



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R24-0147
March 29, 2024

REPORT RE

**RETENTION OF OUTSIDE COUNSEL FOR
ATTORNEY CONFLICTS PANEL**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, CA 90012

Honorable Members:

This Office has prepared and now transmits for your consideration a request for approval of the Attorney Conflicts Panel for the period of 2024-2027.

In June 1993, the Los Angeles City Council approved the establishment of an Attorney Conflicts Panel (ACP) (Council File 93-0921). Law firms on the ACP provide legal representation to current and/or former City officers and employees named as defendants in tort, employment, civil rights and other types of legal action where actual or potential conflicts of interest preclude their representation by the City Attorney. In some of those cases the City Attorney's Office may serve as counsel for the City and/or for other officers or employees involved in the litigation and, in other instances, the City Attorney's Office may be completely conflicted out. For this reason, and pursuant to Council File 93-0921, the City Administrative Officer (CAO) is charged with the administration of the ACP. Panel law firms are pre-selected through a Request for Proposals (RFP) process and are approved to serve on the panel for a period of three years. The latitude to add uniquely qualified but previously unseated law firms, provides the

necessary flexibility to ensure that the capacity to handle the City's representation in matters of conflict is completely and competently met.

In December 2023, the City Attorney's Office released an RFP soliciting proposals to refresh and replace the expiring 2020-2023 ACP. The RFP sought firms with expertise in the following areas: police tort, tort negligence, employment, labor, general business, appellate litigation, pension/fiduciary, complex case management, Americans with Disabilities Act (ADA), Health and HIPAA law, redevelopment, public law, intellectual property/cyber law, workers compensation, and State Bar or Ethics Commission investigations. Current members of the ACP were required to respond competitively to be considered for inclusion on the new panel. Thirty responses were received on December 22, 2023, a number fewer than in recent past RFPs for this Panel.

Representatives from the City Attorney's Office and the CAO's Office reviewed and evaluated the proposals and discussed their findings. All 30 firms were found to be suitable for seating on the ACP. Due to the ongoing nature of the work being performed under some of the existing contracts, and the need for services to be provided on a continuing basis, some members of the current ACP have performed services prior to the approval of this new panel. All of those firms were found to be qualified to sit on the new panel as well. To the extent that such services were performed in accordance with the terms and conditions of their existing contracts, the City hereby acknowledges the services previously performed by such outside counsel and ratifies outside counsel's performance of said services under said contract.

Administrative Code Section 10.5 requires that a replacement contract or contract amendment must be approved by the Council if annual payments to or by the City exceed \$100,000. The above code section further provides the exemption limit amount shall be adjusted annually in accordance with the Consumer Price Index (CPI). The annually adjusted exemption limit for City contracts will be applicable to each ACP executed agreement entered into between the CAO and selected conflict law firm with respect to an assigned case.

As a result of the RFP process, the City Attorney and the CAO now recommend the following 30 firms for inclusion in the 2024-2027 ACP, funded by the City through the ACP Special Fund 46T in the Office of the CAO, at the hourly rates proposed below. Based on the respondents' acceptance of the proposed rates, which were disclosed in the RFP, these rates remain the same as current panel rates.

Panel by Category

Americans with Disabilities Act

Burke Williams & Sorensen; Devaney Pate Morris & Cameron; Everett Dorey; Kessel & Megrabyan; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Orbach Huff & Henderson; Wood Smith Henning & Berman.

Appellate Litigation:

Bienert Katzman Littrell Williams; Burke Williams & Sorensen; Devaney Pate Morris & Cameron; Everett Dorey; Hurrell Cantrall; Jones & Mayer; Kessel Megrabyan; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Manning Kass; Shumener Odson & Oh; Silver & Wright; Stone Busailah; Willenken; Wood Smith Henning Berman

Complex Case Management:

Bienert Katzman Littrell Williams; Burke Williams & Sorensen; Devaney Pate Morris & Cameron; Everett Dorey; Kessel & Megrabyan; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Manning Kass; Orbach Huff & Henderson; Ropers Majeski; Shumener Odson & Oh; Stone Busailah; Wood Smith Henning & Berman

Employment Litigation:

Bienert Katzman Littrell Williams; Burke Williams & Sorensen; Clark Hill; Cole Huber; Devaney Pate Morris & Cameron; Everett Dorey; Hurrell Cantrall; Jones Mayer; Kessel & Megrabyan; Lagasse Branch Bell & Kinkead; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Manning Kass; Olivarez Madruga Law Organization; O'Hagan Mayer; Reily & Jeffery; Ropers Majeski; Stone Busailah; Wood Smith Henning & Berman

General Business Litigation:

Bienert Katzman Littrell Williams; Burke Williams & Sorensen; Clark Hill; Cole Huber; Devaney Pate Morris & Cameron; Everett Dorey; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Manning Kass; Orbach Huff & Henderson; Ropers Majeski; Shumener Odson & Oh; Silver & Wright; Willenken; Wood Smith Henning & Berman

Intellectual Property/Cyber Law

Burke Williams & Sorensen; Everett Dorey; Lewis Brisbois Bisgaard & Smith; Manning Kass; Willenken; Wood Smith Henning & Berman

Labor/HIPAA:

Bienert Katzman Littrell Williams; Burke Williams & Sorensen; Clark Hill; Cole Huber; Devaney Pate Morris & Cameron; Everett Dorey; Hurrell Cantrall; Jones Mayer; Kessel & Megrabyan; Lagasse Branch Bell & Kinhead; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Manning Kass; O'Hagan Mayer; Olivarez Madruga Law Organization; Ropers Majeski; Silver & Wright; Stone Busailah; Wood Smith Henning & Berman.

Pension/Fiduciary:

Lewis Brisbois Bisgaard & Smith

Police Tort:

Bienert Katzman Littrell Williams; Burke Williams & Sorensen; Carpenter Rothans & Dumont; Cole Huber; Devaney Pate Morris & Cameron; Everett Dorey; Hurrell Cantrall; Jones & Mayer; Kessel & Megrabyan; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Manning Kass; Olivarez Madruga Law Organization; Orbach Huff & Henderson; Reily & Jeffery; Shumener Odson & Oh; Silver & Wright; Stone Busailah

Public Law

Bienert Katzman Littrell Williams; Cole Huber; Devaney Pate Morris & Cameron; Everett Dorey; Kessel & Megrabyan; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Olivarez Madruga Law Organization. Renne Public Law Group; Shumener Odson & Oh

Redevelopment/Land Use Law

Burke Williams & Sorensen; Devaney Pate Morris & Cameron; Everett Dorey
Lewis Brisbois Bisgaard & Smith; Shumener Odson & Oh

Tort Negligence:

Acker & Whipple; Bienert Katzman Littrell Williams; Burke Williams & Sorensen; Carpenter Rothans & Dumont; Clark Hill; Cole Huber; Devaney Pate Morris & Cameron; Everett Dorey; Hurrell Cantrall; Jones & Mayer; Kessel & Megrabyan; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Manning Kass; O'Hagan Mayer; Olivarez Madruga Law Organization; Orbach Huff & Henderson; Reily & Jeffery; Ropers Majeski; Shumener Odson & Oh; Silver & Wright; Stone Busailah; Wood Smith Henning & Berman

State Bar/Ethics Commission Investigations

Burke Williams & Sorensen; Devaney Pate Morris & Cameron; Everett Dorey; Lewis Brisbois Bisgaard & Smith; Renne Public Law Group; Shumener Odson & Oh

Workers Compensation Defense:

Altman Blitstein Blinder; Karlin Hiura & LaSota; Laughlin Falbo Levi Moresi; Lewis
Brisbois Bisgaard & Smith; Parker & Irwin

Fee Schedule:

Blended rates for all firms in all categories other than Workers Compensation
Defense as follows:

Partner Rate: \$325
Associate Rate: \$250
Paralegal Rate: \$120

Blended rates for all firms for Workers Compensation Defense as follows:

Partner Rate: \$165
Associate Rate: \$165
Paralegal Rate: \$95

Recommendation:

It is recommended that Council approve the Attorney Conflict Panel and the
applicable hourly rates as set forth in this report.

If you have any questions regarding this matter, please contact Assistant
City Attorney Anne Haley at (213) 978-8100. She or another member of this
Office will be present when you consider this matter to answer any questions you
may have.

Very truly yours,

HYDEE FELDSTEIN SOTO, City Attorney

By

Anne Haley
ANNE HALEY
Assistant City Attorney