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C-7

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April 18, 2006

HONORABLE MAYOR AND CITY COUNCILMEMBERS
City of Long Beach
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$7,000.00 in full settlement of lawsuit entitled Daniel Rosenberg vs. City of Long Beach

DISCUSSION:

This case involves a petition for Writ of Mandate which was filed by the Plaintiff as a result of an allegation that the City failed to provide him access to voluminous public records. The City provided him with records, although certain set of documents were withheld pending questions as to the requests. As a result, the Plaintiff filed a Petition and following negotiations over the requests, certain documents were produced by the City. Under Government Code Section 6259, the plaintiffs are entitled to attorneys fees.

After negotiations, the parties tentatively agreed to a full and complete settlement, inclusive of all costs and fees in the amount of \$7,000.00.

The proposed settlement was presented to the Economic Development and Finance Committee on April 4, 2006 and was approved on that date. We therefore ask authority to pay the sum of \$7,000.00 in full settlement of this claim against the City of Long Beach.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ROBERT E. SHANNON, City Attorney

By 

BELINDA R. MAYES, Principal Deputy