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**C-3**

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August 19, 2014

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

RECOMMENDATION:

Recommendation to authorize the City Manager to execute an agreement with the firm of Shute, Mihaly & Weinberger LLP, in the matter entitled City of Long Beach v. City of Los Angeles, et al, Case No. BS143356 now consolidated with Fast Lane Transportation, Inc., et al. v. City of Los Angeles, et al.; BNSF Railway, et al., Real Party In Interest, Contra Costa County Case No. CIV MSN14-300.

DISCUSSION

The City Council is requested to authorize the City Manager to execute a First Amendment to Agreement with the firm of Shute, Mihaly & Weinberger for an additional \$300,000, in order that they may continue to represent the City's interest in the above-entitled case.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By

Michael J. Mais  
Assistant City Attorney

MJM/akg