



CITY OF FORT LAUDERDALE
City Commission Agenda Memo
REGULAR MEETING

#18-0534

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

FROM: Alain E. Boileau, Interim City Attorney

DATE: May 15, 2018

TITLE: Motion appointing Haliczzer, Pettis & Schwamm, P.A., Kopelowitz Ostrow
Ferguson Weiselberg Gilbert, Morgan & Morgan, P.A., Robbins Geller
Rudman & Dowd LLP, and Lieff Cabraser Heimann & Bernstein, as
special counsel, to represent the City of Fort Lauderdale in connection
with the opioid epidemic litigation.

Recommendation

It is recommended that the City Commission approve a motion appointing Haliczzer, Pettis & Schwamm, P.A., Kopelowitz Ostrow Ferguson Weiselberg Gilbert, Morgan & Morgan, P.A., Robbins Geller Rudman & Dowd LLP, and Lieff Cabraser Heimann & Bernstein, as special counsel, to represent the City of Fort Lauderdale in connection with the opioid epidemic litigation.

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."

A motion was passed on January 23, 2018 to retain the services of Haliczzer, Pettis & Schwamm, P.A.; Kopelowitz Ostrow Ferguson Weiselberg Gilbert; Morgan & Morgan, P.A.; Robbins Geller Rudman & Dowd LLP; and Lieff Cabraser Heimann & Bernstein, as special counsel for the City of Fort Lauderdale.

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 retainer agreement. 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 unlawful, wrongful, deceptive, and fraudulent practices of pharmaceutical manufacturers and pharmaceutical wholesalers/distributors of opioid medications, which representation shall last through resolution of the lawsuit including through any and all appellate proceedings.

Resource Impact

<i>Funds available as of May 9, 2018</i>					
ACCOUNT NUMBER	INDEX NAME (Program)	CHARACTER CODE/ SUB-OBJECT NAME	AMENDED BUDGET (Character)	AVAILABLE BALANCE (Character)	PURCHASE AMOUNT
001-ATT010101-3119	City Attorney	Services & Materials/ Legal Services	\$717,156	\$246,718	\$0
			PURCHASE TOTAL ►		\$0

Attachment:

Exhibit 1 – Retainer Agreement

Exhibit 2 – Resolution

Prepared by: Alain E. Boileau, Interim City Attorney

Charter Officer: Alain E. Boileau, Interim City Attorney