

Council Meeting of  
November 20, 2012

Honorable Mayor and Members  
of the Torrance City Council  
City Hall  
Torrance, California

**Members of the Council:**

**SUBJECT: City Attorney – Approve Fee Agreement to provide legal services**

**Expenditure: Not to exceed \$35,000**

**RECOMMENDATION**

The city attorney recommends that City Council approve a fee agreement with the law firm of Rutan & Tucker, LLP to provide legal services in the case of Jon Carpenter v. City of Torrance for a total amount not to exceed \$35,000.

Funding

Funding is available from the City Attorney's General Fund operating budget.

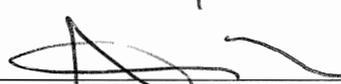
**BACKGROUND AND ANALYSIS**

The city attorney has retained the services of Douglas Dennington of the law firm of Rutan & Tucker, LLP, to provide legal representation to the City in Jon Carpenter v. City of Torrance, LASC Case No. YC066616. Rutan & Tucker's specialized expertise in disability rights litigation and familiarity with plaintiff and his counsel as well as with general municipal law will greatly assist the City with the issues associated with this lawsuit.

The city attorney recommends Your Honorable Body approve the attached fee agreement with Rutan & Tucker for a total amount not to exceed \$35,000.

Respectfully submitted,

John L. Fellows III  
City Attorney

By   
Alice Rusa  
Law Office Administrator

CONCUR:

  
\_\_\_\_\_  
John L. Fellows III, City Attorney

NOTED:

  
\_\_\_\_\_  
LeRoy J. Jackson, City Manager

Attachment A) Fee Agreement with Rutan & Tucker



Direct Dial: (714) 641-3413  
E-mail: kjenson@rutan.com

October 31, 2012

John L. Fellows, City Attorney  
City of Torrance  
3031 Torrance Boulevard  
Torrance, CA 90503

Re: Fee Agreement for General Legal Services - Jon Carpenter v. City of Torrance

Dear John:

Pursuant to Patrick Sullivan's request, this letter will serve as Rutan & Tucker, LLP's fee agreement for special representation rendered to the City in the matter entitled *Jon Carpenter v. City of Torrance*, Los Angeles Superior Court Case No. YC066616.

The hourly rate Rutan & Tucker will charge the City for legal services is the standard hourly rates of attorneys in our office which begin at \$245 per hour, with a cap of \$330 per hour. Paralegals are billed at an hourly rate of \$125 per hour, and documents clerks are billed at \$45 per hour. Under this proposal, the City would be charged either the attorney's standard hourly rate, or the cap rate, whichever is less. Douglas Dennington will be the lead attorney working on this matter, and his time will be billed at \$330 per hour. We estimate that this matter will require approximately 100 hours of attorney time, provided the matter does not proceed to trial. It is difficult to estimate fees and costs in this type of matter, however we estimate that fees and costs will be approximately \$35,000, unless this agreement is amended and approved in writing by both parties.

Rutan & Tucker also requires reimbursement for various costs incurred in performing legal services, including long distance telephone charges for calls outside the Los Angeles/Orange County area, postage, parking, out-of-town travel expenses (not mileage), duplication (@ 19¢ per page), telecopying, messengers, computer-assisted research (e.g. LEXIS), and other out-of-pocket expenses.

Detailed monthly invoices will be sent directly to you.

If this proposal is acceptable to the City, please execute and return a copy of this letter to me.

John L. Fellows, City Attorney  
October 31, 2012  
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If you have any questions regarding this proposal, please call me at 1-800-76RUTAN.

CITY OF TORRANCE,  
a municipal corporation

RUTAN & TUCKER LLP, a Limited Liability  
Partnership

By: \_\_\_\_\_  
Frank Scotto, Mayor

By:   
M. Katherine Jenson

ATTEST:

\_\_\_\_\_  
Sue Herbers, City Clerk

JOHN L. FELLOWS III  
City Attorney

By: \_\_\_\_\_