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Long Beach, California

C-5

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November 13, 2018

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach,
California

RECOMMENDATION:

Recommendation to authorize City Attorney to pay sum of \$225,000 in full settlement of lawsuit entitled *James Real v. City of Long Beach; United States District Court Case No. 2:13-cv-01631-PLA.*

DISCUSSION

Plaintiff brought an action alleging that a City ordinance restricted his First Amendment right to open a tattoo shop. A federal judge ruled for the City, but the Court of Appeals for the Ninth Circuit reversed the decision and ordered a new trial.

Following extensive negotiations, plaintiff agreed to accept \$225,000.00 - inclusive of attorney's fees and costs - as a full, global settlement of this case.

The settlement was discussed in closed session, and approved, by the Economic Development and Finance Committee on October 23, 2018.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

CHARLES PARKIN, City Attorney

By:

Howard D. Russell
Principal Deputy City Attorney

HDR:sy