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C-5

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May 10, 2005

HONORABLE MAYOR AND CITY COUNCIL MEMBERS
City of Long Beach
California

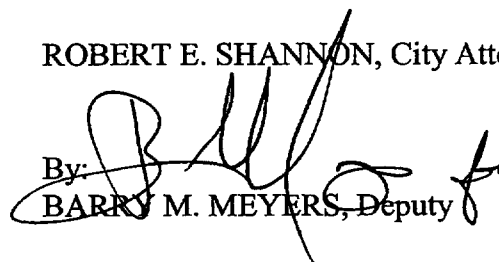
Re: *Crea/Lyon Long Beach v. Board of Water Commissioners of City of Long Beach*
L.A.S.C. Case No. BC289748
Authority Requested to Settle Above Action for \$135,000.00

This lawsuit arises out of a contract entered into between plaintiff and the Board of Water Commissioners of the City of Long Beach. The plaintiff contends that the Board breached this agreement, and that the breach resulted in additional construction costs and delay expenditures.

The proposed settlement was presented to the Economic Development and Finance Committee on May 3, 2005, and was approved on that date. We therefore ask authority to pay the sum of \$ 135,000.00 in full settlement of this lawsuit against the City of Long Beach.

Sincerely,

ROBERT E. SHANNON, City Attorney

By: 
BARRY M. MEYERS, Deputy

BMM/gw