



**CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING**

#24-0358

TO: Honorable Mayor & Members of the
Fort Lauderdale City Commission

FROM: Thomas J. Ansbro, City Attorney

DATE: April 2, 2024

TITLE: Resolution appointing NS PR Law Services LLC d/b/a Napoli Shkolnik PLLC and Ventura Law as special counsel, to represent the City of Fort Lauderdale in connection with litigation related to the prosecution of any legal claim against manufacturers of generic pharmaceuticals, their executives or both, based upon their actions allegedly fixing prices, engineering kickbacks, and engaging in other antitrust violations or other wrongdoing with respect to insulin and other diabetic medication and generic prescription medications. **(Commission Districts 1, 2, 3 and 4)**

Recommendation

The City Attorney recommends that the City Commission adopt a resolution appointing NS PR Law Services LLC d/b/a Napoli Shkolnik PLLC and Ventura Law as special counsel, to represent the City of Fort Lauderdale in connection with the prosecution of any legal claim against manufacturers of generic pharmaceuticals, their executives or both, based upon their actions allegedly fixing prices, engineering kickbacks, and engaging in other antitrust violations or other wrongdoing with respect to insulin and other diabetic medication and other generic prescription medications.

Background

Section 4.10 of the Charter of the City of Fort Lauderdale, Florida, provides, in part, that “[t]he city commission may, by resolution, authorize one (1) or more special counsel to be retained for the purpose of performing such legal duties as may be prescribed by said resolution. Each such resolution shall further prescribe the compensation to be paid the special counsel.”

It is recommended that the City add to its roster of special counsel and prescribe the new counsels’ compensation as set forth in the attached legal services contract. The law firms shall represent the City in civil litigation to be promptly filed to pursue all available legal and equitable remedies in connection with the harm incurred by the City as a result of the actions of manufacturers of generic pharmaceuticals, their executives or both, based upon their actions allegedly fixing prices, engineering kickbacks, and engaging in other antitrust violations or other wrongdoing with respect to insulin and other diabetic medication and other generic prescription medications, which representation shall last

through resolution of the lawsuit including through any and all appellate proceedings.

NS PR Law Services LLC d/b/a Napoli Shkolnik PLLC and Ventura Law, have extensive litigation experience including jury trials in federal and state court, its attorneys having the requisite skill and experience to advise and represent the City in these types of matters in both state and federal court and would charge the City on a contingency fee basis together with expenses as more fully set forth in the proposed legal services contract attached as Exhibit 2 to this memo.

Resource Impact

There is no fiscal impact to the City at this time. The firm will be compensated based upon an agreed upon contingency fee percentage.

Attachments

Exhibit 1 – Resolution

Exhibit 2 – Proposed Retainer Agreement

Prepared by: Robert M. Oldershaw, Assistant City Attorney

Charter Officer: Thomas J. Ansbro, City Attorney, City Attorney's Office