



Office of the Los Angeles City Attorney
Hydee Feldstein Soto

REPORT NO. R 23 - 0174
MAY 16 2023

REPORT RE:

**REQUEST FOR WAIVER OF CONFLICT OF INTEREST
FOR BEVERIDGE & DIAMOND ("B&D")
IN ITS REPRESENTATION OF THE CITY TOGETHER WITH
MED-PROJECT USA, MED-PROJECT LLC, AND AFFILIATED MED-PROJECT
COMPANIES (COLLECTIVELY, "MED-PROJECT")**

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

Honorable Members:

The law firm of Beveridge & Diamond ("B&D") represents the City of Los Angeles in connection with various matters involving Hyperion. B&D also represents MED-Project USA, MED-Project LLC, and affiliated Med-Project companies (collectively, "MED-Project"). MED-Project operates state and local take-back programs of pharmaceutical products and sharps and has asked B&D to negotiate and draft a contract with the City of Los Angeles regarding the take-back program.

Because this work could potentially be adverse, B&D is required, under the Rules of Professional Conduct, to seek a waiver from both clients, which the firm has done by letter dated April 25, 2023.

Inasmuch as there is no real substantial overlap between the subject matter of the work B&D performs for the City and the work it will perform for MED-Project

involving the City, and because the firm has agree to ethically wall of the lawyers who will work on the MED-Project from any work for the City, the City Attorney believes that waiver of this conflict will not jeopardize the City's interests. Further, this waiver only covers the contract negotiation work that is to be performed. Should an actual adversity such as litigation develop, B&D would have to seek another waiver.

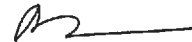
For these reasons the City Attorney recommends that the waiver be approved and that the City Attorney be authorized to execute a waiver with B&D.

If you have any questions regarding this matter, please contact the undersigned at (213) 978-7009. 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



Denise Mills
Chief Deputy City Attorney