

RESOLUTION NO. 14-221

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, APPOINTING THE LAW FIRM OF ROBBINS GELLER RUDMAN & DOWD, LLP ("ROBBINS GELLER") TO ACT AS SPECIAL COUNSEL TO THE CITY ATTORNEY IN REPRESENTING THE BOARD OF TRUSTEES OF THE CITY OF FORT LAUDERDALE GENERAL EMPLOYEES' RETIREMENT SYSTEM ("PLAN") IN PURSUING LEAD PLAINTIFF STATUS IN A CLASS ACTION FEDERAL SECURITIES FRAUD MATTER, AND, IF THE PLAN IS SO APPOINTED, PROSECUTE THE CLASS ACTION AS ATTORNEYS FOR THE CLASS; COMPENSATION FOR THE FIRM TO BE DETERMINED BY THE RETAINER AGREEMENT EXECUTED BETWEEN ROBBINS GELLER AND THE PLAN; PROVIDING FOR THE REPEAL OF RESOLUTION OR PARTS THEREOF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of Trustees of the City of Fort Lauderdale General Employees' Retirement System ("Plan") have retained the services of several law firms to monitor the Plan's portfolio investments for possible securities fraud; and

WHEREAS, one of the law firms, Robbins Geller Rudman & Dowd, LLP ("Robbins Geller") notified the Plan of a securities fraud class action litigation pending against Salix Pharmaceuticals, LTD ("Salix"), filed in the United States District Court, Southern District of New York, , in which the Plan's losses amounted to approximately \$500,000.00; and

WHEREAS, Robbins Geller requested that the Plan consider retaining Robbins Geller for the purpose of the Plan pursuing lead plaintiff status in the class action litigation, and, if appointed lead plaintiff status, thereafter having Robbins Geller prosecute the class action as attorneys for the class; and

WHEREAS, City Code Section 20-113(n) specifies that the City Attorney is the attorney for the Plan for the purpose of, among other matters, representing the Plan in all suits and actions to which the Plan may be a party; and

WHEREAS, in order for the Firm to seek lead plaintiff status for the Plan, Robbins Geller must be appointed Special Counsel to the City Attorney; and

WHEREAS, the City Charter Section 4.10 requires appointment of Special Counsel to the City Attorney to be by way of adoption of a Resolution by the City Attorney; and

WHEREAS, The Plan shall execute a Retainer Agreement with the Firm, subject to The Firm being appointed as Special Counsel; and

WHEREAS, the City Commission desires to appoint Robbins Geller as Special Counsel to the City Attorney for the purpose for pursuing lead plaintiff status on behalf of the Plan in that Civil Action set forth above, and, if successful in having the Plan designated lead plaintiff, thereafter prosecuting the class action as attorneys for the class;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Robbins Geller Rudman & Dowd, LLP is hereby appointed as Special Counsel to the City Attorney for the purpose of seeking lead plaintiff status on behalf of the Plan in that federal securities fraud class action litigation styled *AQSA SIDDIQUI, individually and on behalf of all other similarly situated, Plaintiff vs. Salix Pharmaceuticals, LTD., et al.*, United States District Court, Southern District of New York and, if successful in having the Plan designated lead plaintiff, thereafter prosecuting the class action as the attorneys for the class.

SECTION 2. That compensation for Robbins Geller is to be determined by that Retainer Agreement attached hereto by and between Robbins Geller and the Plan.

SECTION 3. That any Resolutions, or parts thereof, in conflict with this Resolution are hereby repealed.


SECTION 4. That this Resolution shall be in full force and effect upon final passage.

ADOPTED this the 17th day of December, 2014.



Mayor
JOHN P. "JACK" SEILER

ATTEST:



City Clerk
JONDA K. JOSEPH