits in court including class actions.

Occupational Health and Safety Laws

We counsel clients toward prevention of workplace health and safety issues and to achieve practical compliance with applicable federal and state requirements. We also represent public agencies during safety and health inspections by OSHA and Cal OSHA. We handle litigation before courts and government agencies relating to workplace health and safety issues.

Labor Relations

Our labor relations practice covers all issues arising between our clients' employees, and labor unions. Several of our attorneys formerly worked for the Public Employment Relations Board (PERB), providing us with the advantage of an insider's perspective. In addition to an extensive PERB practice, our labor relations work addresses labor issues and claims arising in state and federal courts.

In addition to assisting public agencies in collective bargaining negotiations, the firm represents them in contract interpretation disputes including grievance proceedings culminating in arbitration.

Prior to any arbitration, the firm believes in being involved at the early levels of the grievance procedure to ensure that all legal issues are explored and raised, possibly with resolution prior to arbitration. This practice also ensures that affirmative defenses such as timeliness and arbitrability are preserved. Firm personnel interview witnesses, compile documents and other information, prepare questions for witnesses, and present the employer's case at the hearing.



LAND USE AND EMINENT DOMAIN

The firm has a vast broad range of expertise and experience in public real property and land use issues including purchases and sales eminent domain environmental regulation leases and easements, and redevelopment

Eminent Domain

The firm has represented public entities throughout the state in eminent domain matters We have advised numerous agencies on appropriate pre-condemnation procedures, including appraisal, compensation just offers, and negotiation We have successfully represented public agencies on both sides of eminent domain matters with respect to the right to take and valuation Finally the firm has defended several public entities against inverse condemnation and Klopping damages claims

Environmental Regulation and Compliance

The firm has experience in all facets of state and federal environmental and hazardous substances regulation The firm has advised numerous public agencies on compliance measures for the California Environmental Quality Act (CEQA), including preparation, review and certification/adoption of environmental impact reports, mitigated negative declarations CEQA exemption and impact studies The firm has also represented public entities in both prosecuting and defending CEQA enforcement action The firm has extensive experience working with agencies charged with environmental oversight and enforcement, including the United States Environmental Protection Agency (EPA), California Department of Toxic Substances Control (DTSC), and various air quality management districts

Land Use and Planning

The firm has represented numerous public and private entities in land use matters, including zoning compliance and amendments developer fees Subdivision Map Act, permitting and redevelopment

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ATTORNEY CONTINUING EDUCATION AND TRAINING

The firm is committed to ensuring that its attorneys, paralegals, and staff have up-to-date knowledge of legal issues. The firm provides in-house continuing legal education programs and training for all attorneys in a wide range of areas and also arranges for attorneys to attend outside seminars and workshops.

Each attorney is required to complete at least seven (7) hours of continuing legal education each year with a total of thirty-six (36) hours required over a three-year period. Such education includes substantive areas of the law, legal ethics, and elimination of bias from the profession. All attorneys are expected to read legal periodicals and updates on a regular basis. We offer a variety of seminars and workshops for our clients, as well as for other organizations. Our attorneys frequently attend and participate as a means of remaining current on legal issues.

We also have an extensive library, access to Lexis/Nexis (a computer legal research network) and Internet-based legal research, and cases, statutes and other publications on CD-ROM. The library includes numerous treatises, books with in-depth analyses of particular areas of the law and periodicals on specific issues, such as arbitrations, family and medical leave, sexual harassment and the Americans with Disabilities Act.

Special Skills

In addition to the extensive legal experience and training of our attorneys and paralegals, all our attorneys are trained and experienced in providing in-service training or workshops on general legal issues or specific issues or concerns of a public agency.

Firm Publications

Our firm publishes *Legal Advisories* and *Alerts*. These reports provide clients with information concerning laws and case decisions which affect public agencies and business personnel. Frequent *Alerts* are distributed without charge. The *Alert* reports on late-breaking developments in labor and employment and construction/facilities-related laws. Our firm also conducts seminars on various topics such as wage & hour, construction industry issues, family medical leave act, employment law updates, prevailing wage, legislative updates and the Americans with Disabilities Act. We also present Breakfast Briefings on topics of concern such as legislative updates, general conditions and harassment awareness.

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Atkinson, Andelson, Loya, Ruud & Romo
A Professional Corporation

NATE J KOWALSKI

Cerritos California

Senior Associate

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Employer Services Practice Group

Experience

Nate Kowalski is a senior associate in the Cerritos office of Atkinson Andelson Loya Ruud & Romo. Mr. Kowalski is an accomplished litigator who has represented employers in both the private and public sectors. Mr. Kowalski is also a gifted writer who frequently contributes to the California Labor and Employment Review, a periodical published by the State Bar Labor and Employment Section.

Mr. Kowalski has litigated dozens of labor and employment cases in state and federal court and has achieved remarkable results for clients in motions, arbitrations, trials, and appeals. Among his victories is a case in which the United States Supreme Court, in a unanimous decision, ruled in favor of his client. His representation of employers encompasses a wide array of issues, including defamation, trade secrets, unfair competition, privacy, and leaves of absence. He has also represented employers in connection with overtime claims and other wage and hour matters, including class actions. In addition, Mr. Kowalski has successfully defended employers against discrimination and harassment claims based on gender, race, religion, age, and disability.

Besides employment litigation, Mr. Kowalski has extensive experience with traditional labor law issues. He has handled numerous recognition and unfair practice proceedings before the National Labor Relations Board and the Public Employment Relations Board. He has also represented multi-employer pension and health plans in employee benefits litigation. His labor and employee benefits experience encompasses such areas as collective bargaining, union elections, successorship, and alter ego claims.

In the past decade, Mr. Kowalski has litigated a number of precedent-setting cases involving issues such as union security provisions in collective bargaining agreements (*Marquez vs. Screen Actors Guild* (1998) 525 U.S. 33), restrictive endorsements under the Uniform Commercial Code (*Directors Guild Pension & Health Plans vs. Harmony Pictures* (1999) 32 F.Supp.2d 1184), public meetings of government bodies (*Morrison vs. Housing Authority* (2003) 107 Cal. App. 4th 860), and law enforcement disciplinary investigations (*Upland Police Officers Association vs. City of Upland* (2003) 111 Cal. App. 4th 1294) and surface bargaining (*Riverside Sheriffs Association vs. County of Riverside* (2004) 29 PERC).

In 2004, Mr. Kowalski obtained summary judgment for a landscape contractor in a trust fund action in federal court. This case, one of first impression in the Ninth Circuit, stemmed from an assignment of work dispute between two competing unions. The Court dismissed the action because the union that contested the contractor's work assignment failed to exhaust the procedure for resolving jurisdictional disputes under the applicable Project Stabilization Agreement. Also in 2004, Mr. Kowalski was named a 'Southern California Rising Star' by Law & Politics magazine and Los Angeles Magazine, based on a poll of selected Southern California lawyers. This recognition honors exceptional Southern California attorneys who are under the age of 40.

Education

Mr. Kowalski earned his undergraduate and law degrees from the University of Michigan.

Admission & Memberships

1995 California

Los Angeles Bar Association, State Bar of California

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Atkinson, Andelson, Loya, Ruud & Romo
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MARILOU F MIRKOVICH

Cerritos California

Partner

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Employer Services Practice Group

Experience

Marilou Mirkovich is a partner in the Cerritos office of Atkinson, Andelson, Loya, Ruud & Romo. Ms. Mirkovich represents employers in all aspects of labor relations and employment law. She specializes in defending discrimination claims in federal and state courts and she handles matters pending before the EEOC, DFEH, and FEHC.

Ms. Mirkovich has served as President of the Board of Directors for the Community Family Guidance Center, an organization which provides low cost mental health care to families at risk in the communities of Artesia, Bellflower, Cerritos, Downey, Hawaiian Gardens, Lakewood, Norwalk, and Paramount. She has been an active participant in the Los Angeles County Bar Association AIDS HOSPICE Project. Ms. Mirkovich is also on the Board of Directors for the Friends of the Cerritos Center for the Performing Arts.

Education

Ms. Mirkovich received her undergraduate degree from the University of Redlands in Economics and her Juris Doctor from Loyola Law School, Los Angeles. She joined Atkinson, Andelson, Loya, Ruud & Romo in 1985.

Admission

1985 California, 1986, U.S. District Court, Central District of California
Julianne

Memberships

Los Angeles County and American Bar Associations, State Bar of California

Publications and Speaking Engagements

Ms. Mirkovich has written many articles for publication in periodicals relating to employment and labor law. She is a frequent speaker to various organizations on labor and employment issues.

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JAMES BACA

Cerritos, California

Senior Partner

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Public Sector Practice Group

Experience

James Baca is a partner in the Cerritos office of Atkinson, Andelson, Loya Ruud & Romo. He represents California public and private sector employers in labor relations and collective bargaining negotiations and represents school districts in general education law matters. He specializes in employment discrimination, personnel labor, and special education litigation. Mr. Baca was the lead attorney in a precedent-setting sexual harassment case *Governing Board of ABC Unified School District v Haar* (1994) establishing the right of a school district to terminate a tenured teacher for sexually harassing students.

Education

Mr. Baca received his Bachelor of Arts with honors in History from Whittier College and his Juris Doctor from the University of California, Los Angeles. He has completed all but the dissertation to receiving his Ph.D. in education administration from the University of California, Los Angeles.

Admissions

1984, California 1987, U.S. District Court Central District of California and U.S. Court of Appeals, Ninth Circuit

Memberships

Los Angeles County and American Bar Associations State Bar of California

Publications and Speaking Engagements

Mr. Baca has presented workshops and conferences for private sector employers, school administrators, educational agencies, and school board members on such topics as complaint discrimination and classified/certificated evaluation and dismissal. He is also a frequent contributor to the firm's school law publications.



Atkinson, Andelson, Loya, Ruud & Romo
A Professional Corporation

WARREN S KINSLER

Cerritos, California

Partner

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Public Sector Practice Group

Experience

Warren Kinsler is a partner in the Cerritos office of Atkinson Andelson, Loya, Ruud & Romo. Mr. Kinsler represents California school districts and community college districts and county offices of education in education law, administrative law, and labor relations. He handles general human resources matters, administrative hearings, and employment litigation. He specializes in personnel matters, civil rights litigation, real property transactions, public finance transactions, and government tort liability.

Prior to joining the firm, Mr. Kinsler was general counsel for the Los Angeles Community College District.

Education

Mr. Kinsler earned his undergraduate degree in University Planning and Social Policy from the University of California Berkeley, and his Juris Doctor from Loyola Law School.

Admission

1982 California and U.S. District Court, Eastern District of California; 1983, U.S. District Court, Central and Southern Districts of California; and U.S. Court of Appeals, Ninth Circuit; 1990 U.S. Supreme Court.

Memberships

Los Angeles County and American Bar Associations; State Bar of California.

Publications and Speaking Engagements

Mr. Kinsler has lectured extensively to school administrators, board members, and educational agencies on various education law-related topics, including the Brown Act and avoiding employment discrimination. He has been a guest lecturer at California State University, Northridge, and the Community College League of California. He is a frequent contributor to the firm's school law publications.

EDWARD B REITKOPP

Cerritos California
Senior Associate
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Public Sector Practice Group

Experience

Ed Reitkopp is a senior associate in the Cerritos office of Atkinson Andelson Loya Ruud & Romo. He has more than 20 years experience in labor and employment law, his chosen area of expertise. He has provided counsel both for agencies in the public sector and for Fortune 500 companies in the private sector. He has also served as a hearing officer for the U.S. Equal Employment Opportunity Commission.

Mr. Reitkopp specializes in the representation of public agencies in lawsuits, arbitrations, and administrative hearings. In that capacity, he has successfully represented numerous clients in such matters as employment discrimination and sexual harassment litigation, disciplinary hearings, and litigation related to collective bargaining issues. He has also successfully engaged in both traditional and collaborative collective bargaining on behalf of public agency clients and is an experienced speaker on topics related to numerous labor and employment issues.

Mr. Reitkopp served as in-house labor counsel for the National Broadcasting Company and the Lockheed Corporation, representing them in all facets of labor and employment law. He also served as counsel in a precedent-setting class action employment discrimination lawsuit involving the County of Los Angeles that was decided by the U.S. Supreme Court. As a hearing officer for the U.S. Equal Employment Opportunity Commission, he presided at administrative hearings to resolve allegations of employment discrimination brought by U.S. Government employees.

Education

Mr. Reitkopp received his Bachelor of Science degree from the School of Industrial and Labor Relations at Cornell University and his Juris Doctor from the University of California, Los Angeles.

Admission

1977 California and U.S. District Court, Central District of California

Memberships

Los Angeles County Bar Association, State Bar of California

Publications and Speaking Engagements

Mr. Reitkopp is a contributor to the firm's publications.



RATE SHEET

Our team's rates for legal services are two hundred twenty-five dollars (\$225.00) per hour for partners, two hundred dollars (\$200.00) per hour for associates, and one hundred dollars (\$100.00) per hour for paralegals.

Telephone calls are billed to the client at the actual cost of the call and the attorney's time in quarter hour increments. We bill commuting to appointments related to City matters at the regular hourly rate, portal to portal, and actual mileage incurred. In order to assist in tracking mandated costs and other costs on particular cases or issues, our firm has created a "point number" billing system. For example, all construction-related matters, including claims related to a specific project, are billed under a particular point number. Additionally, where it appears that a particular matter will require detailed and lengthy work over a period of time, a separate point number is generally created so that costs on that particular issue are segregated and easily trackable by our office and the City.

Additional expenses associated with our proposal for legal services are as follows:

Expense	Cost
Photocopying	\$ 20 per page
Document production & word processing	\$40.00 per hour
Long distance telephone calls	At cost
Facsimile	\$2.00 per page incoming & outgoing
Messenger services	\$25.00 per hour + \$ 375 per mile
Mileage	\$ 375 per mile
Overnight mail	At cost
Computerized legal research	\$54.00 per search (standard vendor charge)

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LAW OFFICES OF
CARPENTER, ROTHANS & DUMONT

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JILL W. BABINGTON
RONDA L. CHOW
JUSTIN READE SARNO
G. ROSS TRINDLE III
JONATHAN D. REDFORD

RECEIVED
JUN 21 AM 11 25
CITY OF CULVER CITY

MARK D. RUTTER
OF COUNSEL

June 20 2006

Ms Carol A Schwab
City Attorney
CITY OF CULVER CITY
9770 Culver Boulevard
Culver City, CA 90232-0507

RE PROPOSED FEE INCREASE

Dear Ms Schwab

Following our recent telephone conversation, please be advised that we have determined that our last fee increase for legal services to the CITY OF CULVER CITY was more than eight years ago. Our fees have been \$130.00 per hour for Partners *and* Associates for general civil tort litigation, and \$150.00 per hour for Partners *and* Associates for employment litigation matters.

We have recently discussed our rates with several other defense firms, as well as various other clients including school districts, community colleges, municipalities and public entities, and determined that our fees are considerably lower than the current market rates for firms that specialize in the defense of public entities. Additionally, as with many of our clients, our law firm's costs associated with employee health insurance, Worker's Compensation insurance, and liability and malpractice insurance, have literally sky rocketed over the past few years. Thus, we would respectfully propose a fee increase subject to your approval as follows:

GENERAL CIVIL LIABILITY

Partners & Associates \$170.00 per hour

LABOR & EMPLOYMENT MATTERS

Partners & Associates \$185.00 per hour

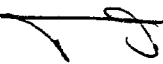
Our proposal applies to all tort liability as well as employment matters. I would respectfully request that you please give due consideration to our proposal for a fee increase. Carol, our attorneys have enjoyed a 12 year history with the folks at the CITY OF CULVER CITY. We certainly look forward to working with you in the defense of the CITY and its police officers for many years to come.

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Ms Carol A Schwab
CITY OF CULVER CITY
June 20, 2006
Page 2

Thank you for your consideration

Very truly yours,

A handwritten signature in black ink, appearing to be "SJR", written over a horizontal line.

STEVEN J ROTHANS

SJR al

LAW OFFICES OF CARPENTER, ROTHANS & DUMONT

888 South Figueroa Street Suite 1960
Los Angeles CA 90017
213 228 0400
213 228 0401 (fax)

Firm Biography

Nature of Practice

- Main
- Firm Bio
 - Carpenter, Martin L
 - Rothans, Steven J
 - Dumont, Louis R
 - Rutter, Mark D
 - Torres-Siegrist, David G
 - Babington, Jill W
 - King, Ronda L
 - Sarno, Justin Reade
 - Trindle III, G Ross
- Public Entity Trials
- Recent Significant Outcomes
- Map

The Law Offices of Carpenter, Rothans & Dumont primarily specializes in the defense of public entities, private businesses and individuals. Taking its roots in insurance defense litigation, the firm has grown and expanded into a wide and diverse practice of law in many areas of law for both public and private clients. Members of the firm possess significant expertise in tort liability related to public entities and private enterprise, including the defense of federal and state court civil rights litigation, dangerous conditions of property, sexual harassment, defamation, wrongful termination and discrimination, among others.

The firm's combined experience in the complexities of civil litigation has generated business and promoted the firm's growth and diverse clientele.

Scope and Depth of Representation

Present clients include numerous municipalities, public school districts, community college districts, public transportation agencies, municipal water districts, county sheriff's departments, self-insured risk management claims administrators, as well as private educational institutions, insurance carriers, police officers, police and fire chiefs, grocery store chains, western states grocery warehouse, interstate trucking company, international product distributors, individuals, businesses and corporations.

To pursue our clients' interests, the firm's various members are licensed to argue cases in the highest jurisdictions, including the United States Circuit Courts of Appeal and the United States Supreme Court.

Public Involvement

The members of the firm have brought to the profession diverse backgrounds in other areas of business and public life. Various individuals have served in a number of official capacities with numerous law related and charitable organizations. The firm members are personally involved and committed to the support of both the legal profession and the community at large.

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Public Entity Trials

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 - Carpenter, Martin L
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- ***Sherri Servillo v County of Los Angeles, Leroy D Baca, et al***, Case Number BC 283883, Chatsworth, by Mark D Rutter (March 2004), violation of civil rights, assault, battery, intentional infliction of emotional distress and harassment claims against sheriff academy instructor during training of cadets, Jury Verdict – Defense
- ***Jeanette Martinez v Oxnard School District***, Case Number CIV207809, Ventura, by Martin L Carpenter (August 2003), Dangerous Condition of School Property, student injured during P E class requiring two surgeries on ankle and need for a fusion in the future, Jury Verdict – Defense
- ***Sharmalee Gnanakone v City of Hawthorne***, Case Number YC042858, Torrance, by Mark D Rutter (August 2003), Police Car Code 3 intersection accident, Jury Verdict–Defense
- ***Mary Corson v Palmdale School District***, Case Number BC 226806, Van Nuys, by Martin L Carpenter (August 2002), Wrongful Death-Negligent Supervision, Jury Verdict - Defense
- ***Frank Buckley Geddes v County of Los Angeles***, Case Number TC013032, Compton, by Mark D Rutter (August 2001), Dangerous Condition of Public Property, Jury Verdict–Defense
- ***Al Allan v Inglewood Unified School District***, Case Number BC 223635, Torrance, by Louis R Dumont and Martin L Carpenter (May 2001), School Police Excessive Force §1983, Jury Verdict – Defense
- ***Daniel Oyeniran v City of Hawthorne***, Case Number YC034874, Torrance, by Mark D Rutter (June 2000),

Wrongful seizure/conversion, Jury Verdict–Defense

- ***John Gunther v City of Huntington Beach***, OCSC Case Number 796147 Santa Ana, by Mark D Rutter (December 1999), Dangerous Condition of Public Property, Jury Verdict–Defense
- ***Michelle Gilley, et al v City of Arcadia, et al.***, Case Number GC 021173, Pasadena, by Martin L Carpenter (June 1999), Police Excessive Force and Deprivation of Civil Rights per §1983, Jury Verdict – Defense
- ***Michelle Rodriguez v City of Arcadia, et al.***, Case Number GC 017836, Pasadena, by Steven J Rothans (December 1998), Sexual Harassment of a Fire Department employee, Jury Verdict – Defense
- ***William Hemmett v City of Huntington Beach***, OCSC Case Number 787940 Santa Ana, by Mark D Rutter (December 1998), Dangerous Condition of Public Property, Jury Verdict–Defense
- ***Kelly Ress v Las Virgenes Unified School District***, Case Number LC 026948, Van Nuys, by Martin L Carpenter (February 1997), Dangerous Condition of Public Property and Negligent Supervision, Jury Verdict – Defense
- ***Reith Schoap v City of Huntington Beach***, OCSC Case Number 742007 Santa Ana, by Mark D Rutter (December 1996), Dangerous Condition of Public Property, Jury Verdict–Defense
- ***Joshua Foster, et al v Lancaster School District, et al., Lancaster***, by Louis R Dumont (September 1996), Multiple Party Construction Loss and Breach of Contract, Court Trial – Defense
- ***Noreen Caswell and Myrtle Morris v El Camino Community College District and College District Police Department***, Case Numbers YC 023184 and YC 025365, Torrance, by Martin L Carpenter (September 1996), Negligent Operation of a Police Vehicle, Jury Verdict – Plaintiffs, but damages less than arbitration awards with finding of comparative negligence on driver Caswell
- ***James M Kawaguchi v City of Arcadia, et al***, Case Number CV 95-3382 JMI(RWBx), U S D C , Central District of California, by Martin L Carpenter (May

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1996), Police Excessive Force and Deprivation of Civil Rights per §1983, Jury Verdict – Defense

- ***Michael Copper v Las Virgenes Unified School District, Van Nuys***, by Louis R Dumont (August 1995), Negligent Supervision, Assault and Battery between student and third party on campus, at the conclusion of plaintiff's case-in-chief defendant's Motion for Non-Suit was granted
- ***Aaron Orange v City of Gardena, et al***, Case Number YC 016700, Torrance, by Martin L Carpenter (May 1995), Dangerous Condition of Public Property, Jury Verdict- Defense for City, but hang jury on negligence of City employee – case settled for less than incurred medical specials
- ***Walter Grantham v City of Huntington Beach***, OCSC Case Number 623276 Santa Ana, by Mark D Rutter (June 1994), Police Excessive Force and Unlawful Detention, Jury Verdict–Defense
- ***Kathleen Hancock v City of Huntington Beach***, OCSC Case Number 701877 Santa Ana, by Mark D Rutter (May 1994), Police Car Rear-End Accident, Jury Verdict–Defense
- ***Bradley Matthew v City of Arcadia, et al.***, Case Number C 736486, Los Angeles Central Civil West, by Martin L Carpenter and Steven J Rothans (February 1994), Dangerous Condition of Public Property, Plaintiff rendered a quadriplegic, Jury Verdict – Defense
- ***Garrett Yazell, et al v City of Arcadia***, Case Number NEC 64707, Alhambra, by Steven J Rothans (September 1993), Dangerous Condition of Public Property, Wrongful Death and Brain Damage Case, Jury Verdict – Defense
- ***Diamatha Walter, et al v City of Huntington Beach***, OCSC Case Number 686342 Santa Ana, by Mark D Rutter (August 1993), Dangerous Condition of Public Property/Road Design/Wrongful Death, Court Trial–Defense
- ***Richard Champion v City of Manhattan Beach, et al***, Case Number SWC 92734 Torrance, by Martin L Carpenter (September 1992), Police Excessive Force, Assault and Battery, Jury Verdict – Defense

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- ***Henry Ten v Teledyne (City of Hawthorne), et al***, Case Number SWC 77444 Torrance, by Mark D Rutter (April 1991), False Arrest/Conspiracy, Jury Trial–Defense
- ***Clifton Collins v City of Hawthorne***, Case Number SWC 76325 Torrance, by Mark D Rutter (December 1989) Police Excessive Force/False Arrest, Jury Verdict–Defense
- ***Carol Young, et al v City of Torrance***, Case Number SOC 60365 Long Beach, by Mark D Rutter (February 1986), Rear-end City bus accident; Jury Verdict–Plaintiffs, but for nearly half as much damages as arbitration award before City referral
- ***Romelias Barias, et al v Ruston (City of Carson), et al***, Case Number SCC 4346 Compton, by Mark D Rutter (June 1984), Dangerous Condition of Public Property/Road Design/Wrongful Death, Jury Trial–Defense

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- ***Alison Newton v Conejo Valley Unified School District***, Case Number SC 076703, Santa Monica, by Martin L Carpenter and Ronda L King March 2004), while on a school overnight field trip the 11 year old plaintiff fell down a rocky slope head first. The slope was a part of the designated hiking trail selected to be a challenge to the students. Plaintiff sustained a concussion and developed traumatic seizure disorder. Summary judgment was granted based upon the field trip immunity, Education Code §35330.
- ***Marielena Jenneman v City of Pomona***, Case Number BC 300242, Chatsworth, by Steven J Rothans and David G Torres-Siegrist (March 2004), thirteen causes of action in complaint, mainly alleging 42 USC §1983 violations by police in intentionally misrepresenting facts and making false reports that lead to arrest and filing of criminal charges against plaintiff. Demurrers to Second Amended Verified Complaint were sustained as to all causes of action without leave to amend.
- ***Dan Winter v City of Pomona***, Case Number RCV 076660, San Bernardino, by Steven J Rothans and David G Torres-Siegrist (February 2004), Pomona police pursuit into Ontario where suspect collided with another motorist. Demurrer to original complaint was sustained without leave to amend and case was dismissed, with no appeal.
- ***Christopher Flores v County of Los Angeles, City of Monrovia, et al***, Case No GC031888, Pasadena (December, 2003) by Steven J Rothans and Jill W Babington – A false arrest and 42 U S C civil rights action was brought by a man who claimed to have been arrested by Monrovia police officers pursuant to an invalid arrest warrant. Defendants' demurrers were



sustained without leave to amend

- ***Sonya Mitchum, et al v Santa Barbara School Districts***, Case Number 01066421, Santa Barbara, by Martin L Carpenter (2003), Taxpayer lawsuit brought under the Unruh Act (Civil Code §§51 & 52) for violation of disabled students rights and failure to comply with the federal Americans with Disability Act (ADA) Lawsuit involved 22 campuses and the district administration offices Using pre-approved bond money Districts agreed to expend \$8.2 million modernize and become ADA compliant by December 2006
- ***Akian Aleong v City of Rancho Santa Margarita, et al.***, Case No. 03CC11554, Orange County (October, 2003) by Steven J Rothans and Jill W Babington – A multi-million-dollar wrongful death lawsuit was brought against the City of Rancho Santa Margarita by the survivors of nineteen-year-old boy who was killed in a motorcycle accident, alleging that the cause of the accident was a dangerous condition of public property on Dove Canyon Drive After receiving the City's demurrer to the plaintiff's complaint, the plaintiff voluntarily dismissed the case
- ***Gregorio Cruz v County of Los Angeles***, Case Number CV 01-09122, District Court and 9th Circuit Court of Appeals, by Steven J Rothans (May 2003), Lawsuit against the Los Angeles County Sheriff's Department for violation of 42 USC §1983 Issues were correct identity on a warrant and excessive bail Defendant's motion to dismiss was granted and affirmed on appeal by the 9th Circuit
- ***Eduarda Tapia v City of El Monte***, Case Number KC039919, Pomona, by Steven J Rothans and David G Torres Siegrist (2003), Slip and Fall, Personal Injury – Dangerous Condition of Public Property, Motion for Summary Judgment granted
- ***Veronica Wilson, et al v City of Hawthorne***, Case Number 99 C 01832 Inglewood, by Mark D Rutter (February 2003), False Arrest/Knock- Notice/Excessive Police Force case, summary judgment affirmed on appeal [2nd Civ #B159307]
- ***Natalie Townsend v Palmdale School District***, Case Number CV 02-9252, U S District Court, by Martin L Carpenter (January 2003), Plaintiff was denied special education instruction under IDEA Settlement whereby

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the disabled student received additional hours of speech therapy and a Functional Analysis Assessment to better meet the needs of student. No money damages involved.

- ***Robert Locatell v City of Monrovia, et al.***, Case No BC273504, Pasadena (January, 2003) by Steven J Rothans and Jill W Babington – An anti-abortion activist brought suit against the City of Monrovia, alleging that his First Amendment rights had been violated when he was given a citation for distributing anti-abortion literature outside a high school. The City's demurrer was sustained without leave to amend.
- ***Frank Selig v City of Hawthorne***, Case Number YC 038 165 Torrance, by Mark D Rutter (January 2003), False Arrest claim by man held in jail for 40 days based upon false accusation of child, summary judgment upheld on appeal [2nd Civ #B154625]
- ***Dora Montes-Dueñas v City of El Monte, et al.***, Case Number KC039900, Pomona, by Steven J Rothans and David G Torres-Siegrist (2003), Slip and Fall/Personal Injury – Dangerous Condition of Public Property, Voluntary dismissal with prejudice.
- ***Gerald Pool v Palmdale School District, et al.***, Case Number MC 011034 Palmdale, by Martin L Carpenter (November 2002), Middle school student slipped and fell on wet walkway and sustained a fractured hip. Surgeon severed sciatic nerve resulting in permanent drop foot. Plaintiff did not sue surgeon or hospital for medical malpractice, but School District did. Estimated two million dollar case settled for total of \$580,000, with contributions by defendants and cross-defendants.
- ***Grace Chan, et al. v City of Arcadia, et al.***, Case Number GC 024498, Pasadena, by Steven J Rothans (2001), Multiple Wrongful Death and Personal Injury – Police Negligence, Demurrers sustained without leave to amend and action was dismissed with prejudice.
- ***Eden Dankowski v City of West Covina***, BC 209477 Pomona, by Steven J Rothans, (November 2000) Infringement of First Amendment rights and false imprisonment. News reporter arrived at crime scene and was physically removed and detained. Motion for Summary Judgment was granted in favor of defendant.
- ***Eugenia Cazares v City of Pomona, et al., U S D C***

Central District of California, by Steven J Rothans for Chief Fred Sanchez (October 2000), Deprivation of Civil Rights per §1983, Federal court ruled jailhouse strip search policy for non-violent offender unconstitutional, but chief of police was entitled to qualified immunity

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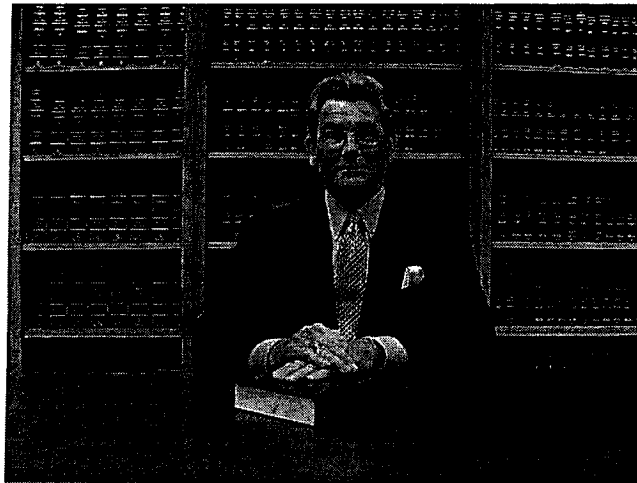
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Martin L. Carpenter

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Martin L Carpenter is a native of Los Angeles County. After being honorably discharged from the United States Navy in 1969, Mr

Carpenter attended the University of California at Los Angeles, where he received his Bachelor of Arts degree in 1973. He then pursued his legal education at Southwestern University.

As a staff writer on the Southwestern Law Review, Mr Carpenter co-authored an article on insurance bad faith in 1975, which has been cited by the California and South Dakota Supreme Courts for the proposition that in each contract there exists an implied covenant of good faith and fair dealing. At Southwestern Mr Carpenter earned a position as an Associate Editor of the Law Review. He graduated in 1976 with his Juris Doctor, and was admitted to the practice of law in the State of California and the U S District Court for the Central District of California in December of the same year.

Additionally, Mr Carpenter is admitted to practice before the U S District Courts for the Eastern, Northern, and Southern Districts of California, the United States Court of Appeals, Ninth Circuit, and the United States Supreme Court. He is an arbitrator with the American Arbitration Association and Los Angeles Superior Court. He also sits as a Temporary Judge.

for the Superior Court in limited jurisdiction cases. He has received recognition from the Los Angeles Superior Court for his volunteer service as a mediator through the ADR Program.

Mr. Carpenter has devoted his professional life to developing and applying the skills of a civil trial attorney. He represents private individuals, corporations, businesses and public entities in the areas of personal injury, products liability, contracts, civil rights violations, discrimination, wrongful termination, defamation, and police excessive force. His published decision in *Rodriguez v. Inglewood Unified School District* (1986) 186 Cal App 3d 707 is an often cited authority in educational law.

Professional associations are American Bar Association, Los Angeles County Bar Association, Association of Southern California Defense Counsel and Southwestern Alumni Association. He is also a member of the U C L A Alumni Association and the Bruin Bench.

Marty married his wife, Catherine in July of 1973, after their graduation from U C L A and just before they both entered law school. Catherine is a Professor of Criminal Law at Southwestern. She is very active with the ABA Legal Education Division and serves as an educational consultant to colleges and universities across the nation. They have three children, David, Scott, and Erica, and reside in the San Fernando Valley.

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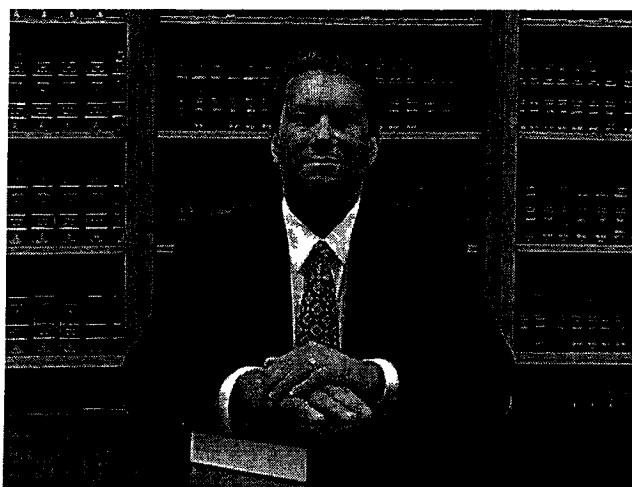
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Steven J Rothans graduated from Loyola Marymount University in 1979. His academic honors included membership in Phi Gamma Mu

National Social Science Honor Society and continuous listing on the Dean's List during his four years at Loyola. He received his legal training from Loyola Law School, earning his Juris Doctor in 1982.

Mr. Rothans is a member of the Association of Southern California Defense Counsel, the South Bay Bar Association and the Los Angeles County Bar Association. Steve also frequently serves as a Judge Pro Tem in the Los Angeles Superior Court in West Los Angeles, San Pedro, downtown Los Angeles and the South Bay. He also serves as an arbitrator and mediator with the Los Angeles County Alternative Dispute Resolution Service.

As a member of the Executive Board of the Los Angeles Area Council, Boys Scouts of America, he currently serves as the Council's Camping Chairman. Steve is proud of the fact that he was one of the youngest recipients of the Boy Scout's Silver Beaver Award, the highest honor given to volunteer Scouters on the Council level.

Hard work and aggressive lawyering by Mr. Rothans has resulted in favorable verdicts in more than 35 jury trials in

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Southern California He stands out as having the most defense verdicts by a contract attorney on behalf of the City of Arcadia in civil cases involving wrongful death, a brain damaged plaintiff, a quadriplegic plaintiff, police excessive force and a sexual harassment action

Steven is married and resides in the South Bay area with his wife, Sheryl and daughters, Christina, Catherine, and Caroline

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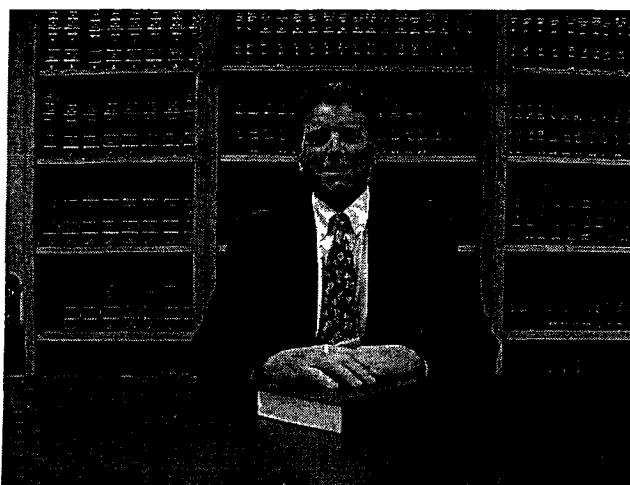
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Louis R. Dumont

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Louis R. Dumont was a human resources management major at the University of San Francisco, graduating in 1983. His academic and extra-curricular

contributions earned him a nomination to the Alpha Sigma Nu Honors Society at USF. Mr. Dumont moved to Los Angeles to study law at Pepperdine Law School, earning his law degree in 1986.

Over the years, Mr. Dumont has gained valuable experience in defending liability claims on behalf of both governmental entities and insurance carriers. He has also been involved in handling environmental litigation concerning asbestos and toxic chemicals, as well as matters involving business, real estate and family law.

Mr. Dumont is currently licensed with the State Bar of California and the United States District Court. He is a member of the Los Angeles County Bar Association, Beverly Hills Bar Association, and the Association of Southern California Defense Counsel. He is active as a recruiter and fundraiser for USF and is active working with juvenile delinquents through the L.A. County Bar Association.

The Court of Appeal, Second District, decision of *Arris v. Las Virgenes Unified School District* (1998) 64 Cal App 4th 1112, 75 Cal Rptr 2d 801 was briefed and successfully argued by Mr.

Dumont It is a leading and often cited case on the issues of primary and secondary assumption of risk in the state of California. Additionally, Mr. Dumont's appellate skills were demonstrated in the amicus brief to the California Supreme Court in *Day v. City of Fontana* (2001) 25 Cal 4th 268, 105 Cal Rptr 2d 457, where the court held that Proposition 213 (Civil Code, Section 3333.4) applies in premises liability lawsuits against public entities and precludes the recovery of noneconomic damages by uninsured drivers.

Lou is married and resides in the South Bay area with his wife, Elizabeth, and their daughter and son.

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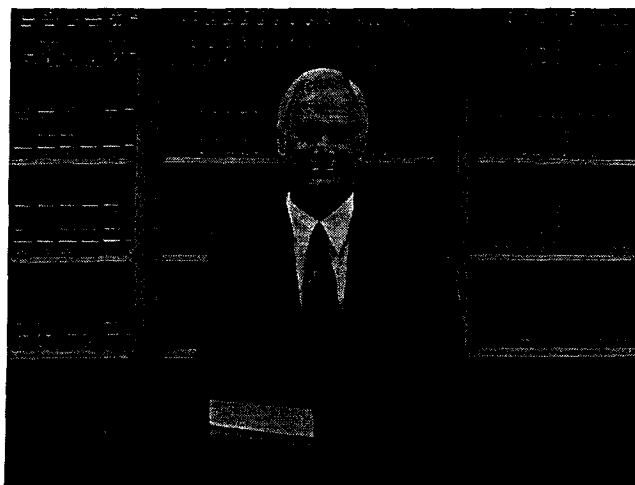
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Mark D. Rutter

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Mark D Rutter is a life long resident of the County of Los Angeles. He graduated from the University of California at Los

Angeles obtaining a Bachelor of Arts degree in 1970. In 1973, he earned a Juris Doctor degree from Loyola University of Los Angeles.

He is admitted to practice before all California state courts, the United States District Courts for the Central and Southern Districts of California, the United States Court of Appeals for the Ninth Circuit and the United States Supreme Court. He is a member of the Association of Southern California Defense Counsel, the Defense Research Institute and the Los Angeles County, South Bay and Long Beach Bar Associations.

Mr. Rutter has defended public entities in trial and appellate litigation since 1973. He has tried over three dozen cases to verdict and been elected to membership in the American Board of Trial Advocates. His public entity trials include cases claiming false arrest, excessive force, civil rights violations, wrongful seizure, dangerous condition of public property (including roadway design/sight distance and obstruction cases), wrongful death and vehicular negligence. Other general tort trials include actions involving premises liability (including trip and fall, slip and fall, failure to protect from criminal assault by third party), auto accidents,

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defamation, products liability, general negligence, bailment, insurance/contractor fraud and fraud in inducement of employment. He has achieved the highest "AV" rating by the Martindale-Hubbell Law Directory.

In addition to his trial experience, he has handled over 60 appellate cases, including 20 involving public entities, and has argued cases before the United States Court of Appeals for the Ninth Circuit, California Supreme Court and California Courts of Appeal (Second and Fourth Districts).

Mark married his wife Tanya in 1974 and they reside with their son Matt, age 18, in the South Bay.

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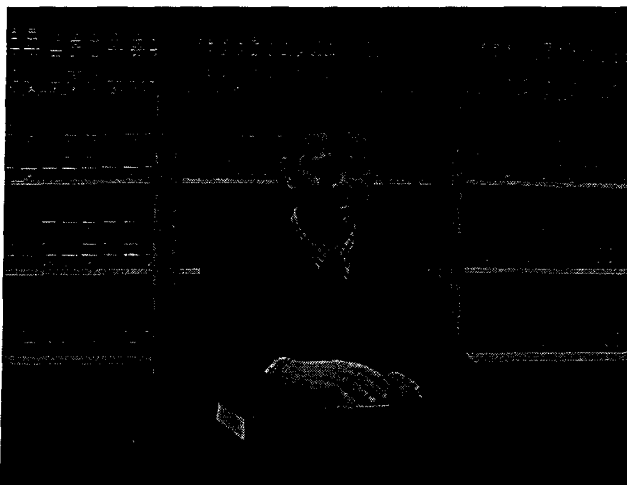
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David G. Torres-Siegrist



Born and raised in El Monte, California, David earned the rank of Eagle Scout in 1994 and was named Eagle Scout of the Year

for the Lucky Baldwin District. David attended the University of Southern California and completed his undergraduate studies in 1998, graduating Magna Cum Laude, earning a Bachelor's of Music Degree in the Music Industry. After graduating from USC, David spent a year teaching kindergarten in El Monte at Voorhis Elementary School within the Mountain View School District.

In 1999, David continued his education at Southwestern University School of Law earning his Juris Doctor in an intense Two-Year ABA approved SCALE Program. The SCALE program gave David a host of opportunities including the chance to extern at Virgin Records America with Vice President of Legal and Business affairs, Scott Bauman. At Virgin, David worked directly on contractual and litigation issues involving artists such as Janet Jackson, The Rolling Stones, Mariah Carey, and Lenny Kravitz. David also played a key role in researching legal issues relating to an FTC investigation of Virgin Records and other EMI Subsidiaries. As an attorney, David has worked on a wide range of cases, including wrongful death, molestation, personal injury, social security appeals, contractual disputes and worker compensation claims.

David resides in Arcadia with his wife, Mayra, and son, David. David remains active in city politics, Boy Scouts, church music, education and other community activities.

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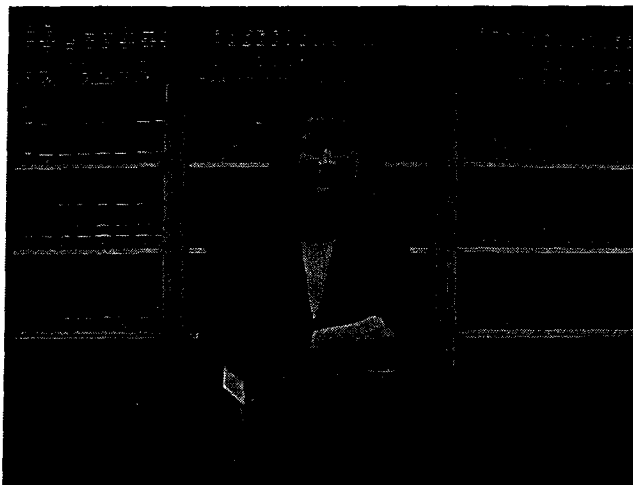
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An avid outdoorsman and nature enthusiast, Jill W. Babington was raised in Alpine, Utah, and attended the University of Utah, where she earned her

Bachelor's Degree in Communication in 1998. Before earning her law degree from Southwestern University School of Law in 2002, she took the opportunity to explore many parts of the world, which included traveling extensively through Europe, working a summer in Denali National Park, Alaska, climbing Mt. Kilimanjaro in Kenya, and sailing a 38-foot sloop from Hawaii to Los Angeles.

During her tenure at Southwestern University School of Law, Jill completed Southwestern's SCALE program, the country's only accredited two-year Juris Doctor Program. During those demanding two years, Jill was not only selected to be a writer for Southwestern's nationally-renowned Moot Court Honor's Program, but was also selected to be a staff member on the Southwestern Journal of Law and Trade.

Jill is currently licensed with the State Bar of California and the United States District Court. Prior to commencing her career at Carpenter, Rothans & Dumont, she served as a law clerk at the Federal Public Defender's office in Los Angeles, where she assisted in cases dealing with bank robbery, child pornography manufacture and sale of illegal substances, and first degree murder.

Jill is married and currently lives in Redondo Beach with her husband, Bill

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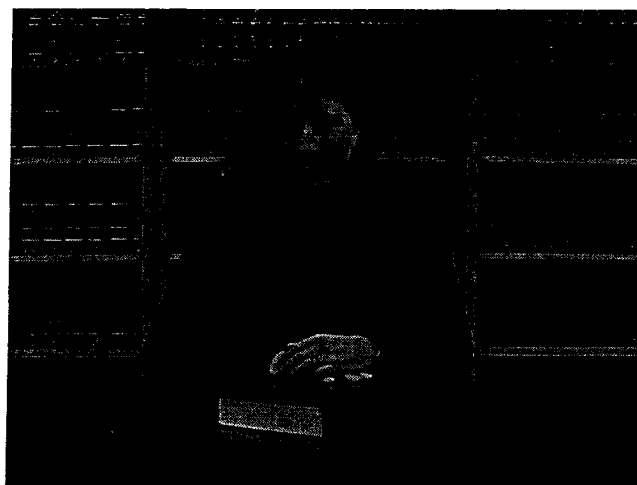
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Born and raised in Monrovia, California, Ronda attended Scripps College in Claremont California and completed her undergraduate studies in

1999, earning a Bachelors of Arts Degree in Biology, emphasizing exobiology. After graduating, Ronda spent a year substitute teaching, in El Monte Union High School District. Ronda was an assistant track coach for El Monte High School in the spring of 2000. Ronda also was a summer school teacher for El Monte High School during the summers of 1999, 2000, and 2001, teaching special education and introductory science.

In 2000, Ronda continued her education at the University of San Diego School of Law, finishing in the top half of her class, earning her Juris Doctor in 2003. During the summer of 2001, Ronda attended the University of San Diego's Institute on International and Comparative Law in Barcelona, Spain, studying international environmental law and international contract law. While at USD, Ronda spent two years on the Board of the University of San Diego's Pro Bono Legal Advocates (PBLA), serving as the Special Education Coordinator. As the Special Education Coordinator, Ronda was responsible for the PBLA Special Education Project, by which USD volunteers would work with the San Diego County Office of the Public Defender – Dependency Division in reviewing the education file of dependent children and advocating for their needs at IEP meetings. Additionally, Ronda spent a semester working at the

San Diego County Office of the Public Defender as a certified legal research assistant and arraignments and assisted in legal research and drafting motion Advocacy Program – Special Education division Ronda played representing clients at IEP meetings and researching legal issues the 2002 –2003 Ronda was an ex-officio member of the Dependent Committee San Diego Juvenile Court Members, Training Subcommittee developing curriculum to educate judges, attorneys, and court administrators on issues facing children in the foster care system Ronda also was an Advocate at the Advocacy Institute and University of San Diego's Special Education Clinic Outstanding Special Education Clinic Intern award for her participation

Ronda resides in Monterey Park with her husband, Winfred Rodriguez. Ronda has no known legal issues

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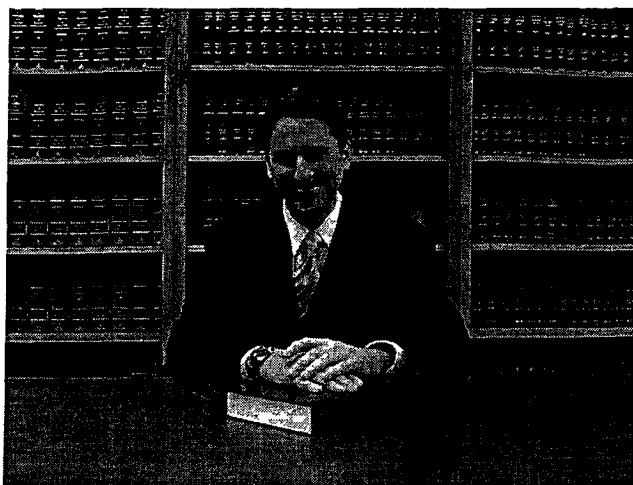
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LAW OFFICES OF CARPENTER, ROTHANS & DUMONT

838 South Figueroa Street Suite 1960
Los Angeles CA 90017
213 228 0400
213 228-0401 (fax)

Justin Reade Sarno

- [Main](#)
- [Firm Bio](#)
 - [Carpenter, Martin L](#)
 - [Rothans, Steven J](#)
 - [Dumont, Louis R](#)
 - [Rutter, Mark D](#)
 - [Torres-Siegrist, David G](#)
 - [Babington, Jill W](#)
 - [King, Ronda L](#)
 - [Sarno, Justin Reade](#)
 - [Trindle III, G Ross](#)
- [Public Entity Trials](#)
- [Recent Significant Outcomes](#)
- [Map](#)



Born in Los Angeles, California, Justin grew up with an affinity for writing and the creative arts. In 2000, after graduating Magna

Cum Laude from the University of California, Los Angeles, with a bachelor's degree in English, Justin wrote his first novel, entitled *The Laureate*, a work of historical fiction set in early 19th century England.

In the fall of 2000, Justin continued his education at Southwestern University School of Law, earning his Juris Doctorate degree in the summer of 2003. As a member of the Moot Court Honors Program, Justin made his way to the final round of the Southwestern Intramural Moot Court Competition in 2001 where he argued before distinguished state Supreme Court Justices from the states of Hawaii, New Mexico, Washington, and Nevada. In 2002, Justin competed in the 26th annual Robert F. Wagner National Labor & Employment Law Moot Court Competition in New York City, where his team reached the semi-final round. Previously, Justin has worked for Epic Records, a division of SONY Music, as well as Priority Records and Warner Brother Records, where he was an administrative assistant in the Video Production Department.

Justin currently resides in Los Feliz, California.

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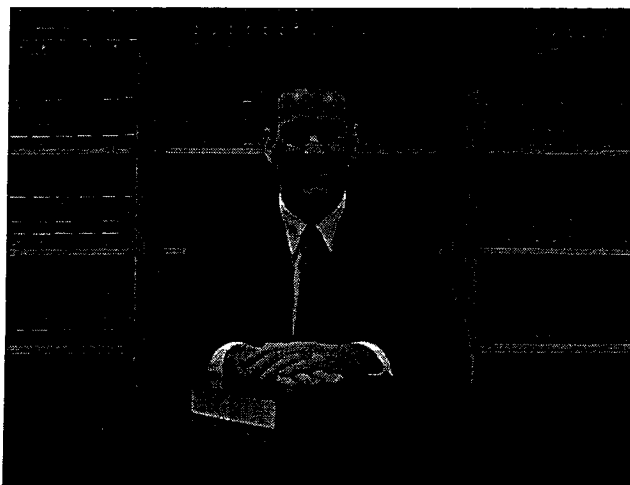
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 - [King, Ronda L](#)
 - [Sarno, Justin Reade](#)
 - [Trindle III, G Ross](#)
- [Public Entity Trials](#)
- [Recent Significant Outcomes](#)
- [Map](#)

G. Ross Trindle III



Born in Honolulu, Hawai'i, and raised on both U S coasts, Ross attended the University of California, Santa

Barbara Ross graduated in 1999 and earned a Bachelor's of Arts degree in Law & Society with an emphasis in Criminal Justice

After spending a year working and traveling through Europe, Ross attended Santa Clara University School of Law starting in the fall of 2000. Three years later, in the spring of 2003, Ross graduated and earned his Juris Doctorate degree and a special certificate in High Technology Law for completion of a special curriculum in addition to the required law school classes

In the summer of between first and second year, Ross took part in the Santa Clara University Study Abroad Program where he attended classes and worked for the law firm of Rajah & Tann in the Republic of Singapore. Rajah & Tann is known throughout Southeast Asia as one of the top Intellectual Property and High Technology law firms in the region. There, Ross worked on such issues as international software licensing agreements, Digital Millennium Copyright Act compliance, digital rights management, as well as assisting with China's ascension to the World Trade Organization

In his second year of law school, Ross and his partner reached the Semi Final Round of the Honors Moot Court Competition placing third out of a field of thirty-two teams, on a problem dealing with First Amendment freedom of association and the Americans with Disabilities Act. The following year, Ross continued his Honors Moot Court experience by serving on the Honors Moot Court Board, where he Co-Chaired the Problem Committee, charged with researching and constructing the final problem.

Previously, Ross has worked in the Information Technology and hospitality industries. During law school, Ross worked as a research assistant for the Broadband Institute of California focusing on the satellite broadband Internet industry, as well as for Sony Computer Entertainment America, Inc., the multi-billion dollar company responsible for the PlayStation and PlayStation2 video game systems, as a law clerk. At SCEA, Ross handled all manner of software and copyright issues, Department of Commerce export compliance regulations concerning the exportation of encryption technology and software, and multiple licensing agreements relating to the appearance of National Basketball Association stadiums and arenas in SCEA video games.

From the summer of 2003 to early 2004, Ross worked for the Law Offices of Randy Renick and the Law Offices of Nora A Quinn, as a law clerk. Both firms handle plaintiff's civil rights issues. Ross was admitted to the California State Bar in December of 2003 and is licensed to practice in the U S District Court, Central California District.

Ross currently resides in Pasadena, California.

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Sandra J. Levin
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CITY ATTORNEY
CITY OF CULVER CITY

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January 28, 2005

Carol A. Schwab, City Attorney
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232

Re Letter of Intent Regarding Contract Legal Services

Dear Ms. Schwab

This letter is in response to your request for a Letter of Intent from our firm regarding our desire to continue providing contract legal services for the City of Culver City. We understand that your office plans to bring this matter before your City Council in the near future and are very pleased to be included in your presentation. We believe that my familiarity with the organization, history, practices and policies of Culver City, combined with the high quality legal work we offer all of our clients, provides a unique resource and value for Culver City.

We have very much enjoyed the opportunity to provide contract legal services to the City of Culver City over the course of the past two years and look forward to continuing to work with you in the future. In the past, we have provided advice to Culver City regarding Public Records Act requests, permit and licensing issues and related disputes, as well as representing the City as a real party in interest in a series of lawsuits filed by the County of Los Angeles and a host of cities located within the County challenging the storm water permit adopted by the Southern California Regional Water Quality Control Board.

As you know, we also have expertise in the full range of municipal legal services, representing four cities as general counsel and dozens of other cities throughout the state on a contract or special project basis. A significant portion of our special counsel work is concentrated in municipal finance, housing, Brown Act, election law and administrative special projects. We would be happy to assist you in any of these areas.

Our current (undiscounted) hourly rates are between \$185 and \$350 for attorneys, and between \$100 and \$150 for paralegals and legal assistants. However, given our past relationship and the fact that the City is a public agency, we will agree to cap our rates at \$225 per hour for attorneys and \$100 per hour for paralegals.

January 28, 2005
Page 2

Although I know that you and the City Council are familiar with my background, and likely with that of my partner Michael Colantuono as well, we are very proud of the high caliber attorneys we have working with us and would like to introduce you to them as well. Accordingly, I have enclosed copies of our firm resume for your consideration and use. As you know, we also produce a quarterly newsletter and maintain a website with additional information and resources for city attorneys at www.cllaw.us where you can find further information about our practice, our attorneys and some of our recent activities.

Please do not hesitate to contact me if I, or any member of my team, can be of further assistance or if we can provide any additional information that would assist you or the City Council in considering this matter.

Sincerely,



Sandra J. Levin

SJL agm
Enclosures

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Colantuono & Levin, PC Firm Profile

(213) 533-4155
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Colantuono & Levin, PC is a municipal law firm with offices in Los Angeles and the Sierra Foothills that represents public and private clients throughout California in municipal law, including the law governing public revenues, land use, redevelopment, housing, the California Environmental Quality Act, federally funded job training and economic assistance programs and associated litigation. We are committed to providing advice that is helpful, understandable, and fairly priced.

Our attorneys have practiced in California for many years. The firm includes one of California's leading experts on the law of local government revenues, such as Propositions 13, 62, and 218. Our litigators have broad experience in public-sector litigation and such private-sector topics as general commercial litigation, employment law, and unfair competition.

In the public sector, the firm serves as general counsel or city attorney to the cities of Barstow, Calabasas, La Habra Heights, and Sierra Madre, the Barstow Redevelopment Agency, the Sierra Madre Community Redevelopment Agency, the Orangeline Development Authority and the SELACO Workforce Investment Board. The firm's lawyers serve as special counsel to local governments throughout California, including the cities of Alameda, Belmont, Benicia, Calexico, Cerritos, Fresno, Glendora, Huntington Beach, Lathrop, Long Beach, Mammoth Lakes, Moreno Valley, Morgan Hill, Newark, Pacifica, Palo Alto, Rialto, Richmond, San Mateo, Solana Beach, South Lake Tahoe, Torrance and Vacaville.

Michael G Colantuono

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mcolantuono@cclaw.us

Michael has specialized in municipal law since 1989. He currently serves as City Attorney for the Cities of Calabasas and Sierra Madre, as Agency Counsel for the Sierra Madre Community Redevelopment Agency. He was elected by his peers to serve as President of the City Attorneys Department of the League of California Cities in 2003-04.

Michael has substantial expertise concerning Propositions 13, 62 and 218 and assisted the Legislative Analyst's Office in the impartial analysis of the latter measure. As a leading expert on Proposition 218, Michael co-chairs the League of California Cities' Proposition 218 Legal Issues Coordinating Committee. He also has expertise in a broad range of areas of concern to local governments in California, including constitutional law, land use, open meetings, elections, municipal litigation, conflicts of interest and public finance.

Prior to founding Colantuono & Levin, Michael practiced at Richards, Watson & Gershon for twelve years.

Michael graduated *magna cum laude* from Harvard University (BA, 1983) and received his law degree from University of California, Boalt Hall School of Law (JD, 1988). In law school, he was an Articles Editor of the *California Law Review*, and became a member of the Order of the Coif upon graduation. He received the Thelen Marrin Award, given annually to Boalt's top ranked graduate. Michael was law clerk to the Honorable James R. Browning, Judge of the United States Court of Appeals for the Ninth Circuit in 1988-89.

Michael was appointed by the Rules Committee of the California State Assembly to the Commission on Local Governance in the 21st Century. The Commission was formed in 1997 to study the Cortese-

Knox-Hertzberg Local Government Reorganization Act and the bulk of its recommendations became law in 2000

Michael served as City Attorney of Cudahy from 1994-1999, as General Counsel of the Big Bear City Community Services District from 1994-2001, as City Attorney and Redevelopment Agency Counsel of Monrovia from 1999-2002, as City Attorney and Redevelopment Agency Council for the City of Barstow from 1997-2004 and as City Attorney of La Habra Heights from 1995-2004

Sandra J Levin

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Sandi is the City Attorney of La Habra Heights, the Assistant City Attorney in Calabasas and was the Interim City Attorney of Bradbury in 2004. Sandi offers not only extensive expertise accumulated over her years of practice, but also the benefit of participating in municipal law from a variety of perspectives. As a city attorney, Sandi regularly advises councils and commissions on the Brown Act, conflict of interest and meeting management issues, as well as a variety of questions on the full range of municipal operations, including land use and development, public finance, contracts, election law and tort liability.

In addition to this advisory work as a city attorney, Sandi is an experienced litigator with a diverse practice in complex litigation. Her specialties include local government and regulatory matters, campaign and election law, unfair competition and employment issues. Sandi also has extensive experience litigating wrongful termination cases, civil rights and RICO claims, construction matters and other significant business contractual disputes. Recent successes include the defense of police labor and pension matters, civil rights and liability claims, challenges to municipal land use approvals, disputes over interpretation of employee MOUs, an inverse condemnation claim and various CEQA matters. She has also handled municipal tort liability, employment and employee discipline claims, contract disputes, land use, municipal finance issues and a variety of writ claims. Sandi's litigation experience covers a broad range of matters and includes extensive experience in both state and federal courts, as well as administrative hearings and administrative writ proceedings. Sandi has also argued numerous appeals in both state and federal appellate courts.

Sandi also served as Mayor, Councilmember and Planning Commission Chair for the City of Culver City during the years 1993 to 2000, during which time she became quite familiar with the Public Records Act, the Brown Act and the laws pertaining to conflicts and disclosure from a practical as well as a legal perspective. As a representative of Culver City, Sandi also served as

liaison to other governmental agencies, sat on many local government committees and boards, and spoke as a panelist at a variety of forums and seminars

Prior to forming Colantuono & Levin, Sandi practiced at Riordan & McKinzie for 13 years, where she was a principal in the litigation department

Education Sandi received her J.D. from the University of California, Boalt Hall School of Law in 1987 and became a member of the California Bar that same year. While at Boalt, she was a member of the California Law Review, Senior Note and Comment Editor of the High Technology Law Journal and President of the Boalt Hall Women's Association. She served as an extern to the Honorable William Norris, Judge of the United States Court of Appeals for the Ninth Circuit in 1987.

Practice Areas

Election Law
Complex Business Litigation
Public Law
Land Use and Planning
Conflicts of Interest

Yvette M Abich

(213) 533-4201

yabich@cllaw.us

Yvette Abich joined Colantuono & Levin in April 2004 as an experienced City Attorney, having represented the City of Commerce for more than five years. She currently serves as the City Attorney for the City of Barstow. She also serves as Assistant City Attorney for the City of Sierra Madre. She advises the Firm's local government clients in the areas of Brown Act compliance, issues arising under the Political Reform Act and other conflict of interest laws, Elections Code compliance and other municipal legal issues.

Yvette has substantial experience in land use law and serves as counsel to the Barstow, Sierra Madre and Calabasas Planning Commissions. She has also provided land use advice to the cities of Bell Gardens, Commerce, Huntington Park and Maywood. She has advised local land use regulators regarding the issuance, modification and revocation of conditional use permits, variances, site plans, and other land use entitlements. She has assisted cities in the amendment of general plans and zoning codes, and is experienced in subdivision matters. Yvette has also developed an expertise in the creation and enforcement of massage and adult business regulations.

Yvette has extensive experience in labor and employment law, and has advised both public and private employers on hiring, ADA compliance, disciplinary matters and PERS issues, as well as wage and hour laws. Yvette also assists employers in performing investigations of employee grievances. She also represents employers in labor negotiations with unions and employee associations and has drafted numerous Memoranda of Understanding.

Yvette has assisted local governments in matters involving Proposition 218 compliance for revenue measures and Proposition 218 ballot measures. During her long tenure at Commerce, Yvette was responsible for overseeing Casino revenue matters, as well as enforcing local gaming regulations of the Commerce Club, one of the largest card clubs in California.

Yvette also has litigation experience, having obtained a gang injunction for the City of Commerce, modeled after the injunctions obtained by the Los Angeles City

Attorney's Office She has also successfully represented her public clients on various 1st Amendment issues

Yvette serves on the Board of the Mexican American Alumni Association of Loyola Marymount University, raising scholarship money to assist university students She donates her time to grade and high school students, speaking about a career in law Yvette was featured in the April 2003 issue of *Hispanic Business Magazine* and was recognized as the Mexican American Bar Association's "Amazing Woman" in its October 2003 Quarterly Newsletter Yvette was also recognized for her accomplishments in the legal profession by being named as a "2004 Southern California Rising Star" in the area of municipal law

Yvette obtained her B A from Loyola Marymount University in 1990 and graduated from Loyola Law School in 1994 Yvette is admitted to practice before all the courts in the State of California, as well as the U S District Court for the Central District, and the Ninth Circuit Court of Appeals

Hannah Bentley

(213) 533-4157

hbentley@cclaw.us

Hannah has litigated for nearly ten years. She is a leading member of the firm's litigation practice, handling both public- and private-sector matters for the firm's clients. Hannah has handled cases under the California Environmental Quality Act ("CEQA") at both the trial and appellate levels.

Prior to joining Colantuono & Levin in March 2004, she handled citizen enforcement actions of environmental laws in state and federal courts. She has also represented independent artists and labels in litigation under the Copyright Act and the Lanham Trademark Act, and has litigated a number of constitutional issues. She also acted as lead counsel in citizen suits to require the labeling of products made with ozone-depleting chemicals under state and federal labeling laws, obtained a court order leading to the designation of critical habitat under the Endangered Species Act, and obtained a preliminary injunction on behalf of independent artists in the Napster copyright litigation. In addition to her work in California's federal district courts, she has represented clients in appeals before the U.S. Court of Appeals for the Ninth Circuit.

Hannah began her legal career as an associate in the Washington, D.C. and San Francisco offices of Morrison & Foerster, and she spent over a year in Tokyo on behalf of a client in the Fujitsu-IBM intellectual property arbitration.

Hannah holds a B.A. in Political Science from Occidental College where she graduated as a member of Phi Beta Kappa and received her J.D. from Columbia Law School in 1987. She obtained both pursuant to an accelerated program between the two institutions.

Kenneth C Hardy

213/533-4206
khardy@cclaw.us

Ken is an experienced attorney specializing in labor and employment law and public agency law. He advises and represents public agencies and private businesses on many employment matters, including wrongful termination, reasonable accommodation for disabled persons, leaves of absence for serious health conditions and pregnancy disability, discrimination and harassment, employee discipline, police and fire issues, civil service, and collective bargaining.

Ken provides a full range of services, including training, drafting policies, day-to-day advice, and representation in administrative proceedings and litigation. With a good understanding of management principles, Ken seeks to minimize the impact of employment issues on employer operations by focusing on preventive measures and, when disputes arise, aggressive and intelligent problem solving.

Ken advises cities, public school districts, community college districts, and other public agencies on a wide range of public law, including open meeting law, conflict of interest law, public records requests, and code enforcement.

Prior to joining C&L, Ken was a Deputy City Attorney for the City of Riverside. Before his tenure at the City of Riverside, he was a Senior Associate with the Pasadena-based law firm of Jones & Matson, which specialized in representing public school districts and other public agencies.

Education Ken earned a Bachelor of Science in Business Administration from the University of Southern California in 1988, a Juris Doctor from Stanford Law School in 1992, and a Master of Arts in Political Science from the University of California, Los Angeles, in 1996. While in law school, Ken served as an Associate Managing Editor of the Stanford Journal of International Law, and co-authored an article, "Not by Seeds Alone: The Biodiversity Treaty and the Role for Native Agriculture," *Stanford Environmental Law Journal*, volume 12, 1993.

Practice Areas

- Labor and Employment Law
- Litigation
- Public Law
- School Law

Katherine A Paspalis

(213) 533-4163
kapaspalis@cclaw.us

Kathy Paspalis is an Associate in the firm's litigation practice. She serves our clients in a wide variety of litigation matters and administrative dispute resolution procedures. Prior to joining the firm, she developed experience in a variety of municipal, civil and family law topics. Current projects include a dispute regarding a major residential development in a hillside community in Southern California, a lawsuit under the Religious Land Use and Institutionalized Persons Act in the Central District of California, and a commercial dispute among ownership interests in a substantial mixed use development project in Oxnard, California.

Education Kathy received her J.D. from the Southwestern University School of Law in 1996 and became a member of the California bar that same year. She received her B.A. in Economics and Political Science from Pennsylvania's Bucknell University in 1985.

Practice Areas

Litigation
Municipal Law

Steven N Skolnik

(213) 533 4203
sskolnik@cflaw us

Steve has specialized in municipal and community redevelopment law since 1979. He has been the City Attorney for the City of Santa Fe Springs and the Commission Attorney for the Community Development Commission of the City of Santa Fe Springs since 1986. He was recently selected by the Lakewood City Council to serve as City Attorney of that city. He previously served as City Attorney for the City of Huntington Park from 1987 to 1998, and as Agency Attorney for the Huntington Park Redevelopment Agency, later the Community Development Commission of the City of Huntington Park, from 1992 to 2003. At various times throughout the past 24 years, Steve has acted as Special Counsel for the Cities and/or the Redevelopment Agencies of the Cities of Commerce, Duarte, El Centro, Fullerton, Gardena, Irwindale, La Mirada, La Verne, Pico Rivera, San Gabriel, Temple City, West Covina, Westminster and Whittier.

Steve has substantial expertise in the fields of eminent domain, community redevelopment and general land use law. He has been the attorney responsible for all of the transactional and other work involved in numerous major redevelopment projects involving large numbers of properties and very substantial investments. He also has been the lead attorney in the acquisition by eminent domain of many hundreds of properties for public purposes, and has been the trial attorney in over 40 jury trials. Steve also argued approximately 20 cases before various appellate courts, and is admitted to practice before the United States Supreme Court. As a result of his expertise, he has been a member of the Los Angeles County Bar Association's Committee on Eminent Domain and Land Valuation for more than 20 years.

Steve received his undergraduate degree from the University of California, Berkeley (A.B. 1976), and his law degree from Southwestern University (J.D. 1979).

Amy C Sparrow

(213) 533-4205

asparrow@cclaw.us

Amy Sparrow is a Senior Associate in the firm's litigation and public finance practices. She serves our clients in a wide variety of litigation matters and administrative dispute resolution procedures. Prior to joining the firm, she combined the breadth of general corporate and partnership representation with the peculiarities of administrative law, representing clients in a variety of industries and endeavors from Fortune 100 companies to cities, schools, and family partnerships. Her broad range of experience includes tax planning and controversy, municipal and commercial litigation, debt and equity financing, contract negotiation and real estate transactions.

Before joining Colantuono & Levin, Amy practiced with DeCastro, West, Chodorow, Glickfeld & Nass and with Irell & Manella, where she was involved in complex transactional work, including the restructuring of a broadcast business providing predominately Spanish language programming and equity financing for a satellite based international telecommunications venture.

Education Amy received her J.D. from Boalt Hall School of Law at U.C. Berkeley in 1997, where she was President of the Boalt Hall Parents Association. She received her B.S. in Mathematics from UCLA in 1987.

Practice Areas

Public Revenues and Taxation
Litigation
General Municipal Law

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NORMA COPADO
KENNETH A. OHASHI

January 28 2005

Carol A. Schwab City Attorney
City of Culver City
9770 Culver Blvd
Culver City CA 90232

Via Messenger

Re Letter of Intent - Contract Code Enforcement Services

Dear Ms. Schwab

This letter is in response to your request for a letter of intent from our firm concerning contract code enforcement services

Our firm has had the privilege of representing your city for the past five (5) years in a variety of matters related to code enforcement and your city's Automated Red Light Enforcement Program. Our representation has included advising staff on legal issues, litigation in trial courts and representing the City's interest before appellate courts. During the past three (3) years we have successfully handled over fifty (50) matters.

Enclosed please find a Firm Profile and Rate Sheet that sets forth our firm's qualifications, services and experience in the field of code enforcement and our proposed service rates. A summary of important points about our firm is as follows:

- ° Thirty (30) years of code enforcement experience while representing forty-five (45) cities/agencies spanning six (6) counties
- ° Full range of pre-litigation services designed to obtain code compliance as soon as possible with the conservation of staff time and attorney's fees. Our firm excels in obtaining results without resorting to court actions.
- ° Complete array of litigation services utilizing administrative, civil/injunctive and criminal remedies. In addition, we have experience in litigating matters related to inverse condemnation and other "taking" claims, including 1983 actions.
- ° Extensive background as instructors regarding code enforcement and nuisance abatement procedures, as well as legal and cost recovery issues.
- ° Leading firm in the administration of automated red-light enforcement programs as instructors of vendors and police departments.

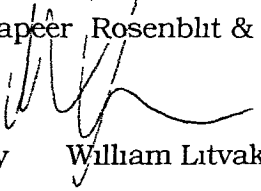
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Carol A Schwab City Attorney
City of Culver City
Re Letter of Intent - Contract Code Enforcement Services
January 28 2005
Page two

We request the opportunity to continue to represent your city If you have any questions regarding this matter please do not hesitate to contact me

Sincerely yours

Dapeer Rosenblit & Litvak LLP

By  William Litvak Esq

Encl

cc Steven Rosenblit Esq

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DAPEER, ROSENBLIT & LITVAK, LLP

FIRM PROFILE AND RATE SHEET

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CITY ATTORNEY - RISK MGMT
CITY OF CULVER CITY

Section 1 Firm History

- 1 1** The firm (hereafter "DRL") consists of partners -Kenneth B Dapeer Steven H Rosenblit and William Litvak and eight (8) associates The firm is "AV" rated by Martindale-Hubbell (their highest rating) All attorneys are licensed by the State of California Fifteen support persons also assist the attorneys
- 1 2** Messrs Dapeer and Rosenblit have served as city prosecutors since 1979 William Litvak joined the firm in 1989 The firm has provided services to forty five (45) cities/agencies in six (6) counties as hereafter described
- 1 3** DRL has also acted as educators in the field of code enforcement as follows

 - Workshops with city councils commissions and staffs
 - Speaker at a convention of the Independent Cities Assn
 - Instructor for the Southern California Association of Code Enforcement Officials (S C A C E O)
 - Instructor for the California Code Enforcement Council ("C C E C ")
 - Lecturer L A County Fire Department Fire Prevention
 - Lecturer Artesia Baldwin Park and Montebello Crime Free Multi Housing Programs
 - Lecturer March 2001 - CALBO Annual Meeting
 - Lecturer August 2001 - L A County Housing Program

Section 2 Services

2.1 DRL's philosophy and commitment are to obtain voluntary code compliance whenever possible. The arts of persuasion and diplomacy are utilized with great success to achieve this objective and to either avoid or conclude litigation. However, when communication alone is insufficient to resolve a problem, our firm can utilize various remedies to obtain compliance with the law. These include administrative actions, criminal prosecution and/or civil litigation (for nuisance abatement, injunctive orders and where appropriate receivers). Local and state codes are utilized to effectively and efficiently cause abatement of prohibited activities and conditions. The following is a sample of remedies used:

- Code of Civil Procedure Section 731 [Abatement of Public Nuisance by a city]
- Business & Professions Code Sections 17203 [Appointment of a Receiver] and 17206 (a) [Imposition of Civil Penalties] for a landlord's maintenance of property maintenance and technical code violations (i.e. an unlawful business practice that constitutes unfair business competition)
- Health & Safety Code Section 17980.1 (c) [Appointment of Receivers for Dwellings When an Agency's Abatement Orders are Ignored]
- Health & Safety Code Section 11570 [Abatement of Narcotic Nuisances in Dwellings]
- Government Code Section 38773.5 (a) and Civil Code Section 3496 [Recovery of Attorneys Fees] when appropriate

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2 2 DRL also regularly represents Cities before all trial courts of this State and the United States District Court for the Central District of California in such matters as

- Traditional Mandamus
- Administrative Mandamus
- Inverse Condemnation
- 1983" litigation
- Sign" and "billboard" litigation
- Red light abatement programs including prostitution gambling and gang activity

2 3 DRL adapts to each city's code enforcement program and regards itself as a "team player." DRL is typically asked to provide the following services

- Oversee investigations analyze legal issues and make recommendations for effective enforcement programs and solutions for particular cases
- Issue "compliance letters" to violators who have ignored staff notices of violations
- Conduct compliance conferences with violators at City Hall
- Obtain inspection warrants from a court when consent to enter private property is refused and abatement warrants when city forces elect to abate a public nuisance
- Prosecute violators (whether actions are commenced by citation or complaint) to obtain court imposed conditions of probation that achieve code compliance

- Initiate probation violation hearings for future code violations that are in disregard of conditions of probation
- Initiate civil actions to preclude nuisances and other illicit activities This extends to almost any type of prohibited condition or activity since municipal codes provide that any violation thereof is unlawful and a public nuisance
- Seek the appointment of a receiver to oversee and cause the abatement of housing code violations and other code enforcement problems
- Provide comments to staff regarding proposed conditions to permits and licenses particularly when future code compliance is of concern
- At the request of the city attorney represent staff at administrative proceedings to declare and abate a public nuisance and for the revocation of a permit or license
- Review existing and proposed ordinances for code enforcement issues
- Upon request provide training to staff persons to promote effective code enforcement procedures Topics may include review and analysis of frequently used codes proper inspections of code violations the selection of the best remedy report writing techniques for eliciting prompt voluntary compliance and testimony in court

2 4 DRL seeks the recovery of staff investigative and other recoverable costs in obtaining code compliance as part of the disposition of court cases Depending on the size of the code enforcement program this can amount to substantial sums per year

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2 5 William Litvak is the firm's designated attorney for the city. The services of partners and associates would be utilized as needed.

Section 3 Experience

3 1 DRL brings over thirty (30) years of code enforcement experience and the resulting wisdom and sound judgment to each municipal client. This enables the firm to expeditiously resolve routine and complex code enforcement cases and to reduce the need for and duration of litigation. Attorney's fees are thus substantially conserved.

3 2 DRL's experience is also demonstrated by effective communication and advocacy. In our contact with the public, we cultivate a sense of civic responsibility so that persons do not violate municipal codes in the first place and should this occur, they voluntarily and promptly fulfill their legal obligations. The firm discharges its responsibilities to each city by

- Promptly returning telephone calls and responding to questions or assignments
- Counseling each client on the best remedy or solution to a code enforcement problem
- Providing staff with copies of our communications to violators or their attorneys. This includes written updates regarding court appearances and other case developments
- Always discussing options to resolve a case with staff before acting on it
- Regularly providing a client with a case summary
- Identifying possible civil ramifications in a code enforcement matter and promptly reporting it to the city attorney

- Advising each client on the need for new legislation or the amendment of existing ordinances with regard to code enforcement matters

3 3 DRL has represented the following 47 municipal clients

Huntington Park	Montebello
Cudahy	Pomona
South El Monte	La Habra Heights
West Hollywood	Los Alamitos
San Marino	Costa Mesa (as special counsel)
Artesia	Compton
Bell	Lomita (as special counsel)
Lynwood	Temple City
South Gate	The City of Big Bear Lake
Commerce	Pacific
Monterey Park	San Dimas
Carson	Palmdale
Hesperia	Culver City
Agoura Hills	Monrovia
Bellflower	Benicia (special counsel)
Baldwin Park	LaCanada Flintridge
Bell Gardens	San Bruno
Malibu	Pleasant Hill
Cerritos	Diamond Bar
Hawaiian Gardens	Colma
Beverly Hills	Barstow
Rancho Cucamonga (as special counsel)	Town of Apple Valley
Sierra Madre	
Irwindale	
Hemet	

3 4 DRL has successfully resolved thousands of cases involving the following

Building Codes

- Illegal garage conversions room additions structural hazards alterations or other construction without all required permits and approvals
- Unpermitted conversion/expansion of tenant dwellings garages and other structures

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- Actions in disregard of stop work orders
- Maintenance of unsafe buildings
- Hazardous excavations and embankments Grading without all required reports permits and approvals

Zoning Codes

- Improper uses in all residential commercial and other zones
- Violations of conditional use permits temporary use permits variances and site plan approvals
- Illegal outdoor storage
- The use of illegal screening or fencing materials
- The display of signs without permits or which are otherwise illegal
- The establishment or intensification of a use on property without submitting to a site plan or other review process

Fire Codes

- Overcrowding in places of public assembly
- Failure to install or maintain department approved fire alarms systems and/or sprinklers in commercial structures
- Maintaining obstructions to fire doors & fire apparatus
- Improper storage of flammable substances and the maintenance of other fire hazards

Property Maintenance & Health Codes

- Maintaining structures in a state of disrepair or deterioration
- Maintaining unsanitary premises
- Accumulations of junk trash debris and discarded items or inoperable vehicles in yard areas

- Overgrown vegetation
- Prohibited outdoor storage

Specially Regulated Activities

- Activities by fortune tellers dance halls/club operators junk dealers arcade operators private security operators motel operators masseurs escort services and valet operators without the required permits or in violation of conditions thereof
- Illegal activities by taxi operators refuse haulers and bus bench providers
- Activities without special event and/or entertainment permits

License and Tax Codes

- Unlicensed business operations
- Non compliant hotel operators
- Failure to pay delinquent business taxes or transient occupancy taxes and penalties
- Illegal home occupations

Miscellaneous Matters

- Working with police/sheriff agencies to abate narcotic and red light nuisance violations
- Police citations for noise disturbances illegal peddling drinking in public aggressive panhandling illegal use of public property and vicious dog bite cases
- Representing staff in administrative proceedings involving tax issues nuisance abatement actions permit revocations and appeals
- Defending cities in mandamus proceedings in the superior court

- Representing appellants and respondents in governmental and private party appeals
- Formulating or revising code enforcement programs
- Assisting task force programs (police fire building planning county health and state agencies) to reduce crime and related Housing and Building Code violations
- Overseeing "sting" operations by police/sheriff personnel regarding motel operators and illegal massage parlors
- Presenting cases to district attorneys for possible state code misdemeanor and felony offenses
- Prosecuting injunctive actions in the superior court to abate continuing public nuisances
- Prosecuting related state code misdemeanor offenses with district attorney approval pursuant to Government Code Section 41803.5 if asked to do so by a city
- Implementing cost recovery programs
- Analyzing ordinances or proposed amendments thereto for code enforcement issues. Such reviews have been undertaken for zoning fire license narcotic nuisance and property maintenance codes

3.5 The following results also indicate the breadth of the firm's experience in the field of code enforcement:

- Illegal hospital/medical facilities were closed
- Illegally operated massage parlors were closed
- An unlicensed and unpermitted tattoo parlor was closed
- Our firm successfully defended a lawsuit to overturn a city's closure of two massage parlors
- A property owner demolished a structurally unsafe apartment building by reason of a successfully negotiated plea agreement

- Delinquent transient occupancy taxes exceeding \$320 000 have been recovered from delinquent hotel operators
- Delinquent business taxes exceeding \$4 000 000 have been recovered in the past thirty six months from business operators

Section 4 Proposed Fees and Costs

4 1 A monthly retainer is not requested

4 2 Fees are charged at an hourly rate of \$140 00 for attorney time when utilizing the criminal remedy Services rendered in connection with (i) code/ordinance changes or reviews to promote effective enforcement practices and/or to improve compliance results (ii) administrative hearings before a reviewing authority (iii) civil/injunctive/mandamus court and related actions and for (iv) appeals before an appellate or higher court would have an additional surcharge of \$25 00 per hour for attorney time DRL may utilize paralegals for support services provided the time charged the city is less than the rate for attorney time

4 3 Miscellaneous Costs

- Attorney Service Charges – As incurred (our cost) for service of arraignment notices the filing of pleadings in court and the procurement of public records from governmental agencies or court reporters when needed for a particular case
- Commercial Data Base Providers – Our firm is often asked by staff to conduct public record searches (via DSL lines) to identify property owners or the form of business operations as well as to locate violators Non

lawyer staff time is billed at the rate of \$15 00 for each request/search in addition to the actual charges of the service provider which are passed through to the city at cost. It should be noted that these providers are not utilized if staff provides the firm with the needed information to carry out a particular assignment.

- On Line Legal Research Charges – As incurred
- Copier charges 20 cents/page Faxes 25 cents/page
- Extraordinary expenses with prior city approval for
 - Any third party expert witness or consulting fee
 - Any court reporter or transcript fees
 - Any exhibit preparation or photograph expense

Contact Information

William Litvak
11500 W Olympic Boulevard
Suite 550
Los Angeles, California
Tel (310) 477-5575
Fax (310) 477-7090
E-mail wlitvak@drillaw.com

DEBORAH J. FOX
MARGARET MOORE SOHAGI
THERESA E. FUENTES
MARGARET W. ROSEQUIST
STEVEN L. FLOWER

HELENE V. SMOOKLER
PHILIP A. SEYMOUR
DAWN ANDREWS MCINTOSH
OF COUNSEL

LAW OFFICES
FOX & SOHAGI, LLP
A REGISTERED LIMITED LIABILITY PARTNERSHIP
10960 WILSHIRE BOULEVARD SUITE 1270
LOS ANGELES, CALIFORNIA
90024 3702

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FACSIMILE (310) 444 7813
TELEPHONE (310) 444 7805
CITY ATTORNEY - 15A PM MT
CITY OF CULVER CITY
CC D A E

January 31, 2005

VIA FACSIMILE AND FIRST CLASS MAIL

Carol A. Schwab, City Attorney
City of Culver City
P O Box 507
Culver City, California 90232

Re *Letter of Intent*

Dear Ms. Schwab

This letter is in response to your request for a Letter of Intent from our firm regarding our desire to continue providing contract legal services for the City of Culver City. We understand that your office plans to bring this matter before your City Council in the near future. We look forward to being included in your presentation.

This firm has provided contract services to the City of Culver City for over eight years. The current hourly rates contracted to the City are attached hereto. Please be advised that we have recently researched our rates and found them to be competitive and at market levels or below. We strive to always be sensitive to the fiscal issues facing public entities while keeping our rates competitive.

Our proposed legal services currently include *Davidson et al v City of Culver City*, USDC Case No. CV02-2566-GAF(CWx) ("*Davidson I*"), *Davidson et al v City of Culver City*, USDC Case No. CV04-2220-GAF(CWx) including Ninth Circuit Court of Appeals No. 04-56889 ("*Davidson II*") and various First Amendment issues within the City.

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FOX & SOHAGI LLP

Carol A Schwab, City Attorney

January 31, 2005

Page 2

We have enjoyed working with the City and look forward to a future relationship
Please do not hesitate to contact me if you need any further information

Very truly yours,


DEBORAH J FOX
of FOX & SOHAGI, LLP

Attachment

cc\schwab legal services 050128 wpd\70166 007 008 009

DEBORAH J FOX
MARGARET MOORE SOHAGI
STEVEN L FLOWER
NICOLE GOODHUE HOEKSMAS

HELENE V SMOOKLER
PHILIP A SEYMOUR
DAWN ANDREWS MCINTOSH
OF COUNSEL

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90024 3702

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CITY OF CULVER CITY

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TELEPHONE
(310) 444 7805



REC C D AP

December 12, 2005

Carol A Schwab, City Attorney
City of Culver City
9770 Culver Boulevard
Culver City, California 90232-0507

Re *Fox & Sohagi Billing No 70166 009 Davidson et al v City of Culver
City USDC Case No CV04-2220-GAF(CWx)*

Dear Carol

As the end of the calendar year is upon us, we have reviewed our contract with the City of Culver City ("the City") and based on an assessment of the current rates within the municipal community, we determined it is appropriate to increase our rate structure. In light of our valued and longstanding relationship, these new rates are discounted from our standard 2006 rates. The new discounted rates are as follows:

Deborah J Fox	\$325 00
Margaret Moore Sohagi	\$325 00
Helene V Smookler	\$325 00
Philip A Seymour	\$300 00
Dawn A McIntosh	\$300 00
Steven L Flower	\$225 00
Nicole G Hoeksma	\$225 00
Law Clerks	\$150 00
Paralegals	\$125 00

Fox & Sohagi looks forward to our continued work on behalf of the City. We will continue to produce a high quality work product while being sensitive to the fiscal restraints facing public entities.

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FOX & SOHAGI LLP

Carol Schwab, City Attorney
City of Culver City
December 12, 2005
Page 2

If you have any questions, please do not hesitate to call

Very truly yours,

A handwritten signature in black ink, appearing to be 'D. Fox', with a stylized flourish extending from the top right.

DEBORAH J FOX
of FOX & SOHAGI, LLP

cc Collette Ehrich, Bookkeeper
forms\Rate Increase\2005\Culver City 2005 ltr wpd

77

FRANSCCELL, STRICKLAND, ROBERTS & LAWRENCE

A PROFESSIONAL CORPORATION

DAVID D. LAWRENCE
CINDY S. LEE
PAUL B. BEACH +
JIN S. CHOI
MICHAEL D. ALLEN
RAYMOND W. SAKAI
CHRISTINA M. SPRENGER
JENNIFER R. HONG
JENNIFER L. PRIETO
JORJE CHICA
DARYOUSH NIKNEJAD
WILLIAM S. HONG
DAVID S. MAOZ
JONIE BELL
JUSTIN W. CLARK
Al adm tt d An o
+ Also adm tt d D trict f C lumb a

ATTORNEYS AT LAW
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FACSIMILE (818) 545-1937

www.franscell.com

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ATTORNEY
CITY OF CULVER CITY
BARBARA ROBERTS
CITY OF CULVER CITY

OF COUNSEL
GEORGE J. FRANSCCELL

ORANGE COUNTY OFFICE
500 N. STATE COLLEGE BLVD.
SUITE 150
ORANGE, CA 92668-1604
(714) 456-0180
FACSIMILE (714) 456-0181

January 25, 2005

Carol A. Schwab, City Attorney
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232

Dear Ms. Schwab:

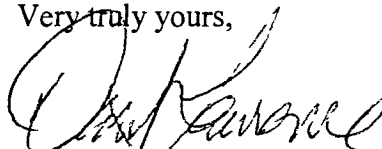
This letter is in response to your request for a Letter of Intent from our firm regarding our desire to continue providing contract legal services for the City of Culver City. We understand that your office plans to bring this matter before your City Council in the near future. We look forward to being included in your presentation.

This firm, which was established in 1992, has provided contract services to the City of Culver City since its inception. Its predecessor firm, Cotkin, Collins & Franscell, also provided legal services to the City of Culver City; however, I am not able to say how many years prior to 1992 that relationship existed. The original attorneys of Franscell, Strickland, Roberts & Lawrence were all attorneys that previously worked at Cotkin, Collins & Franscell.

Our proposed legal services include defense of police misconduct/civil rights matters, employment defense, including actions brought under the California Fair Employment and Housing Act and under the Americans with Disabilities Act and appellate matters. Attached hereto, please find our rate sheet and firm resume.

Thank you for your consideration.

Very truly yours,


DAVID D. LAWRENCE

DDL/dta
Enclosures

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FRANSCELL, STRICKLAND, ROBERTS & LAWRENCE
Fees for Legal Services

Employment Litigation	Partners	\$225 00/hr
	Associates	\$175 00/hr
	Law Clerks	\$ 80 00/hr
	Paralegals	\$ 80 00/hr
All other matters	Attorneys	
	[blended rate]	\$150 00/hr
	Law Clerk	
	And Paralegals	\$90 00/hr

Franscell, Strickland, Roberts & Lawrence

A Professional Law Corporation

Firm Biography

Since its formation in 1992, Franscell, Strickland, Roberts and Lawrence has established itself as one of the foremost litigation and trial law firms in Southern California practicing primarily in the areas of police civil rights, employment law, public entity defense and appellate practice

FSRL has a very active appellate department, having successfully represented clients before the United States Supreme Court, the Ninth Circuit Court of Appeals, the California Supreme Court, and the California Court of Appeal. FSRL has over forty published opinions from the highest courts of the land covering important issues of constitutional law, employment law, police practices and administrative mandamus.

FSRL has represented numerous Southern California cities, public officials, counties, prosecutors, city attorneys and peace officers in high profile civil rights cases and cases involving allegations of police misconduct, malicious prosecution, defamation, legal and medical malpractice, gender and racial harassment and discrimination and violations under the Americans with Disabilities Act (ADA), as well as the Fair Employment and Housing Act (FEHA). In 2000 and 2003, the Los Angeles County Sheriff's Department named David Lawrence and Paul Beach "Attorney of the Year" for exemplary performance representing the Los Angeles County Sheriff's Department while maintaining the highest standards of ethics and integrity.

FSRL's clients have found that the combination of trial and appellate excellence makes FSRL a wise choice yielding excellent results at an affordable price.

Attorney resumes, jury trial results, published opinions and general office information can be viewed by visiting our website located at <http://www.franscell.com>

FSRL has offices in Los Angeles and Orange Counties

Los Angeles Office
100 West Broadway
Suite 1200
Glendale CA 91210-1219
Tel (818) 545-1925
Fax (818) 545-1937

Orange County Office
500 N State College Boulevard
Suite 1350
Orange CA 92868-1604
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Fax (714) 456-0181

or at www.franscell.com

80

David E Cranston

Direct Dial 310 785 6897

Direct Fax 310 201 2361

E Mail dcranston@ggfirm.com

File Number 14314 00001

Document Number 1456125

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CITY ATTORNEY - DISTRICT
CITY OF CULVER CITY

GreenbergGlusker

GREENBERG GLUSKER FIELDS CLAMAN
MACHTINGER & KINSELLA LLP

February 2, 2005

Federal Express

Carol A Schwab, Esq
City Attorney
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232-0507

Re ***Letter of Intent***

Dear Carol

This letter is in response to your request for a Letter of Intent from our firm regarding our desire to continue providing contract legal services for the City of Culver City. We understand that your office plans to bring this matter before your City Council in the near future. We look forward to being included in your presentation.

This firm has provided contract legal services to the City of Culver City for nearly five (5) years.

We have represented the City in connection with a number environmental, tax and business matters and would be very pleased to continue our representation of the City in connection with such matters. Our proposed legal services include the matters which we are currently handling, described below, any other environmental, oil and gas, tax or business matters, including litigation, in which the City believes our representation could well serve the City.

1 City of Culver City v. Terra Exploration and Production et al In this matter, the City is seeking to establish that Terra has not right to operate certain wells in Culver City Park. The City also seeks damages relating to Terra's wrongful use of those wells and for environmental cleanup. This matter is set for trial on May 2, 2005. We recently received a favorable decision from the Court increasing the likelihood that the City will prevail at trial. In the meantime, however, we have been and will continue to assist the City in negotiating with Terra and PXP to reach a settlement. As currently proposed, PXP will take over Terra's operations, will plug and abandon certain wells on a designated time table, abandon the tank farm

GREENBERG GLUSKER FIELDS CLAMAN
MACHTINGER & KINSELLA LLP

Carol A Schwab, Esq
February 2, 2005
Page 2

and conduct environmental cleanup

2 City of Culver City v Terra Exploration and Production This is a separate matter seeking to recover certain unpaid hazardous material fees from Terra

3 Oil Well Permit Ordinance Assist the City in revising its ordinances addressing oil drilling, permits and royalties

4 Cars.com Represent the City in connection with its dispute with Cars.com over business license taxes

Attached please find our rate sheet and firm resume. We will continue to provide the City with a 10% discount on our fees.

We have enjoyed the opportunity to represent the City and look forward to doing so in the future.

Very truly yours,

David E. Cranston

DEC sl
Enclosure

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**GREENBERG GLUSKER
2006 BILLING RATES**

Name		Current Rate
Partner	Class Year	
Fields Bertram	1952	900
Gallo Jon J	1967	625
Levine C Bruce	1971	600
Claman Stephen	1959	550
Friedman Harvey R	1963	550
Greenberg Arthur N	1952	550
Kaplan Gary L	1976	550
Bennett Jr Robert E	1969	525
Fujikawa Ronald K	1973	525
Posell Richard E	1965	525
Shearer Bernard	1959	525
Chapman Robert S	1976	520
Levine Norman H	1974	520
Greene Michael A	1970	510
Ellman Dennis B	1976	500
Kahn Arnold D	1964	500
Marshall Robert F	1973	500
Haldeman E Barry	1969	495
Hanken Garrett L	1973	495
Shepard Charles N	1977	495
Holt Roger	1971	485
Berk Michael	1967	475
Eskenazi Bonnie E	1985	475
Neff Richard	1980	475
Stern Marc M	1986	475
Finkelstein Henry D	1981	470
Bertrando Nancy A	1985	460

GREENBERG GLUSKER 2006 BILLING RATES

Name	Current Rate
Cranston David E 1985	450
Lune Steven J 1988	450
Spitz Jeffrey 1985	450
Walker William 1986	450
Watson Elizabeth 1981	450
Wood Craig 1980	450
Bjock, Karl E 1983	435
Dresie Lee A 1982	425
Zwicker Laura A 1991	425
Bartlett Joseph P 1985	420
Cossman Jill A 1983	410
Sokol Jonathan B 1987	410
Bibicoff Hilary 1991	400
Blechner Paul A 1991	400
Monarty Elisabeth A 1991	400
Smith Stephen S 1993	400
Cooke Michelle 1992	395
Binford Heidi 1993	390
Kneger Jeffrey A 1991	385
Baradaran Bob 1996	375
MacIsaac Suann C 1996	365
Moss Aaron J 1997	365

<u>Of Counsel</u>	<u>Class Year</u>
Morris Jean	1979 450
Stanley David	500
Thompson Scott	375

<u>Contract</u>	<u>Class Year</u>
Carlo Candace	1978 450

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GREENBERG GLUSKER 2006 BILLING RATES

Name	Current Rate
Sherman Sandra	295

Associates	Class Year	
Tippett Robert S	1987	310
Cluster Darryl W	1989	355
Roberts Carla	1991	325
Tangri Shiraz	1995	340
Burgos Caroline H	1997	325
Falley Matthew N	1997	355
Beall Judith	1998	330
Beveridge Susan A	1998	330
Cestero Ricardo P	1999	320
Galsor Matt	1999	320
Saucedo Sylvia	1999	285
Iwasaka Ryan M	2000	310
Bloom Aaron	2001	285
Das Benita	2001	285
Finch Robin R	2001	285
Gurka Allison	2001	285
Konnersman Jolene	2001	285
Toma, James	2001	285
Montgomery Steve	2002	245
Banks Sedina	2003	250
Kang Brian	2003	250
Friedman Tanya	2003	250
Tavakoli Brenda	2003	250
Fischel Andrew	2004	240
Nassar, Natalie	2004	240
Skwarz Cambra	2005	240

**GREENBERG GLUSKER
2006 BILLING RATES**

Name		Current Rate
Weinberger Pierson Lisa	2004	240
Balcunas Lina	2005	230
Klinedinst, Katy	2005	230
Reed Natalie	2005	230
Saivar Jesse	2005	230
Sher Kevin	2005	230
Wilkes, Rachel	2005	230

Paralegals

Antolick Penny G	195
Hill Linda	195
Welton Pamela S	190
Blythe Joanna	190
McNamee, Leesa	180
Laux Trisha	175
Lewis Leslie	175
Stone Hope	170
Antonoff, Sandra	165
Del Pilar Sandra	135

**Greenberg Glusker Fields
Claman Machtinger & Kinsella LLP**



Greenberg Glusker Fields Claman Machtinger & Kinsella LLP was founded in 1959 and is recognized as one of the leading mid size law firms in California with over 100 lawyers serving a wide variety of clients throughout the United States. The Firm is engaged in a general civil practice including real estate

entertainment litigation intellectual property and technology alternative dispute resolution business and tax labor and employment commercial transactions and restructurings environmental law nonprofit organizations probate and estate planning

Real Estate

Greenberg Glusker has played a significant role in Southern California's real estate industry for more than 35 years and enjoys a reputation as one of Los Angeles' premier real estate firms. We represent developers, lenders, hotel operators, office and shopping center owners, office and retail tenants, commercial and residential brokerage firms, title insurers, construction companies and real estate investors.

Our real estate lawyers are more than skilled technicians. We understand our client's business objectives and we help them achieve those objectives in an efficient, cost-effective manner. Our approach is businesslike and deal-oriented. We focus on what is important and keep that focus until the transaction closes. We are deal makers, not deal breakers.

We advise our clients on all aspects of their transactions. This includes determining the appropriate ownership vehicle in light of tax and liability issues, negotiating the necessary documentation, performing the required due diligence and closing the deal.

We are experienced in office buildings, industrial parks, community and power and regional shopping centers, residential development including single family, condominium and apartment projects, mobile home parks, warehouse club development, country club and resort projects and mixed use developments.

When appropriate, we call upon our real estate litigation group to prosecute or defend contract, partnership, construction defect, land use, environmental and landlord/tenant litigation. We also work closely with our income and estate tax planners to achieve the optimal tax treatment for our clients.

Land Use and Administrative Law

Real estate developers as well as essentially all businesses today which use real property in the course of their business activities are constantly confronted with the complex and perpetually changing scheme of governmental land use regulations which specifically provide and in many cases severely limit how a given property may legally be used or developed. Greenberg Glusker's land use and administrative law practice provides its clients with valuable expertise as to how to successfully navigate through these regulatory complexities.

We represent a prestigious roster of real estate and business clients in the development of a wide variety of projects including commercial, residential, industrial and mixed use developments. From the inception of a real estate development project through the entitlement process and beyond through project construction, operation and disposition, our attorneys frequently work as integral parts of development teams of architects, engineers and consultants to successfully implement our clients' real estate development goals in a timely and cost effective manner.

Where appropriate, we pursue a consensus planning approach. But if a development is challenged by a private party or threatened by overreaching governmental actions, our attorneys will vigorously represent our clients' interests through litigation at the trial court as well as appellate level.

Entitlements

Our attorneys assist our clients in

obtaining a wide range of entitlements including general plans, specific plans, subdivisions, variances, conditional use permits, zone changes, site plan reviews, development agreements, coastal development permits, initiatives and referenda, cultural/historical landmark proceedings, and transportation infrastructure planning and financing which encompass the full spectrum of discretionary local, regional and state planning decisions.

CEQA Compliance

We assist our clients in preparing all documentation required by the California Environmental Quality Act (CEQA) including categorized exemption, negative declarations and environmental impact reports. Our attorneys are also experienced in vigorously defending such documentation against legal challenges.

Redevelopment

We are well acquainted with the redevelopment process and we assist our clients in structuring, negotiating and documenting both subsidized and unsubsidized redevelopment projects including owner participation agreement (OPAs) and disposition and development agreements (DDAs).

Litigation

When it becomes necessary, our attorneys will vigorously challenge overreaching governmental actions, including fending off efforts by governmental agencies to take our clients' property through eminent domain or to exact exorbitant fees or require excessive dedications. We are experienced in defending projects

from a variety of legal challenges
including those alleging the failure to
comply with CEQA

Local Legislation

We also engage in lobbying to assist our
clients in influencing governmental
legislation. We have experience in most
jurisdictions in California.

Intellectual Property and Technology

The Firm's Intellectual Property Group has special expertise in handling the complex problems involved in the registration, exploitation and enforcement of the rights to intellectual property including trademarks, copyrights, rights of publicity, patents, and trade secrets.

General Representation

The Firm is well known for its representation of both creative talent and companies in the entertainment, communication, and publishing industries. Lawyers in the Intellectual Property Group are frequently involved in negotiating and documenting agreements to obtain literary and other proprietary materials which serve as the basis of interactive multimedia products and other entertainment productions. As new technologies make it possible to exploit intellectual property in new and different ways, the complexity of the transaction increases.

Corporate and Business

The Intellectual Property Group represents a wide variety of domestic and international companies ranging from start-ups to publicly traded multinational corporations. These clients require traditional day-to-day business counseling involving all types of tangible and intangible property as well as specialized services involving intellectual property including the clearance, registration, transfer, licensing and acquisition of software, film and music libraries, copyrights, trademarks and trademark portfolios, trade secrets, patents, and products.

The corporate and business lawyers also handle secured and unsecured financing transactions, franchising, public offerings, private placements and leveraged

buyouts and obtaining and perfecting security interests in intellectual property.

Tax

The Firm provides tax advice for companies and individuals from all over the world who invest and conduct business in the U.S., as well as for domestic companies and U.S. citizens doing business domestically and abroad. The tax lawyers have particular expertise in corporate and partnership tax planning including structuring multinational ventures for domestic and international clients involving intellectual property and technology related issues.

Dispute Resolution

Intellectual Property Group lawyers handle virtually all types of civil litigation involving intellectual property, such as trade secret misappropriation, trademark, copyright and patent infringement, defamation, right of publicity, right of privacy, unfair competition, antitrust, and franchise litigation. The Intellectual Property Group has special expertise in obtaining emergency and preliminary injunctive relief in cases involving intellectual property rights. They engage in litigation throughout the United States as well as alternative dispute resolution specific to the entertainment industry including arbitration under the rules of the Screen Actors Guild, the Directors Guild, the Writers Guild, and other entertainment unions, guilds and trade associations.

Insolvency Issues

The Firm's bankruptcy lawyers are particularly experienced in handling debtor/creditor matters involving intellectual property assets and frequently assist other lawyers in structuring transactions to anticipate and avert insolvency related problems.

Entertainment

Greenberg Glusker has one of the preeminent entertainment law practices in the nation. Our Entertainment Department handles a broad range of legal matters in all entertainment and interactive media for actors, directors, producers, screenwriters, authors, publishers, independent production companies, financiers, distributors and major entertainment studios. Although the Entertainment Department is best known for its representation of high profile clients including Tom Cruise, Nicole Kidman, Joel Silver, Mike Nichols, Demi Moore, Larry Kasdan, James Cameron, Jonathan Demme, Dustin Hoffman, Warren Beatty, Andie MacDowell, the Firm represents new and emerging talent and production companies involved in all entertainment media, such as Galan Entertainment, Lucasfilm Ltd., TransContinental Pictures and Records, and the Cisneros Group.

Greenberg Glusker is one of the few entertainment law firms with full service capability so our entertainment clients benefit from the Firm's expertise in a wide variety of legal disciplines. Business and tax lawyers assist in structuring sophisticated business and financial transactions. If needed throughout the course of difficult negotiations, our entertainment attorneys are able to strategize with the Firm's outstanding entertainment litigators, who can help avoid or resolve potential problems. Similarly, in appropriate circumstances, the advice of the Firm's bankruptcy attorneys safeguards a client's rights and economic position in a transaction. Our estate planning lawyers have the special expertise to assist entertainment clients in establishing estate plans and in the administration of estates, trusts, guardianships and conservatorships.

General Representation

The Firm's entertainment lawyers serve as general counsel for a diverse group of artists, entertainers and entertainment related businesses. Our lawyers understand the needs of entertainment clients and familiarize themselves with each client's particular goals and objectives. This enables the entertainment attorneys to advise clients on all business and legal matters, including negotiation and documentation of a wide variety of contractual relationships involving individual talent, studios, networks, Internet and production companies, banks, financiers, bond companies and all forms of distributors. Our entertainment lawyers also advise clients regarding the use and formation of corporations, joint ventures, limited and general partnerships, limited liability entities, loanout companies and other business formats, and assist our clients in complying with relevant collective bargaining agreements and state and federal laws and regulations.

Talent Agreements

Our entertainment attorneys are well known for negotiating and documenting creative talent agreements for services procured in theatrical feature films, television series, television movies and mini series, Internet and interactive multimedia productions, commercials, endorsements, publishing and stage plays.

Project Financing and Distribution

The lawyers in our Entertainment Department negotiate arrangements and prepare contracts for the financing, development and production of motion pictures, television programs, books, plays and other creative outlets. Such arrangements can have a number of legal components, including distribution, licenses, bank loan agreements,

completion bonds and equity investments which often involve obtaining and perfecting (and if necessary foreclosing upon) security interests in various forms of intellectual property

Celebrity Proprietary Rights

The rights to the name voice likeness and other characteristics of a celebrity are of unusual and special importance. The Firm's entertainment attorneys advise clients on the protection of personal publicity trademark and other proprietary rights and with the licensing of such rights when used for products and services.

Rights Acquisitions

Our entertainment attorneys represent producers directors and production companies in the negotiation and documentation of agreements to obtain critically important literary rights which are the basis of entertainment productions. Likewise our entertainment lawyers represent authors and other owners of such rights in sale and licensing transactions having on many occasions implemented precedent setting deals.

Production Legal Work

We often perform the production legal work for production companies working on movies television programs music videos and other entertainment productions. Such work includes creating solid chain of title agreements for all underlying property fundamental to the production and the negotiation and preparation of agreements for securing rights to locations property crew and cast.

Dispute Resolution

Our entertainment lawyers assist clients in the resolution of disputes involving individuals, partnerships production companies distributors guilds and/or governmental agencies. If litigation is necessary our litigators have extensive experience with entertainment industry cases having handled numerous high profile cases some of which established important legal precedents in the entertainment industry.

Alternative Dispute Resolution

The Firm is familiar with and often assists parties in resolving disputes through various methods of Alternative Dispute Resolution (ADR) instead of traditional litigation. The term ADR covers a wide variety of formal and informal dispute resolution techniques. Use of an appropriate ADR technique can yield many benefits. In addition to containing litigation costs and expediting resolution, ADR presents an opportunity to resolve disputes in a manner which protects the participants' privacy and can maintain ongoing business and personal relationships. Both as advocates and as arbitrators or mediators, the Firm's lawyers have used ADR techniques to resolve a variety of complex disputes including business, commercial, entertainment, real estate, labor, trust and estate controversies.

Arbitration

The Firm has broad experience in using arbitration to resolve disputes. In arbitration, an appointed arbitrator rather than a judge sitting in a court of law resolves the dispute. Arbitration can be especially helpful in avoiding the expense of extensive discovery battles and costly appeals and in obtaining a decision from a person familiar with the area of business involved in the dispute. The Firm handles arbitrations before the commonly recognized arbitral forums such as the American Arbitration Association, American Film Marketing Association and the Screen Actors Guild, as well as arbitrations in which the parties agree upon their own procedures. Several of the Firm's lawyers also serve as arbitrators.

The Firm has arbitrated virtually every type of business, commercial, entertainment, construction, real estate, labor, trust and estate dispute both in

situations in which the parties had agreed to arbitration in advance and in situations where a matter was submitted to arbitration rather than litigation. The Firm's transactional lawyers are frequently involved in drafting ADR provisions carefully tailored to meet the client's specific needs.

Mediation

Mediation is a non-binding process in which the participants design a solution to their dispute with the guidance of an experienced facilitator or mediator. The Firm's lawyers frequently use mediation techniques to assist parties in negotiating early settlements of their differences. The Firm has found that mediation is particularly useful to resolve disputes in which the parties' personal relationship is an issue, such as sexual harassment matters or differences between family members or business partners.

Other ADR Techniques

The flexible nature of ADR is an essential part of its effectiveness. Accordingly, the Firm's lawyers have used and continue to explore a variety of techniques by which disputes can be resolved efficiently. These include retaining a retired judge at the beginning of a dispute to assist the parties in identifying, focusing and resolving important issues; commencing a bifurcated arbitration on key issues; and holding a mini-trial at which the parties' decision makers are educated on the merits of their respective positions.

While there are disputes that are not amenable to resolution through the ADR process, the Firm believes that exploring alternatives to litigation often yields superior results at substantial cost savings.

Litigation

The Firm's Litigation Department handles a wide variety of matters before federal and state trial and appellate courts including the United States Supreme Court, arbitration tribunals and administrative agencies in virtually every type of business, commercial, entertainment and communication litigation. Working with the Firm's bankruptcy lawyers, the Firm represents debtors and creditors in bankruptcy related litigation.

Real Estate and Construction Litigation

The Firm's litigators handle a wide variety of real estate litigation covering actions for specific performance, partnership disputes and controversies arising from agreements to purchase and sell real property. The Firm represents clients in lease controversies, rent control, land use and zoning disputes, brokers' commission actions and mechanics' lien and construction defect litigation.

Entertainment and Communications Litigation

The Firm represents entertainment clients in contract disputes, antitrust actions, defamation suits, First Amendment issues, copyright, trademark and other intellectual property infringement matters, and actions for and against agents and business and personal managers. Well known for handling numerous high profile cases, the Firm represents actors, producers, directors, screenwriters, authors, musicians, songwriters, composers and major film and television studios.

Securities and Business Litigation

The Firm represents publicly owned and closely held corporations, lending institutions, partnerships and individuals in a broad range of litigated matters. The

Firm's litigators handle breach of contract actions, corporate and partnership dissolutions, private antitrust actions, copyright and trademark matters, intellectual property infringement, unfair competition and franchise litigation. The Firm represents plaintiffs and defendants in major securities fraud litigation, including class actions and shareholder derivative suits, as well as business tort and insurance related matters.

Labor and Employment Litigation

The Firm represents employers in a variety of industries defending state and federal claims of individual and systematic discrimination, sexual harassment, wrongful termination, breach of contract, unfair competition, defamation and other employment related claims.

Appellate Matters

The Firm's appellate practice includes prosecution and defense of civil appeals, writ of mandate and other extraordinary writ petitions, stay orders, appellate motions and other proceedings before the California Supreme Court and California Courts of Appeal, and the United States Supreme Court and Circuit Courts of Appeals, in addition to various federal and state administrative agencies. Complex civil litigation often necessitates appellate review of jurisdictional orders, preliminary injunctions, summary adjudications, demurrer rulings and other interim trial court rulings, as well as appeals from final judgments after jury verdicts or bench trials. Several of the Firm's litigators specialize in appellate work and are frequently associated as appellate counsel in cases that were tried by others.

Business and Tax

The Business and Tax Department represents entrepreneurial mid size companies in a variety of industries including manufacturing and distribution communications entertainment health care hospitality and professional service organizations. The Firm has a longstanding commitment to develop and maintain a close relationship with the entrepreneur chief executive officer and business owner. Corporate and business clients are served primarily by one partner who is responsible for the client relationship and overall coordination of services provided. Each client receives responsive personal attention while also having access to a wide variety of specialized services and resources.

General Representation

The Firm's corporate lawyers serve as general counsel for numerous public and closely held businesses. As general counsel they develop a familiarity with each client's business which enables them to advise the client on virtually all legal matters affecting day to day operations. This traditional business counseling includes legal advice about entity formation operational problems stock option and other compensation plans contractual relationships with suppliers distributors customers employees lenders and others employee and stockholder relations unfair competition protection of proprietary rights licensing of products in the United States and abroad franchising and general compliance with state and federal laws and regulations. The Firm's corporate and business lawyers are often engaged to negotiate and resolve disputes among the owners of closely held partnerships and corporations.

Business Planning

The Firm has substantial experience in sophisticated business planning and in advising clients concerning the purchase and sale of businesses corporate buyouts mergers acquisitions split ups and divestitures and financial restructuring of debt and equity. In addition the Firm handles franchising leveraged buyouts and secured and unsecured financing transactions. Since many of the Firm's clients are closely held or family businesses the business lawyers are also involved in estate and business planning to ensure the continued vitality of these enterprises.

Partnerships and "S" Corporations

The Firm has developed particular expertise in the legal problems of partnerships and S corporations as business entities. The corporate and business lawyers advise clients on all phases of organizing operating and dissolving partnerships and S corporations.

Corporate Finance and Securities

The Firm's corporate lawyers represent both issuers and broker dealers in connection with public offerings of equity and debt securities. They represent NYSE and other publicly traded clients before the Securities and Exchange Commission and the California Corporations Commissioner. The private offering of corporate and other securities including partnership syndications constitutes an important part of the Firm's practice.

The Firm advises clients on international federal state and local tax matters. Tax lawyers work closely with lawyers from other departments assisting them in the tax aspects of business entertainment real estate litigation and bankruptcy matters.

Corporate Tax Planning

The Firm's tax and corporate lawyers work together to structure major business transactions such as mergers, corporate reorganizations, acquisitions, stock redemptions, divisions and dispositions. The tax lawyers obtain rulings and technical advice from the Internal Revenue Service and are involved with such matters as consolidated returns, net operating losses, unreasonable accumulations of income, personal holding companies and collapsible corporations.

International Matters

The Firm's tax lawyers structure transactions for nonresident aliens and foreign entities engaged in business or investing in the United States and for United States businesses and individuals operating abroad. They work closely with foreign lawyers and accountants with respect to the tax issues of international transactions.

Real Estate and Partnership Tax Planning

The Tax Department structures real estate transactions to include the resolution of tax issues arising from establishing and operating partnerships and joint ventures, purchase and sale of real estate, advising real estate investment trusts (REITs), installment sales, leasing, financing and refinancing, special allocation of partnership income, tax-free exchanges, termination of partnerships, and real estate transactions involving tax-exempt entities such as charitable foundations and pension plans.

Personal Tax Planning

The Firm engages in personal tax planning for owners of closely held businesses, corporate executives, persons in the entertainment industry, entrepreneurs, high net worth individuals, estates and trusts. This work includes employee benefit plans, use of loan-out corporations, executive fringe benefits, analysis of tax shelters and deferred compensation arrangements.

State and Local Taxation

The Firm's tax lawyers frequently provide advice and handle controversies involving California income, sales and use taxes, property tax (including the impact of Proposition 13) and local business license taxes.

Audits and Tax Litigation

The Tax Department handles state and federal tax audits and represents clients before the Appellate Division of the Internal Revenue Service, the Franchise Tax Board, and the State Board of Equalization. The Firm's tax lawyers also represent clients in the United States Tax and District Courts.

Environmental

The Firm's environmental practice reflects the broad impact of environmental law on business and personal matters. Thus, the Firm's environmental lawyers are frequently involved in litigation matters, real estate transactions, business matters, financing arrangements, bankruptcy proceedings and even trust and estate issues. In addition, they provide compliance counseling and representation in administrative and judicial proceedings involving federal, state and local agencies. They are experienced in analyzing legislative and regulatory initiatives and providing assistance to the clients whose business can be affected by them.

Litigation

The Firm represents clients in a wide range of litigation over environmental issues. These cases include CERCLA cost recovery actions, non-CERCLA actions for cleanup of contamination and damages and disputes over the adequacy of the Environmental Impact Reports. The Firm also assists clients with pollution-related insurance coverage issues.

Transactional Work

Environmental due diligence has become a critical element of many business transactions, including real estate development, redevelopment, sales and leases, the transfer of business operations, secured financing arrangements and even equipment sales and leases. The Firm counsels clients on the environmental aspects of all such transactions.

This includes planning and evaluating appropriate studies, interfacing with government officials as necessary, negotiating mitigating measures or cleanups and advising clients about the risks that may arise from environmental conditions or their regulation.

Regulatory Compliance

The Firm's lawyers have substantial experience in assisting clients with environmental compliance issues. This includes interpreting regulations, negotiating with government agencies over the application of environmental requirements to proposed developments and operating projects, devising compliance plans and providing advice regarding government investigations. It also includes handling permit applications, hearings and appeals and defending clients in enforcement actions.

Legislative and Regulatory Development

The Firm's environmental lawyers have experience in drafting environmental legislation, reviewing proposed legislation and regulations for potential impact on clients and preparing comments and testimony to influence legislative and regulatory activity.

Bankruptcy

The Firm assists in addressing the interaction of bankruptcy legislation and case law with the cleanup obligations and liabilities created by environmental statutes.

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Employment

The Firm's Labor Department has diverse expertise ranging from preventive counseling to representation before administrative agencies and in trial and appellate litigation. Clients are from industries including entertainment, retail, professional service organizations, manufacturing and distribution, real estate, health care, gaming and hospitality. The Firm has substantial experience with state and federal civil rights and anti-discrimination legislation such as the California Fair Employment and Housing Act, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the Civil Rights Act of 1991, as well as with the Family and Medical Leave Act of 1993, the Immigration Reform Act, the National Labor Relations Act, the Worker Adjustment Retraining and Notification Act, and the California Injury and Illness Prevention Program Act, and all state and federal wage and hour laws.

Preventive Counseling

As well as defending employers in the investigation of charges and in litigation of claims involving alleged violations of state and federal laws, the Firm also emphasizes preventive counseling designed to minimize the risk of litigation or administrative claims. These services include advice on issues such as sexual harassment, the progressive discipline of employees, the importance of proper documentation of employment issues, the risks associated with drug and alcohol screening, the handling of work-related stress claims, privacy concerns raised by the use of employee searches, and the interception of voice mail, e-mail and similar technological issues. The Firm's labor lawyers draft and review employment handbooks, as well as

policies and procedures to address these personnel issues. They also advise clients with respect to daily operational issues such as proposed hirings, disciplinary procedures and terminations and draft the employment and severance agreements associated with such issues.

Employee Terminations and Contract Disputes

The Labor Department represents employers in defense of individual and systemic discrimination claims, sexual harassment actions, wrongful termination suits and contract and tort claims. They counsel clients undergoing reductions in force as a result of plant closings and corporate reorganizations and structure employee severance arrangements. They also work with the Firm's Bankruptcy Department to handle problems arising out of the relationship between labor and bankruptcy law.

General Employment Matters

The Firm counsels and represents employers with respect to all aspects of the laws of trade secrets and unfair competition, including the misuse of proprietary information by former employees, non-compete provisions, solicitation of employees and interference with contracts and business relationships. The Labor attorneys advise clients with respect to structuring independent contractor relationships and in evaluating the potential liabilities which can arise from mischaracterizing employees as independent contractors. They also conduct in-house training and seminars concerning compliance with newly enacted legislation and other issues of interest to the Firm's clients.

Commercial Transactions and Restructurings

The Firm's bankruptcy lawyers advise on all aspects of bankruptcy and insolvency law including representation of secured creditors purchasers of distressed companies creditors committees bondholders equity committees and debtors in possession. Clients include banks and financial institutions and companies in a variety of industries such as manufacturing and distribution real estate hospitality entertainment retail and food products.

Bankruptcy Planning

The Firm counsels clients with regard to their own financial difficulties and in avoiding the pitfalls of pending bankruptcies of their borrowers or business associates. These planning services include structuring the purchase or sale of assets to or from financially distressed business entities advising on the tax consequences of bankruptcy or property foreclosures and negotiating informal debt workouts with the creditors of financially troubled clients. The Firm consults with clients on various aspects of commercial transactions including attachment and perfection of security interests obtaining or demanding payment of letters of credit and repossession of or foreclosure upon real or personal property collateral and analyzing commercial transactions with a view toward minimizing the impact of a bankruptcy filing by another party to the transaction.

Bankruptcy Case Administration

The Firm represents debtors in Chapter 11 reorganizations secured and unsecured creditors dissenting shareholders who wish to provide new direction and leadership for troubled companies creditors committees appointed by

bankruptcy court and informal committees of bondholders. The Firm's expertise ranges from single asset real estate cases to reorganization of multi million dollar operating businesses and restructuring of public debt.

Bankruptcy Litigation

The Firm handles all aspects of bankruptcy litigation from claims objections and automatic stay litigation to complex lender liability matters related to bankruptcy proceedings. This includes both the prosecution and defense of fraudulent conveyance preference and equitable subordination litigation. The Firm assists commercial and industrial landlords and tenants to protect lease rights in a bankruptcy.

Workouts and Financial Restructuring

The Firm's Workout and Financial Restructuring Group are a team of lawyers with specialized expertise in the restructuring of debt and equity financing both inside and outside of bankruptcy proceedings. The workout team includes lawyers with expertise in real estate entertainment bankruptcy corporate matters tax and litigation. The Firm has expertise in representing both lenders and borrowers in complex workouts.

General Insolvency

The Firm provides legal counsel in insolvency alternatives to bankruptcy including nonjudicial debt workouts assignments for the benefit of creditors receiverships and liquidations of partnerships and corporations.

Estate Planning

The Firm's Probate and Estate Planning Department assists clients with all aspects of estate planning, probate and trust law. Clients include owners of closely held businesses, corporate executives, entrepreneurs, entertainers and high net worth individuals. The department also serves as planned giving counsel for nonprofit organizations.

Estate Planning

The Firm represents individual clients in estate planning and in the administration of estates, trusts, guardianships and conservatorships. This encompasses the implementation of estate plans that permit family wealth to be transferred at the lowest possible tax and administrative cost, disability planning through the use of durable powers of attorney for health care and asset management, nominations of conservator of the person and estate and creation of funded revocable trusts. It also includes the selection of the appropriate estate planning vehicles, such as custodianships, wills, testamentary trusts and domestic and offshore revocable and irrevocable inter vivos trusts, as well as liquidity planning to provide for the payment of death taxes and costs of administration through optimal use of the unified credit, marital deduction, life insurance and charitable giving. The Firm also assists clients in maximizing use of the generation skipping transfer tax exemptions through lifetime and testamentary gifts and irrevocable life insurance trusts and the evaluation and implementation of sophisticated estate freezing techniques such as charitable split interest trusts, grantor retained

interest trusts, installment sales, corporate recapitalizations, partnership freezes, buy-sell agreements, family partnerships and specialized insurance protection.

Probate and Trust Administration

The Firm handles the full range of probate and trust administration, conservatorships, guardianships and gifts pursuant to the Uniform Transfers to Minors Act. The Firm's probate lawyers represent clients in will contests, proceedings to determine heirship, petitions to interpret wills and trusts and petitions to establish title to real and personal property. They also handle complex estate and gift tax proceedings, including audits and litigation before the Appellate Division of the Internal Revenue Service in the United States Tax Court and state and federal courts.

Planned Giving

The Firm provides planned giving services for charitable clients, such as hospitals, educational institutions and community organizations. Services to clients cover development of planned giving guidelines, assistance in preparation of planned giving brochures, prototype charitable trusts, estate planning and planned giving seminars and all necessary proceedings before state and federal regulatory agencies, including the Attorney General, Commissioner of Insurance, Franchise Tax Board and Internal Revenue Service.

Pro Bono

Greenberg Glusker has a long tradition of public service through pro bono activities. The Firm encourages each lawyer to devote a portion of his or her time to pro bono service and other public interest activities. The Firm is a recipient of the William O. Douglas Award from Public Counsel, a legal aid organization funded by the Los Angeles County and Beverly Hills Bar Associations. Members of the Firm provide pro bono representation on cases referred by diverse legal and public interest groups such as Public Counsel, Bet Tzedek Legal Services and the Westside Fair Housing Council.

Lawyers in the Firm frequently serve as small claims court or pro tem judges or arbitrators as part of the Firm's pro bono program. They also serve as officers and directors of Public Counsel, the Legal Aid Foundation of Los Angeles, American Civil Liberties Union, UCLA School of Medicine, and other charitable and community organizations.

Pro bono projects the Firm has supported over the years include advising the developers of a low income owner occupied housing project in South Central Los Angeles, serving as general counsel to a Los Angeles based nonprofit organization that investigates discrimination complaints and monitors compliance with fair housing laws, serving as co chair of the committee creating the Central District of Bankruptcy Mediation Program, serving as general counsel to the Miracle Mile Civic

Coalition, representing numerous individuals who are the victims of housing insurance fraud, representing a nonprofit mental health and drug abuse counseling center in its real estate matters, advising the NRC stockpile committee regarding the disposal of chemical weapons, representing Earth Communication Organization, a nonprofit entertainment industry group which uses the media to educate the public on environmental issues, representing political refugees seeking asylum, and representing numerous educational industry, health care, theatre and arts organizations, including AIDS Project L.A., Lupus Foundation of America, L.A. Goal, Camp Pacific Heartland Prototypes and Caring for Babies with AIDS.

The Firm also encourages its lawyers to participate in state and local bar activities. Members of the Firm are contributors to the Continuing Education of the Bar and other legal publications and are frequent lecturers before legal and other professional groups. They serve as officers and section and committee chairpersons of the state and local bar associations.

Nonprofit Organizations

The representation of nonprofit organizations has become an increasingly important part of the Firm's practice. The Firm represents a wide variety of nonprofit organizations including private and public charitable foundations, membership and non membership organizations, mental health, anti drug abuse and AIDS treatment organizations, business leagues, schools, environmental groups, various civic and community organizations and a low income housing corporation.

Formation

The Firm's business and tax lawyers assist nonprofit organizations in all aspects of organization and operation including selecting the appropriate form of entity, drafting appropriate charter documents, obtaining state and federal recognition of tax exempt status, and organization of the board of directors and election of officers.

Operational Issues

The Firm advises organization on numerous operating issues such as self dealing, compliance with public solicitation regulations, executive compensation, conduct of board and committee meetings, unrelated business taxable income (UBTI), regulation of investment activity and permissible political contributions and lobbying activities. The Firm also provides advice to charitable organizations in developing and implementing their planned giving programs.

J & M

JONES & MAYER

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CITY ATTORNEY
CITY OF CULVER CITY

Of Counsel
Michael R. Capizzi

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Steven H. Staveley

February 1, 2005

*a Professional Law Corporation

Carol A. Schwab, City Attorney
City of Culver City
9770 Culver Blvd
Culver City, CA 90232

Dear Ms. Schwab

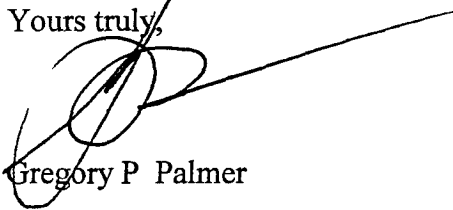
This letter is in response to your request for a Letter of Intent from our firm regarding our desire to continue providing contract legal services for the City of Culver City. We understand that your office plans to bring this matter before your City Council in the near future. We look forward to being included in your presentation.

This firm has provided contract services to the City of Culver City for the past three years.

Our proposed legal services include Consultation with the City Attorney's office as necessary on matters dealing with massage establishments and technician permits, police department issues and the Public Record Act.

Our rate is \$175.00 per hour and our firm resume is enclosed.

Yours truly,


Gregory P. Palmer

GPP/mlt

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Law Office of Jones & Mayer

Firm Resume

The Law Office of Jones & Mayer specializes in public sector and law enforcement law issues, and is dedicated to serving governments and other public agencies throughout California

The firm was formed by the merger of two highly-regarded legal offices, each with specialties in a variety of municipal issues. Jones & Mayer offers expertise in virtually every area of public sector law, and is retained in advisory and representative capacities by nearly city, county and state agencies in California.

Richard D. Jones and Martin J. Mayer have spent most of their professional careers in the area of municipal law. Likewise, their staff of experienced attorneys and "of counsel" associates are all experienced in many aspects of public sector law. Together they form a highly-skilled team that concentrates exclusively on legal issues that affect municipalities and government agencies.

The members of the staff of Jones & Mayer represent a variety of disciplines within the municipal law sector. Many of our staff received experience working for municipal governments or agencies prior to entering private practice, and regularly put that experience to work in representing our clients in all legal matters.

Staff members also serve as advisors to law enforcement executives throughout the state. Several regularly teach seminars, lecture and author articles on public sector legal issues.

Our "Of Counsel" associates are specialized consultants to the firm, who assist in matters relating to city prosecutor issues, internal investigations, administrative hearings, and litigation. As with our staff, many of these attorneys had and/or have direct experience working in municipal law enforcement or legal departments.

OUR EXPERTISE

Municipal Law

Collectively, the staff of Jones & Mayer has more than a century of experience in public sector legal issues.

City Attorney

Owner, Richard D. Jones currently serves as City Attorney for the cities of Whittier, La Habra, Fullerton and Westminster. Kimberly Hall Barlow of our firm serves as City Attorney for the City of Costa Mesa.

City Prosecutor

The firm serves as City Prosecutor for 13 cities in Southern California

Redevelopment

The firm has negotiated agreements with major retailers, and has handled condemnation, relocation and housing set aside issues and serves as general counsel to two Redevelopment Agencies

Water Law

Jones & Mayer is expert in all areas of water-related legal matters

Government Tort Defense in State and Federal Courts

The firm has successfully defended dozens of cities and counties in State and Federal litigation involving police litigation, including officer involved shootings and negligence

Training in Personnel and Labor Issues

The firm regularly holds lectures, seminars and training on all of these issues

Personnel Matters

Jones & Mayer has advised many government agencies on these issues, and successfully represented them in administrative appeals, arbitrations and court proceedings

Internal Affairs Investigations

Several staff members have successfully conducted and/or analyzed hundreds of internal affairs investigations for both police and sheriff's departments

Labor Negotiations

Jones & Mayer has effectively represented numerous municipalities in labor negotiations

Drafting, Reviewing and Revision of Policy and Procedure Manuals

The firm has reviewed, revised and/or developed manuals for more than 50 law enforcement agencies in California

Americans with Disabilities Act (ADA)

The staff of Jones & Mayer has the expertise to advise municipalities on the implications of this federal mandate

Management/Operational Audits

Jones & Mayer has conducted thorough audits on behalf of cities on their agency organizational structures and operating procedures (e g Internal Affairs process)

Brown Act

Mr Jones has extensive expertise on advising cities with information regarding the Brown Act

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BRUCE D. BALLMER
(RETIRED)

ROBERT P. BERKMAN
(1919-2001)

January 26, 2005

Carol A. Schwab, City Attorney
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232-0507

Re Your January 26, 2005 Request for a Letter of Intent

Dear Carol

This letter is in response to your request for a Letter of Intent from our firm regarding our desire to continue providing contract legal services for the City of Culver City. We understand your office plans to bring this matter before your City Council in the near future. We look forward to being included in that presentation and the opportunity to continue to provide exceptional and ethical services for your community.

Our firm has provided contract services for the City since November, 1989. We have also provided legal services as special and general counsel to the Culver City Redevelopment Agency since 1971.

The types of services we have provided your City, and are willing and able to continue to provide as you and your decision makers decide appropriate, cover a full gambit of legal needs a Charter municipality faces. Over the last 16 years we have provided interim city attorney services for two separate periods: from November, 1989 to March, 1990 and from March 1991 to October 1991, we have provided interim deputy city attorney services in 1996-97 and from 1998 to the present, and we have provided special counsel services for a multitude of subjects relating to local government law both transactional and litigation related.

We have provided the City prompt and efficient legal services for a variety of matters including the City Attorney Department, Community Development Department, the Public Works/Engineering Department, the Transportation Department, the Parks, Recreation and Community Services Department, the Personnel Department, the Police Department, the Fire

Carol A Schwab, City Attorney
January 26, 2005
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Department, the Information Technology Department, the City Clerk Department, the City Treasurer Department, the Administration Department, contract preparation and review, tort claim review the Public Records Act, the Brown Act, the Political Reform Act and election law We have also provided litigation services to the City in many of the same areas of law

As also requested, please find enclosed a firm resume, as well as our suggested hourly billing rates We have provided ten copies of this letter and the enclosures, as well as the original for your use If you desire more copies please let us know For additional information regarding our firm and its members, please visit our web site at www.kbbblaw.com

Please let us know if you have any questions Thank you for our continued and future relationship

Very truly yours

KANE, BALLMER & BERKMAN



Murray O Kane


Joseph W Pannone

Enclosures

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FIRM RESUME

GENERAL -

The Firm is AV-rated with 12 attorneys and full support staff. Since its inception in 1963, the Firm has specialized in providing legal services to redevelopment agencies, municipalities, development commissions, special districts and other public entities within and outside the State of California, primarily in the fields of municipal and redevelopment law. In connection with this practice, the Firm also provides legal services in related substantive fields such as environmental procedures and determinations (CEQA and NEPA), hazardous waste litigation and remediation, land use and general real estate development and finance, the negotiation and drafting of development agreements on behalf of municipalities, assessment district creation, surety bonds and public works, municipal bonds, securitization programs, property taxation and assessments, affordable and market-rate housing, eminent domain, general municipal and trial and appellate litigation relating to these subjects.

The Firm currently represents approximately three dozen public entities, mostly redevelopment agencies and cities located in California. A sample of current active clients of the Firm are Baldwin Park, Bellflower, Culver City, Huntington Beach, Inglewood, Los Angeles, Lynwood, Oceanside, Ontario, Oxnard, Palmdale, Palos Verdes Estates, and San Diego. The Firm also engages in limited representation of private clients (generally property owners and/or developers) with redevelopment and related matters in cities that are not clients of the Firm.

It is the Firm's overriding objective to assist and provide each of its clients with the level of activism most appropriate and useful to the client in order for that client to accomplish its myriad goals and objectives. This is accomplished by drawing upon the diverse and varied experiences of the attorneys of the Firm.

The Firm has expertise in matters important to the implementation of land use and redevelopment plans, including zoning, general and community plans, subdivision and tentative mapping, the property and sales tax system, the conceptual and practical aspects of tax increment financing and the sharing of property tax by law or agreement among public entities, the methods of obtaining developer advances and payments for governmental purposes, bond or assessment districts and various other financial alternatives available for capital outlays, and real estate debt and equity financing and security. While our Firm does not act as bond counsel, *per se*, we have acted as special counsel for many public bodies with direct

involvement in formulating plans and the essential structure and terms for bond issues. In this capacity we have been responsible for coordinating the issuance of bonds with the overall objectives of a redevelopment plan. The Firm has also helped to structure activities involving state and federal financing programs such as CHFA, CDBG, UDAG, HODAG and HOME, as well as tax credits and syndication financing.

The Firm also has broad expertise in environmental law including state and federal hazardous waste/toxic material liability, risk programs, and remediation guidelines. Moreover, the Firm has substantial experience in handling environmental matters involving the California Environmental Quality Act which serves to protect the California environment through the utilization of certain environmental assessment measures.

The Firm's litigation practice coordinates directly with and facilitates the transactional activities of our clients. In the area of eminent domain, the Firm has been able to successfully bring its expertise to bear on various condemnation and calculation issues peculiar to municipal projects. The same is true for the various land use, municipal and environmental matters handled by the Firm. In litigation, the Firm takes a flexible and pragmatic approach to solving clients' problems. The Firm has handled complex and precedent setting issues at both the trial and appellate levels of advocacy.

RENDERING LEGAL ADVICE AND OPINIONS -

For over 30 years, the Firm has been continuously and actively involved in providing general legal services to cities and redevelopment agencies in all areas of the law. The Firm has provided expert legal advice and consultation to council members, redevelopment agency members, officials and staff, city attorneys and other city staff in all areas of the municipal and redevelopment law and related areas of federal, state and local laws. In addition, Kane, Ballmer and Berkman closely monitors all changes in the law, and annually prepares and disseminates to local officials throughout the State its publication 'California Community Redevelopment Law and Statutes Referenced Therein' which contains an updated edition of the Community Redevelopment Law and related statutes.

The Firm provides legal advice to its clients on the basis of thorough research and with an understanding of and sensitivity to the needs of the client. Because the Firm represents so many other public agencies throughout the State, each client agency benefits from the experience gained by the Firm in other cities.

DRAFTING AND PREPARATION OF LEGAL DOCUMENTS -

The Firm has participated in some of the most significant and complicated public-private real estate transactions in the State, requiring sophisticated and thorough research and documentation of all aspects of the deal. The Firm provides advice to local governments as to all legal requirements, and the necessary and desired form of documentation, and, as requested, prepares documents or reviews documents prepared by staff or city attorneys. Examples include the following:

- Documents for the acquisition of property, by acquisition exchange or eminent domain
- Relocation agreements meeting all requirements of the Uniform Relocation Act and State law, ranging from the most routine relocations to the extraordinary, such as the relocation of a skid row mission in downtown Los Angeles
- Replacement Housing Agreements, involving a wide range of circumstances, from the replacement of a single unit through the phased replacement of over 1000 units (the Los Angeles Convention Center Expansion)
- Management of acquired property, including leases, management agreements and rights of entry
- Demolition, clearance and removal of buildings, including research and written advice relating to the legal requirements applicable to such contracts, and the implications of CEQA on demolition within redevelopment project areas
- Installation, construction or reconstruction of streets, utilities or other site improvements. In this area, the Firm was instrumental in establishing the legal principle that privately owned utility companies must relocate their facilities at their own cost, when necessary for redevelopment. Our position was adopted by the United States Supreme Court in *Norfolk Redevelopment and Housing Authority v. Chesapeake and Potomac Telephone*, 464 U.S. 30, 78 L. Ed. 2d 29 (1983), in which we participated as *amicus curiae*.

REAL ESTATE TRANSACTIONS -

In this area, virtually all of the key legal documents used throughout the State by redevelopment attorneys are based on forms developed by the Firm, as to concept, name, form and content. This includes Cash Depository Agreements, Exclusive Negotiation Agreements, Owner Participation Agreements, and Disposition and Development Agreements. In addition, the Firm has established key legal procedures which must be carried out well in advance of drafting these documents, such as the implementation of the owner and tenant participation process in such a manner as to satisfy the spirit and content of owner participation rules without sacrificing expeditious project accomplishment. Also important is our extensive experience in conceiving and negotiating risk, cost and cash flow allocation between the Agency and the private sector in these transactions, including acquisition of land, parking facilities, public improvements, relocation and replacement housing. Our Firm has thorough knowledge of the needs of developers, the bond market, lenders, title companies, owners, tenants, etc., so that the real estate transaction documents, once negotiated and approved by the Agency, will survive as workable documents throughout the planning, financing, construction and use and operation phases.

The Firm has negotiated and drafted the most complicated agreements, including such DDAs as the California Plaza (Los Angeles Bunker Hill), Horton Plaza (San Diego) and the Navel Training Center (San Diego) projects, and the leases and other documentation for the Santa Clara Trade and Convention Center, as well as DDAs, OPAs and similar agreements relating to every sort of project in which a redevelopment agency may be involved. In that context, we have established the principle that redevelopment agencies may convey property exempt from the requirements of the State Subdivision Map Act, we have convinced title companies to insure title upon conveyance to developers on the basis of Orders of Immediate Possession, and have prepared documents relating to every kind of transaction affecting redevelopment agencies.

The Firm has developed court-tested language which has enabled our clients to make offers to buy property which comply with the applicable legal requirements protecting the owners, yet shielding the agency from hazardous materials liability, provided a basis to reduce offers, purchase prices, and court deposits for orders of immediate possession and judgments to reflect the cost of cleaning up contamination, and generally to compel owners, some of whom are unwilling sellers, to comply with their responsibilities under State and Federal laws.

The Firm evaluates and advises our clients regarding all stages of CEQA compliance in real estate transactions. We have fashioned an administrative

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practice to implement Public Resources Code § 21090, which permits an agency to rely on a redevelopment project environmental impact report for many of its discretionary implementation activities. We have prepared, and our clients have adopted and used, local environmental guidelines tailored for redevelopment agencies, and special forms of initial studies and resolutions. We have substantial experience in implementing CEQA requirements with the sometimes frenzied pace of real estate transactions in such a manner, with sufficient advance consultation, so as to provide our clients with the means to satisfy CEQA and be able expeditiously to carry out their program. Our techniques and procedures have withstood court challenges.

EMINENT DOMAIN -

Because eminent domain arising in the redevelopment setting presents certain unique issues such as owner participation, presumptions concerning public use and necessity, redevelopment project enhancement [and correlative blight], goodwill [and its conflict with relocation], the Firm is uniquely positioned to provide advice on transactions with eventual eminent domain in mind. All of our experience with plan adoptions, CEQA, and real estate transactions comes into play in advising our clients in connection with property acquisitions and eminent domain.

Planning for property acquisition by local governments begins long before an acquisition target is identified. Agreements with developers must be structured so as not to obligate the agency to use its condemnation power in such a manner that would lead to a conclusion that the findings made in the resolution of necessity were prejudged. CEQA compliance is also a factor, as failure to comply with CEQA can be the basis for a challenge to the agency's right to take property. The owner participation process, with which we are also experienced, is key in avoiding defenses to the right to take and also in fostering an atmosphere that makes property acquisition without filing an eminent domain action possible in many cases.

In many instances, our clients have been able to acquire property without having to adopt a resolution of necessity or file an eminent domain action. The Firm has reviewed and advised on such matters as initial valuations and offers, relocation assistance, title questions and settlement discussions. We have extensive experience in working with appraisers, right-of-way agents and relocation consultants to maximize the likelihood of voluntary acquisition of property. Experience has shown that many potential obstacles to a smooth and successful acquisition process arise prior to the filing of an action, some even prior to the adoption of a Resolution of Necessity. Accordingly, the Firm works with clients

to review and advise on actions leading towards the possible authorization of condemnation to ensure compliance with statutory and decisional requirements and guidelines

The Firm has successfully obtained, defended and enforced orders of prejudgment possession, as well as challenges to the right to take arising out of challenges to the owner participation process, environmental review and compliance with Government Code § 7267.2 [adequacy of offer]. We have convinced title companies to insure title upon conveyance to a developer on the basis of court orders entitling the condemnor to possession of the property. The Firm has been successful in assuring that its clients pay no more than fair market value for acquired property by its use of project enhancement analysis, by use of redevelopment plans to defeat the contention of a reasonable probability of rezoning, by using relocation payments as offsets against goodwill payments, and by using the presence of hazardous materials as an offset against the ultimate valuation award and court deposits for possession. We have also assisted clients in using eminent domain to remove leases, liens, covenants and other encumbrances that prevented effective redevelopment of real property.

Where efforts at settlement have failed, the Firm has been able to obtain favorable jury verdicts for its clients, enabling them to proceed with the business of redevelopment at a fair price and in an expeditious manner. June Ailin, the lead attorney for this assignment, has solid trial experience in eminent domain cases involving right-to-take issues, property valuation (by far the most common issue), entitlement to compensation for loss of goodwill, probability of change in use or zoning, precondemnation (or Klopping) damages and environmental remediation issues. Trials in which Ms. Ailin has played a significant role have resulted in jury verdicts below the condemnor's final offer. In one particularly hotly contested case involving a claim for substantial damages for loss of goodwill, following two days of Ms. Ailin's cross-examination of the property owner's goodwill appraiser, the jury returned a verdict of zero for loss of goodwill. In cases in which the jury has found the property owner's appraiser more credible, we have had significant success in opposing property owners' motions for attorney's fees, minimizing or entirely avoiding awards of attorney's fees to property owners.

In addition, we have worked cooperatively in the past with members of several city attorney offices on eminent domain cases, providing research and arguments regarding project enhancement issues that were effectively used to produce verdicts favorable to the agency.

Our experience in eminent domain also extends to the courts of appeal, where we have represented clients in issues ranging from entitlement to compensation for

loss of goodwill, to the question whether the condemnor may delay payment after judgment

Complementary to its eminent domain practice, the Firm has successfully defended clients against claims of inverse condemnation claims, including claims based upon Health & Safety Code § 33399

LITIGATION PROTECTION -

The Firm has broad experience in all types of litigation affecting municipalities and redevelopment agencies, including inverse condemnation, personnel discipline, validation actions, CEQA challenges, eminent domain, breach of contract, tort claims and mandamus relating to tax increment, housing, and other issues

While extraordinarily successful in protecting its clients' rights in court, the Firm recognizes the burdens that litigation places upon a public agency's financial resources, as well as its ability to achieve its goals. Accordingly, the Firm takes a pro-active settlement view towards most issues not impacting upon an agency's ability to operate effectively. Primary concern of the Firm is to position the litigation so as to allow the client to accomplish its objectives in the most efficient and economical way without risk to future endeavors

FIRM RATES

RATES BY CLASSIFICATION

Senior Principal (Partner)	\$200/hour
Principal (Partner)	\$200/hour
Senior Counsel	\$200/hour
Senior Associate	\$160/hour
Associate	\$145/hour

CLASSIFICATION AND RATES OF ATTORNEYS

Murray O Kane	Senior Principal (Partner)	\$200/hour
Glenn F Wasserman	Senior Principal (Partner)	\$200/hour
Joseph W Pannone	Senior Principal (Partner)	\$200/hour
Royce K Jones	Senior Principal (Partner)	\$200/hour
Stephanie R Scher	Senior Principal (Partner)	\$200/hour
June Ailin	Senior Principal (Partner)	\$200/hour
Susan Y Apy	Principal (Partner)	\$200/hour
Donald P Johnson	Senior Counsel	\$200/hour
Deborah L Rhoads	Senior Associate	\$160/hour
Michael Gonzales	Associate	\$145/hour
Bryn M Morley	Associate	\$145/hour
Shannon McWhinney	Associate	\$145/hour

Reimbursement of travel, subsistence, and other out-of pocket expenses authorized by the Agency in connection with the performance of duties under the agreement would include, along with any other such expenses

- (1) The amount of the actual cost of transportation by common carrier or at the per mile rate established by the IRS, if travel is performed by privately-owned vehicle,
- (2) Subsistence expenses, supported by detailed records in the amount of actual cost,

(3) Taxi fares, long distance telephone calls, and similar expenditures in the amount of the actual cost, and

(4) Duplication costs for all copies in excess of first copy at cost of twenty-five cents (\$0 25) per page, One dollar (\$1 00) per page for facsimiles

Counsel shall not be reimbursed for secretarial or typist services for normal office operating expense

Counsel shall be reimbursed for actual litigation costs, fees and expenses, such as filing fees, expert witness fees, charges for service of process and costs of investigation

November 28, 2005

05 DEC -5 AM 11 02

CITY OF CULVER CITY

Carol Schwab
City Attorney
City of Culver City
9770 Culver Blvd
Culver City, CA 90232

Re *Agreement for Special Services*

Dear Ms. ~~Schwab~~ Carol

This letter is to notify you that we are increasing our billing rates effective January 1, 2006, for all matters. This increase reflects the need to keep our client rates fair, while offering the best possible legal representation. The top hourly rate for Partners for the 2006 year will increase from \$250.00 to \$260.00. The top hourly rate for Associates for the 2006 year will increase from \$200.00 to \$210.00. The top hourly rate for Of Counsel for the 2006 year will increase from \$225.00 to \$235.00. The top hourly rate for Paralegals for the 2006 year will remain at \$95.00. For further clarification, a detailed schedule of hourly billing rates is attached.

We are enclosing a new Agreement for Special Services between the City and Liebert Cassidy Whitmore because either the existing contract with the City is outdated or we do not have a fully executed contract. The Agreement provides ranges of rates so that if we increase our rates over the next few years we will not have to execute a new contract. Please follow your Charter in designating the correct person to sign the Agreement. Upon its full execution, please return a copy of the Agreement to our Los Angeles Office.

We appreciate the opportunity to provide legal services to the City. If you have any questions regarding this notice, or any other matter involving our Legal Services Agreement, please do not hesitate to contact me directly.

Sincerely,

LIEBERT CASSIDY WHITMORE



Melanie Poturica
Managing Partner

Enclosures

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Liebert Cassidy Whitmore

Billing Rates - 2006

<u>Billing Rate</u>		<u>Billing Rate</u>	
<u>Partners</u>		<u>Associates</u>	
Bruce Barsook	260	Sergio Bent	210
Richard Bolanos	260	Steve Berliner	210
Debra Bray	260	Donna Evans	210
Peter Brown	260	Jack Hughes	210
Dan Cassidy	260	Deborah Leon	210
Mary Dowell	260	Mark Meyerhoff	210
Jeffrey Freedman	260	Geoff Sheldon	210
Linda Jenson	260		
Richard Kreisler	260	Adrianna Guzman	200
John Liebert	260	Arlin Kachalia	200
Cynthia O'Neill	260	Jason Lee	200
Melanie Poturica	260	Pilar Morin	200
Irma Rodriguez-Moisa	260		
Laura Schulkind	260	Carla McCormack	195
Scott Tiedemann	260		
Richard Whitmore	260	Jolena Abrena	190
Brian Walter	260	Jill Babington	190
Donna Williamson	260	Michael Blacher	190
		Roger Crawford	190
		Greg Groeneveld	190
<u>Of Counsel</u>		Laura Kalty	190
Ruth Graf-Urasaki	235		
<u>Labor Relations Professional</u>		Jennifer Hong	185
Robert Bendorf	160	Gabrielle Korte	185
Kermit Francis	160		
		Mala Kapadia	170
<u>Paraprofessionals</u>		Angela Perry	170
Susan Bryan	95	Megan Wallace	170
Tracy Glanton	95		
Misty Jones	95	Connie Chuang	160
Jean Springer	95	Didier Reiss	160
		Kelly Tuffo	160

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Toluca Lake, California 91602

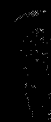
Telephone (818) 955-8518
Facsimile (818) 955-8616



christine@masters-ribakoff.com



alvin@masters-ribakoff.com



katherine@masters-ribakoff.com



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Christine Masters and Alan Ribakoff established Masters & Ribakoff in 1993 by merging their highly successful employment and corporate law practices. Katherine I. Edwards, a specialist in employment law, joined the firm shortly after its inception. Each of us holds a depth and breadth of knowledge and experience in employment, corporate and business law that is difficult to match. Recognized leaders in providing high quality ADR services, we have acted as neutral mediators, arbitrators and fact-finders in myriad disputes involving public employers, private business enterprises, from small family owned to large Fortune 500 companies, and non-profit and governmental entities, including local municipalities and state agencies. As of July 1, 2004 Masters & Ribakoff was chosen to spearhead the Employment Group at ARC. In addition to serving on the Employment and Commercial Panels of the American Arbitration Association ("AAA"), we now each provide our neutral services through Alternative Resolution Centers ("ARC") with locations in Los Angeles (Brentwood and downtown at Macy's plaza), Long Beach, Ventura, Riverside, Orange County, San Diego, San Francisco, Seattle, and Las Vegas. For your convenience, we have provided direct links to the [AAA](#) and [ARC](#) websites.

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Since 1994, we have been frequently chosen as independent fact finders by employers and counsel to investigate claims of workplace misconduct throughout the Western United States. Recently, Masters & Ribakoff was invited to join a select pool called upon to investigate discrimination and harassment complaints against top elected officials in the City of Los Angeles. The investigating partner is responsible for developing a reasoned plan to collect relevant information and for executing the plan in the most non-intrusive and efficient manner possible. Legal experience and expertise qualify us as fact finders committed to a fair, impartial and thorough evaluation of facts, upon which important decisions may be based. We are increasingly being asked to transition from our role as neutral fact finder to mediator, assisting parties to resolve the issues that were being investigated. As investigators, we often gain significantly more information than others involved and usually have insight into the source of the conflict, as well as ideas for possible solutions. We are also exploring new ways to resolve workplace disputes using organizational mediation and facilitation techniques by which we work directly with those involved in conflict to identify the problem and develop and implement durable solutions which sustain improved working relationships.

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Our Services - Mediation

Since the inception of our mediation practice in 1995, we have successfully resolved hundreds of disputes throughout California. We recognize and address the diverse needs of counsel, parties, insurance carriers and others involved in a given dispute. A sophisticated yet practical approach, including the use of pre-mediation and post-mediation conferences with counsel, has earned Masters & Ribakoff a national reputation for quality, creativity and efficiency. During mediation, settlement is facilitated by encouraging candid discussions and thoughtful consideration of each party's arguments and interests. As a result of our substantive legal expertise, we are able to assist participants to critically evaluate their positions and settlement expectations. Each of us has developed a remarkable sensitivity to the emotional trauma of disputes, enabling us to connect with the parties and establish trust. It is this connection that helps the participants to be receptive to the mediator's input. Thus, the parties are able to recognize the risks of non-settlement and protracted litigation and make informed decisions, as to whether, and on what terms, settlement might be achieved. Ultimately, we can offer creative solutions and alternatives that allow the parties and counsel to reach resolution or, at a minimum, streamline the primary issues to be litigated.

[Agreement to Mediate](#)

[Mediation Fee / Cancellation Policy](#)

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Our Services - Arbitration

We provide arbitration services through the American Arbitration Association ("AAA") and Alternative Resolution Centers ("ARC") Experienced Masters & Ribakoff Case Administrators at both AAA and ARC are dedicated to insuring that the process runs smoothly and that particular needs of any participant are promptly and fully addressed We are each committed to maintaining the highest levels of neutrality, integrity, and objectivity in arbitration As such, we embrace the Due Process Protocol endorsed by such organizations as the American Bar Association, the Federal Mediation and Conciliation Service, the National Employment Lawyers Association, and the American Civil Liberties Union

Please note that our Arbitration Fee / Cancellation policy is attached and can be downloaded if you wish

Arbitration Fee / Cancellation Policy

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Alan's Bio



Katherine's Bio

Christine Masters

With more than 25 years experience in employment rights, Christine Masters was recognized in the Los Angeles Daily Journal as one of the top 100 mediators in California in 2003. She began serving as a neutral in the mediation and arbitration of workplace disputes such as discrimination and sexual harassment, and as an investigator in discrimination, sexual harassment, and employee misconduct matters in 1995 when she was selected to serve on the Employment and Commercial Panels of the American Arbitration Association. She has served exclusively as a neutral since 1998.

A member of numerous professional associations, Mrs.

Masters was elected as a fellow in the College of Labor and Employment Law in 1992. In 2000 - 2001, she served as Chair of the Labor & Employment Law Section of the Los Angeles County Bar Association. She has trained extensively in dispute resolution, assisting the courts in dispute resolution as a mediator, arbitrator, and workplace disputes and is often called by the news media to comment on employment issues. She is author of numerous articles and books chapters on these issues and regularly addresses advocacy, mediation, and employment groups on a wide variety of employment and ADR related topics.

Mrs. Masters began her legal career at the Lincoln Energy Employment Corporation in 1978, assigned to the Los Angeles District Office and as an investigator and then as a trial attorney. In 1972 she was recruited by Allied Signal, Colorado & Idaho, a civil division of the Los Angeles, where she served as counsel for more than a decade before moving to Masters & Associates. While at Masters & Associates she represented several small to medium sized employment law clients, as well as served several small to medium sized employment law clients. She continued this work as she transitioned her practice from advocacy to neutral services.



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Katherine Edwards

Katherine Edwards has been involved in the field of employment rights for more than a decade. In the late 1990's, she dedicated herself to developing a neutral practice, including participating in some of Southern California's most respected and exclusive mediator and arbitrator training courses. Ms. Edwards is currently a full-time neutral in private practice mediating and arbitrating claims of discrimination, sexual harassment, wrongful termination, employee misconduct, and other workplace disputes.

A significant portion of Ms. Edwards' practice is devoted to independent fact-finding. She is frequently asked by employers to conduct investigations or allegations of workplace misconduct, particularly those involving high-level company executives or if an employer's legal or human resources departments are involved. In addition to her successful private practice, Ms. Edwards serves as a hearing officer for the City of Santa Monica.

Ms. Edwards has authored articles on a variety of employment-related topics for popular and professional publications and has been invited to speak before organizations of legal, management, and human resource professionals. She also serves as an expert witness in employment disputes.

While attending Pepperdine University School of Law, Ms. Edwards first gained experience in civil rights at the California Department of Fair Employment and Housing, and the Women's Equal Rights Legal Defense and Education Fund. She graduated *cum laude* in 1989 and accepted an Associate position with Alfred Marks, Goldberg & Ribakoff. She was asked to re-join her former colleagues at Masters & Ribakoff in 1993, relocating from Santa Barbara where she was then an Associate / Managing Attorney for Amicourt & Amicourt, a preeminent Central Coast employment law firm. As an advocate, Ms. Edwards specialized in representing individuals in employment disputes, including wage and hour matters, and as counsel for individuals accused of misconduct.



Alan's Bio



Christine's Bio

DANA JOHN McCUNE
STEPHEN M HARBER
LOUIS E MARINO JR
BARRY BOOKBINDER
KRISTINE J EXTON
KENTON E MOORE
MICHAEL J PEPPER
GARRETT J HINES
MAUREEN A GRISANTI
WILLIAM J LENEHAN
A ROMAN PACHECO
MARGARET JARAMILLA
JESSICA O GILLETTE
ANTHONY J BEJARANO

MCCUNE & HARBER

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Voice (213) 689 2500
Fax (213) 689 2501 CITY

SENDER'S EMAIL ADDRESS
dmccune@mccuneharber.com

October 13, 2005

Carol A. Schwab, Esq
City Attorney
City of Culver City
9770 Culver Boulevard
Culver City, CA 90232

Re Fee Increase

Dear Ms Schwab

In following up on our recent telephone conversation, this will memorialize that this firm is requesting an increase in legal fees. Specifically, we request an increase to the following rates:

Partners	\$185/hr
Associates	\$175/hr
Paralegals	\$ 85/hr

As you are well aware, it has been approximately five years since our last increase. Due to our special relationship with the City of Culver City, we have managed to maintain these City rates lower than those of every other city and school district represented by this firm. The disparity has grown considerably with the passage of time. Moreover, our rates are now well below those of 'the market value' of our similarly situated law firms and attorneys.

Your efforts and the consideration of the City Council as to this issue in the immediate future are most appreciated.

Very truly yours,

MCCUNE & HARBER, LLP


DANA JOHN McCUNE

DJM he

McCUNE & HARBER

FIRM RESUME

**Mellon Bank Building
400 South Hope Street
Suite 720
Los Angeles, California 90071
(213) 689-2500
(213) 689-2501 fax**

INTRODUCTION

McCune & Harber represents local, regional, and national clients. The firm's office is located in the center of the Los Angeles financial district. This allows us to service clients throughout Southern California, including Los Angeles, Orange, Ventura, Santa Barbara, Riverside, San Bernardino, and San Diego Counties.

McCune & Harber actively specializes in public entity defense, encompassing personal injury, discrimination and employment-related litigation. The firm's representation is substantially on behalf of public entities, businesses, insurance companies, their insureds, and self-insuring organizations. McCune & Harber is proud of its emphasis on service to its clients and has the experience necessary to provide them with continued superior legal representation.

AREAS OF PRACTICE

- **Public Entity Defense** McCune & Harber represents a large number of public entities, including municipalities and school districts, throughout Southern California. In this context, the firm has represented public entities in personal injury, wrongful termination, discrimination, civil rights, and property damage litigation, as well as administrative proceedings. It has developed the specific expertise necessary to properly guide a case through this complex and unique area of public agency practice.

Representative Clients

ABC Unified School District
Arcadia Unified School District
Azusa Unified School District
Baldwin Park Unified School District
Bassett Unified School District
Beverly Hills Unified School District
Burbank Unified School District
Centinela Valley Union High School District
Cerritos Community College
City of Culver City
City of Downey
City of Fontana
City of Los Angeles
City of Lynwood
City of Manhattan Beach

City of Montebello
City of Pomona
City of Redondo Beach
City of West Covina
El Rancho Unified School District
Fontana Unified School District
Glendale Unified School District
Glendale Community College
Glendora Unified School District
Hueneme School District
La Canada Unified School District
Las Virgenes Unified School District
Long Beach Community College District
Monrovia Unified School District
Newhall Unified School District
Newport-Mesa Unified School District
Norwalk/La-Mirada Unified School District
Orange Unified School District
Orange County Office of Education
Oxnard Union High School District
Palm Springs Unified School District
Placentia-Yorba Linda Unified School District
Pomona Unified School District
Redlands Unified School District
Rialto Unified School District
Rio School District
Riverside County Office of Education
Riverside Unified School District
Rowland Unified School District
San Bernardino Community College District
San Bernardino Unified School District
San Marino Unified School District
Saugus Unified School District
Temecula Unified School District
Tustin Unified School District
Ventura Community College District
West Covina Unified School District
Various Joint Powers Authorities
* Special litigation counsel to the ICRMA (representing
and defending over 50 cities and 100 school districts)

- **Wrongful Termination, Discrimination, and ADA Claims**

McCune & Harber has considerable experience in this area of law and has defended in state and federal courts both private and public entities against these claims, as well as claims of employment-related age, race, disability, and sex discrimination. Our experience extends through trial, as well as the state and federal appellate courts.

Representative Clients

Available upon request

- **Business and Commercial Litigation**

Representative Clients

YMCA of Metropolitan Los Angeles
Roman Catholic Archdiocese of Los Angeles
Starbucks Coffee Company
Blockbuster, Inc
Hilton Hotels
Storage, USA

- **General Liability**

McCune & Harber is extensively involved in the defense of general liability matters such as motor vehicle collisions, premises liability, simple negligence actions, fire loss, road design, and civil rights claims.

Representative Clients

The Home Depot
Twentieth Century Fox
Westin Hotels
Starbucks Coffee Company
Blockbuster, Inc
Roman Catholic Archdiocese of Los Angeles
Roman Catholic Diocese of Orange
Hilton Hotels
Trader Joe's

PROFESSIONAL QUALIFICATIONS

Dana John McCune

Personal

Born June 17, 1953, Long Beach, California

Education

Bachelor of Arts Degree (magna cum laude), University of California at Los Angeles, 1975

Phi Beta Kappa, scholastic honor

Phi Gamma Mu, scholastic honor

Juris Doctor Degree, Loyola Law School, 1978

Recipient of Loyola Honorary Scholarship for Excellence in The Study of Law

Recipient of the American Jurisprudence Award

Winner of Wilshire Bar Association Annual Academic Scholarship,

Professional Experience

1978 to 1980	Associate in the law firm of Garber & Rudof
1980 to 1983	Associate, Lynberg & Watkins
1983 to 2001	Partner/Shareholder, Lynberg & Watkins, A Professional Corporation, specializing in general litigation and the defense of municipalities and school districts
2001 to present	Partner, McCune and Harber, LLP
2003 and 2004	Selected as a "Superlawyer" by Los Angeles Magazine

Publications

"Defending Multi-Plaintiff Toxic Tort Cases," 26 *For the Defense* 12 (Dec 1984)

Author of quarterly Verdict magazine appellate law reports ("Green Sheets")

Professional Affiliations

Board of Directors, Association of Southern California Defense Counsel

American Board of Trial Advocates (ABOTA)

American Bar Association Member of Litigation Section and Employment and Labor Section

National School Boards Association, Council of School Attorneys

California Schools Boards Association, Council of School Attorneys

Los Angeles County Bar Association, Trial Lawyers Section, Employment and Labor Section, and State and Local Government Section

Defense Research Institute

Amicus Committee Co-Chairperson of Association of Southern California Defense Counsel

Bar Memberships

United States District Court for Central District, California

State Bar of California

Stephen M Harber

Personal

Born November 3, 1959, Lawton Oklahoma

Education

Bachelor of Science, University of Southern California, 1981

Juris Doctor, McGeorge School of Law — University of the Pacific, 1985

Member, Pacific Law Journal

Member, Moot Court Honors Board

Professional Experience

1985 to 1992 Associate, Lynberg & Watkins

1992 to 2001 Partner/Shareholder Lynberg & Watkins, A Professional Corporation, specializing in general civil litigation, emphasizing defense of private corporations and public entities, product liability, wrongful termination and discrimination actions

2001 to present Partner, McCune and Harber, LLP

Publications

"Releases Reconsidered," The Verdict, 1991

"Withholding Food and Water from a patient — Should It Be Condoned in California?"
16 Pacific Law Journal 877 (1985)

Professional Affiliations

State Bar of California

United States District Court — Northern, Central, Eastern and Southern Districts of California

Ninth Circuit Court of Appeals

Association of Southern California Defense Counsel

Other Activities

Board of Directors, Childcare International

Arbitrator, Los Angeles County

Judge Pro Tempore, Orange County

Speaker at various seminars regarding general litigation practice and insurance coverage

Kristine Exton

Personal

Born January 26 1966, Palm Springs, California, admitted to bar 1992, California U S District Courts, Central and Eastern Districts

Education

Claremont McKenna College (B A , Economics/Philosophy, 1988),
Western State University, College of Law (J D , 1992)

Member

State Bar of California
Los Angeles County Bar Association

Kenton E Moore

Personal

Born May 8, 1958, Long Beach, California, admitted to bar 1989, California, 9th Circuit Court of Appeals, U S District Court, Central District

Education

California State University, Northridge (B S , 1985)
University of LaVerne (J D , 1989)

Member

State Bar of California
Southern California Defense Counsel

Barry L Bookbinder

Personal

Born August 6 1963, Encino, California, admitted to bar 1990, California, Ninth Circuit, all California U S District Courts

Education

University of California at Los Angeles (B A , English 1986),
Loyola Law School (J D 1990)

Member

State Bar of California
Los Angeles County Bar Association
American Bar Association

Michael J Pepper

Personal

Born May 21 1957, Los Angeles, California, Litigation Adjustor, specializing in defending claims against non-profit corporation (1988-1998) admitted to bar 1997, California, U S District Courts, Central District Extensive experience defending and advising religious and institutional entities

Education

Simon Greenleaf University, School of Law (J D Cum Laude, 1995)

Member

State Bar of California

Association of Southern California Defense Counsel

Garrett J Hines

Personal

Born May 22, 1973, Los Angeles California, admitted to bar 1998, California, U S District Courts, California

Education

University of California, Los Angeles (B A , 1995),

University of Southern California, School of Law (J D , 1998)

Moot Court Honors Program

Member

State Bar of California

William J Lenehan

Personal

Born October 21 1964 California, admitted to bar 1994, California

Education

University of California at Santa Barbara (B A 1987)

University of Oklahoma (J D 1994)

Member

State Bar of California (Litigation and Public Law Sections)

Los Angeles County Bar (Labor and Employment Law Sections)

A Roman Pacheco

Personal

Born March 13 1971, Glendale, California, admitted to bar 1998, California, U S District Courts, California

Education

Temple University, Magna Cum Laude (B A , 1995)
University of Southern California, School of Law (J D , 1998)

Member

State Bar of California

Margaret A Jaramilla

Personal

Born December 21, 1973, Long Beach, California, admitted to the bar, 2000, California, U S District Court, Central

Education

University of Notre Dame (Bachelor of Arts, Sociology, 1996),
Golden Gate University School of Law (Juris Doctor, 1999)

Member

State Bar of California
Los Angeles County Bar Association

Jessica O Garcia

Personal

Born December 26, 1973, Batangas, Philippines, admitted to the bar 2002, California

Education

University of California at Davis, (B A , 1996)
University of San Francisco, School of Law (J D , 2000)

Member

Los Angeles County Bar Association
American Bar Association
State Bar of California
Central District of U S District Court
Philippine American Bar Association

Anthony J Bejarano

Personal

Born May 10 1977, Baldwin Park, California, admitted to the bar 2002, California, U S District Court, California

Education

Georgetown University (B A , 1999)
University of San Diego School of Law (J D , 2002)
Member of Moot Court Board

Member

State Bar of California

Ghassan O Hasan

Personal

Born May 11, 1973, Youngstown Ohio, admitted to the bar 2002, California

Education

Howard University, School of Law, Washington D C (J D 2001)
University of Maryland (Masters, 2001)
UCLA (B A 1996)

Member

State Bar of California
American Bar Association

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