

29414

FOURTH AMENDMENT TO AGREEMENT NO. 29414 FOR LEGAL SERVICES

THIS FOURTH AMENDMENT TO AGREEMENT FOR LEGAL SERVICES is made and entered, in duplicate, as of April 3, 2007, pursuant to a minute order adopted by the City Council of the City of Long Beach on April 3, 2007, by and between THE LAW OFFICES OF EZRA, BRUTZKUS, AND GUBNER, LLP hereinafter referred to as "Special Counsel," and the CITY OF LONG BEACH, a municipal corporation, hereinafter referred to as "City" amending that certain agreement ("Agreement") between Special Counsel and City and identified by the City as Agreement No. 29414.

WHEREAS, an Agreement for Legal Services with Special Counsel was entered into, for reference purposes only, on December 10, 2005, in the amount of \$200,000.00; and

WHEREAS, a First Amendment to Agreement for Legal Services was entered on April 18, 2006, adding \$200,000.00; and

WHEREAS, a Second Amendment to Agreement for Legal Services was entered on June 20, 2006, adding \$150,000.00; and

WHEREAS, a Third Amendment to Agreement for Legal Services was entered on December 5, 2006, adding \$200,000.00; and

WHEREAS, a Fourth Amendment to Agreement No. 29414 for Legal Services is required to increase the amount by \$200,000.00 in connection with the litigation of Queen's Seaport Development, Inc., Case No. LA05-15175VZ.

NOW, THEREFORE, IT IS MUTUALLY AGREED by and between the parties hereto as follow:


Section 3 of said Contract No. 29414 is hereby amended in its entirety to read:

3. Fee. City shall pay to Special Counsel in due course of payments compensation at the hourly rates identified in the staffing profile and reimbursement of costs as further described herein in the "Guidelines" also attached hereto, not to exceed Nine Hundred Fifty Thousand Dollars (\$950,000.00).

1 IN WITNESS WHEREOF, the parties hereto have caused these presents to
2 be duly executed with all the formalities required by law on the respective dates set forth
3 opposite their signatures.

EZRA, BRUTZKUS, AND GUBNER, LLP

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5 Dated: 4/12/07

By: 
Steven T. Gubner
"Special Counsel"
**EXECUTED PURSUANT
TO SECTION 301 OF
CITY OF LONG BEACH THE CITY CHARTER.**
a municipal corporation **ASSISTANT**

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9 Dated: 4/26/07

By: Christine J. Shippey
City Manager

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11 The foregoing Fourth Amendment to Agreement No. 29414 for Legal
12 Services is approved as to form this 19th day of April, 2007.

13 ROBERT E. SHANNON, City Attorney

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15 By Charles Parkin
16 J. Charles Parkin
17 Principal Deputy City Attorney
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