



Agenda Report

Fullerton City Council

MEETING DATE: APRIL 21, 2026

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: ADAM LOESER, FIRE CHIEF

PREPARED BY: ANDREW YANG, ADMINISTRATIVE ANALYST II

SUBJECT: LEGAL SERVICES AGREEMENT WITH KOREIN TILLERY PC FOR FIRE APPARATUS ANTITRUST CLASS ACTION LITIGATION

SUMMARY

The Fire Department requests City Council approve a Legal Services Agreement with Korein Tillery PC, a nationally recognized class action litigation firm, for antitrust claims investigation and litigation related to fire apparatus pricing. Korein Tillery would represent the City on a contingency basis at no upfront cost.

PROPOSED MOTION

1. Approve Legal Services Agreement between the City of Fullerton and Korein Tillery PC for fire apparatus antitrust claims investigation and litigation, in a form approved by the City Attorney
2. Authorize City Manager, or designee, to execute the Agreement and any related documents.

ALTERNATIVE OPTIONS

- Do not approve the Proposed Motion
- Other options brought by City Council.

STAFF RECOMMENDATION

Staff recommends the Proposed Motion.

CITY MANAGER REMARKS

None.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability
- Public Safety.

FISCAL IMPACT

Korein Tillery PC would work on a contingency basis and fund all litigation costs with its own resources under the proposed Legal Services Agreement. The City would not owe any attorneys' fees unless Korein Tillery obtains a recovery and then Korein Tillery would receive 30% contingent fee of the gross recovery. Korein Tillery would collect litigation expenses incurred by the firm from the recovery in addition to the contingent fee.

The City would also incur legal fees for litigation oversight by the City Attorney, including filings review, outside counsel consultation and settlement decisions. The scope of oversight would depend on the complexity and progression of the case, with costs absorbed in the Fire Department operating budget.

BACKGROUND AND DISCUSSION

The fire apparatus manufacturing industry has undergone significant consolidation over the past two decades accompanied by dramatic price increases and extended delivery timelines. A Pierce pumper cost the City \$338,934 in 1999 and rose modestly to \$475,000 by 2015, roughly in line with inflation. Prices have increased sharply since then: a pumper purchased in 2019 cost \$751,368 and the City paid over \$1.2 million per pumper by 2023. A quint (a combination pumper and aerial ladder) ordered in 2023 cost \$2,196,645. These increases far exceed inflation and are consistent with concerns raised industry-wide about anticompetitive practices in the fire apparatus manufacturing market. The City filed a formal complaint with the California Attorney General's Office in September 2025 and filed a similar complaint with the Federal Trade Commission in October 2025.

Korein Tillery PC, a nationally recognized class action litigation firm has recovered over \$17 billion in verdicts and settlements and contacted the City after filing these complaints. The City can informally bid legal services pursuant to State contracting code for specialized services and City purchasing policy. Staff met with the firm and recommends the City enter a Legal Services Agreement for antitrust claims investigation and litigation related to fire apparatus pricing. The City Attorney reviewed the proposed Agreement. The agreement terms state Korein Tillery would fund all litigation costs and receive compensation only if it obtains a recovery. The City retains complete control and decision-making authority over its role in the litigation, including settlement, and the City may discharge outside counsel at any time. No legal proceeding has a guaranteed favorable outcome and the Agreement states that results are neither promised nor guaranteed.

Attachments:

- Attachment 1 - Korein Tillery PC Legal Services Agreement

cc: City Manager Eddie Manfro