

City of San Diego
Office of the Auditor and Comptroller
Memorandum

Date: April 12, 2007
To: Honorable Michael J. Aguirre, Esq. City Attorney
From: Greg Levin, CPA Acting Deputy Comptroller
Subject: Plaintiff Litigation

On Monday March 26, 2007 by an affirmative vote of 6 to 2, the City Council took the following action:

The City Auditor & Comptroller is not authorized to allow expenditures to be made for any litigation where the City is the plaintiff without authorization by an affirmative vote of the City Council. Nothing in this section shall prevent the City Auditor & Comptroller from acting to comply with any statute of limitations; provided, however, that the City Council ratify any such actions within 60 days.

In order to ascertain how best to implement this action, I am requesting that you provide me with the following information:

A list of all plaintiff actions (including plaintiff actions filed as part of any cross-complaint) filed by your office, or by outside counsel on behalf of your office. As part of this submission I am also requesting that you also indicate which actions have been previously approved by the City Council in closed session or otherwise and, the firm, if any that has been assigned to the case.

For your convenience I have attached a spreadsheet for use in responding to my request. This memo will be provided both electronically and via inter-office mail to enable you to employ the spreadsheet. I look forward to your prompt response.

CC: Honorable Mayor Jerry Sanders
Honorable City Council Members
Andrea Tevlin, IBA
Mary Lewis, Budget Director
Elizabeth Maland, City Clerk

