



MICHAEL N. FEUER
City Attorney

REPORT NO. R21-0090
March 16, 2021

REPORT RE:

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 2021-2023.

In June 1993, this 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.

On November 23, 2020, the City Attorney's Office released an RFP soliciting proposals for the expiring 2015-2020 ACP. The RFP sought firms with expertise in the following areas: police tort, tort negligence, employment, labor, general business, appellate, pension/fiduciary, complex case management, Americans with Disabilities Act (ADA), redevelopment, public law, intellectual property/cyber law, workers compensation defense. Current members of the ACP were required to respond competitively to be considered for inclusion on the new panel. Forty-eight responses were received on December 21, 2020.

Representatives from the City Attorney's Office and the CAO's Office reviewed and evaluated the proposals and discussed their findings. Due to the compromise of Covid19 conditions, the thoroughness of the written submissions, and the flexibility with regard to assigning matters to impaneled law firms, it was decided that virtual interviews would not be convened. Further, 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 may have performed services prior to the approval of this new panel. 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 48 firms for inclusion in the 2020-2023 ACP, funded by the City through the ACP Special Fund 46T in the Office of the CAO, at the hourly rates proposed below:

Panel by Category

Americans with Disabilities Act

Alvarado Smith; Best Best & Krieger; Burke Williams & Sorensen; Clark Hill; Everett Dorey; Keesal Young & Logan; Kessel & Megrabyan; Law Offices of Martin & Martin; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Manning & Kass Ellrod Ramirez Trester; Orbach Huff Suarez & Henderson; The Reddock Law Group; Walsh & Associates; Wood Smith Henning & Berman.

Appellate Litigation:

Acker & Whipple; Alvarado Smith; Ballard Rosenberg Golper & Savitt; Best Best &

Krieger; Burke Williams & Sorensen; Clark Hill; Cole Huber; Everett Dorey; Gutierrez Preciado & House; Hurrell Cantrall; Jones & Mayer; Keesal Young & Logan; Kessel Megrabyan; Law Offices of Martin & Martin; Lewis Brisbois Bisgaard & Smith; Liebert Cassidy Whitmore; Lozano Smith; Manning & Kass Elrod, Ramirez, Trester; Olson Remcho; Pollak Vida & Barer; Squire Patton Boggs; Stone Busailah; Walsworth.

Complex Case Management:

Bergman Dacey & Goldsmith; Bradley & Gmelich; Burke Williams & Sorensen; Clark Hill; Cole Huber; Everett Dorey; Keesal Young & Logan; Kessel & Megrabyan; Law Offices of Arah Hashemi; Law Offices of Martin & Martin; Lewis Brisbois Bisgaard & Smith; Lozano Smith; Orbach Huff Suarez & Henderson; Ropers Majeski; Squire Patton Boggs; Stone Busailah; The Reddock Law Group; Wood Smith Henning & Berman.

Employment Litigation:

Alvarado Smith; Anderson McPharlin & Conners; Ballard Rosenberg Golper & Savitt; Bergman Dacey Goldsmith; Best Best & Krieger; Burke Williams & Sorensen; Clark Hill; Collinson Daehnke Inlow & Greco; Everett Dorey; Gutierrez Preciado & House; Hurrell Cantrall; Jones Mayer; Keesal Young & Logan; Kessel & Megrabyan; Lagasse Branch Bell & Kinkead; Law Offices of Martin & Martin; Lewis Brisbois Bisgaard & Smith; Liebert Cassidy & Whitmore; LimNexus; Lozano Smith; Manning & Kass Ellrod Ramirez Trester; Olivarez Madruga Lemieux O'Neill; Reily & Jeffery; Ropers Majeski; Sanders Roberts; Squire Patton Boggs; The Reddock Law Group; Walsh & Associates; Walsworth; Wood Smith Henning & Berman.

General Business Litigation:

Alvarado Smith; Anderson McPharlin & Conners; Bergman Dacey Goldsmith; Best Best & Krieger; Bradley & Gmelich; Burke Williams & Sorensen; Clark Hill; Everett Dorey; Keesal Young & Logan; Law Offices of Arash Hashemi; Lewis Brisbois Bisgaard & Smith; LimNexus; Lozano Smith; Manning & Kass Ellrod Ramirez Trester; Orbach Huff Suarez & Henderson; Ropers Majeski; Sanders Roberts; Squire Patton Boggs; Wood Smith Henning & Berman.

Intellectual Property/Cyber Law

Best Best & Krieger; Clark Hill; Keesal Young & Logan; Lewis Brisbois Bisgaard & Smith; Wood Smith Henning & Berman.

Labor/HIPAA:

Alvarado Smith; Anderson McPharlin & Conners; Bergman Dacey Goldsmith; Best Best & Krieger; Burke Williams & Sorensen; Clark Hill; Everett Dorey; Gutierrez Preciado & House; Jones Mayer; Keesal Young & Logan; Kessel & Megrabyan; Lagasse Branch Bell & Kinkead; Law Offices of Martin & Martin; Lewis Brisbois Bisgaard & Smith; Liebert Cassidy & Whitmore; LimNexus; Lozano Smith; Manning & Kass Ellrod Ramirez Trester; Olivarez Madruga Lemieux O'Neill; Reily & Jeffery; Ropers Majeski; Squire

Patton Boggs; The Reddock Law Group; Walsh & Associates; Walsworth; Wood Smith
Henning & Berman.

Pension/Fiduciary:

Best Best & Krieger; Burke Williams & Sorensen; Kessal Young & Logan; Liebert
Cassidy Whitmore; Olson Remcho.

Police Employment Litigation:

Alvarado Smith; Anderson McPharlin & Conners; Ballard Rosenberg Golpher and &
Savitt; Best Best & Krieger; Burke Williams & Sorensen; Cole Huber; Everett Dorey;
Gutierrez Preciado & House; Hurrell Cantrall; Jones & Mayer; Kessel & Megrabyan;
Lewis Brisbois Bisgaard & Smith; Liebert Cassidy & Whitmore; LimNexus; Lozano
Smith; Manning & Kass Ellrod Ramirez Trester; Olivarez Madruga Lemieux O'Neill;
Stone Busailah; The Reddock Law Group.

Police Tort:

Anderson McPharlin & Conners; Bergman Dacey Goldsmith; Burke Williams &
Sorensen; Carpenter Rothans & Dumont; Cole Huber; Collinson Daehnke Inlow &
Greco; Everett Dorey; Ferguson Praet & Sherman; Gutierrez Preciado & House; Hurrell
Cantrall; Jones & Mayer; Kessel & Megrabyan; Law Offices of Martin & Martin; Lewis
Brisbois Bisgaard & Smith; LimNexus; Lozano Smith; Manning & Kass Ellrod Ramirez
Trester; Olivarez Madruga Lemieux O'Neill; Orbach Huff Suarez & Henderson; Reily &
Jeffery; Stone Busailah.

Public Law

AlvaradoSmith; Bergman Dacey Goldsmith; Best Best & Krieger; Burke Williams &
Sorensen; Clark Hill; Cole Huber; Everett Dorey; Jones & Mayer; Keesal Young &
Logan; Kessel & Megrabyan; Lewis Brisbois Bisgaard & Smith; Liebert Cassidy
Whitmore; Lozano Smith; Olivarez Madruga Lemieux O'Neill; Olson Remcho.

Redevelopment/Land Use Law

AlvaradoSmith; Bergman Dacey Goldsmith; Best Best & Krieger; Burke Williams &
Sorensen; Clark Hill; Jones & Mayer; Keesal Young & Logan; Lewis Brisbois Bisgaard &
Smith; Olson Remcho; Squire Patton Boggs.

Tort Negligence:

Acker & Whipple; AlvaradoSmith; Anderson McPharlin & Conners; Bergman Dacey
Goldsmith; Best Best & Krieger; Bradley & Gmelich; Burke Williams & Sorensen;
Carpenter Rothans & Dumont; Clark Hill; Cole Huber; Collinson Daehnke Inlow &
Greco; Everett Dorey; Ferguson Praet & Sherman; Gutierrez Preciado & House; Hurrell
Cantrall; Jones & Mayer; Keesal Young & Logan; Kessel & Megrabyan; Law Offices of
Arash Hashemi; Law Offices of Martin & Martin; Lewis Brisbois Bisgaard & Smith;
LimNexus; Lozano Smith; Olivarez Madruga Lemieux O'Neill; Reily & Jeffery; Ropers

Majeski; Sanders Roberts; Squire Patton Boggs; Stone Busailah; Walsh & Associates; Walsworth; Wood Smith Henning & Berman.

Workers Compensation Defense:

Barragan Satzman; Burke Williams & Sorensen; Coleman Chavez & Associates; Collinson Daehnke Inlow & Greco; Dietz Gilmore & Chazen; Gale Sutow & Associates; Kegel Tobin & Truce; Laughlin Falbo Levi Moresi; Law Offices of Martin & Martin; Law Offices of Parker & Irwin; Law Offices of Pearlman Brown & Wax; Lewis Brisbois Bisgaard & Smith; Manning & Kass Ellrod Ramirez & Trester.

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.

Sincerely,

MICHAEL N. FEUER, City Attorney

By *Anne Haley*
ANNE HALEY
Assistant City Attorney