



**Request for City Council Committee Action
From the City Attorney's Office**

Date: June 2, 2004
To: Ways & Means Budget Committee
Referral to:

Subject: Siegel et. al. & Johnson v. City of Minneapolis and MCDA
Minnesota Supreme Court File Nos.: C4-01-1683 & C7-01-1676

Recommendation: That the City Council authorize payment of the \$10,000.00, payable to the Mahoney & Emerson, Ltd. Trust Account as and for attorneys fees, expenses and costs and disbursements in the Supreme Court in the above-referenced matter payable from Fund/Org 690 150 1500 2400.

Previous Directives: The City Council has previously authorized payment an award of costs and attorneys fees in the amount of \$54,230.07.

Prepared by: James A. Moore, Assistant City Attorney Phone: 673-2063

Approved by: Jay M. Heffern
Jay M. Heffern
City Attorney

JCH
Presenter in Committee: Jay M. Heffern, City Attorney

Financial Impact (Check those that apply)

- No financial impact - or - Action is within current department budget.
(If checked, go directly to Background/Supporting Information)
- Action requires an appropriation increase to the Capital Budget
- Action requires an appropriation increase to the Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Other financial impact (Explain): Payable from Fund/org: 690 150 1500 2400
- Request provided to the Budget Office when provided to the Committee Coordinator

Community Impact:

Other Satisfaction of Judgment

Background/Supporting Information

After the Minnesota Supreme court ruled against the City in the above-referenced cases (sometimes referred to as LSGI II), the court ordered judgment for Plaintiffs for costs and reimbursements. The Clerk of

Appellate Courts issued a judgment notice in the amount of \$54,230.07 on March 17, 2004. After payment was made of the certified judgment amount, the Clerk of Court issued an amended judgment correcting the Clerk of Court's mathematical error that understated the amount of the award by \$10,000.00. Payment of \$10,000 is necessary to satisfy the judgment against the City.

01L-0365