



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** JANUARY 21, 2020

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** GRETCHEN BEATTY, DIRECTOR OF HUMAN RESOURCES

**SUBJECT:** LEGAL SERVICES AGREEMENT WITH LEWIS BRIBOIS

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### **SUMMARY**

To approve a contract with the law firm of Lewis Brisbois related to specialized legal services for the City of Fullerton.

### **RECOMMENDATION**

1. Approve the agreement between Lewis Brisbois and the City of Fullerton, in a final form approved by the City Attorney's office, to provide legal services with respect to the specialized area of tort liability defense.
2. Authorize the City Manager to execute the agreement and take any and all action necessary to implement and administer the agreement.

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statement/s:

- Fiscal and Organizational Stability.

### **FISCAL IMPACTS**

Fees under the proposed agreement are set at \$275 per hour for lead counsel Dana Fox, \$250 per hour for other partners, \$225 per hour for associates and \$125 per hour for paralegals.

Expenditures will vary depending upon the need for service. No budget adjustment is necessary at this time.

## DISCUSSION

The City of Fullerton has approved legal services agreements with various law firms that supplement the expertise of provided by the City Attorney's Office. This law firm is to be retained specifically to handle significant exposure tort liability matters.

The lead attorney under this contract is proposed to be Dana Fox.

Dana Fox is a partner in the Los Angeles office of Lewis Brisbois and co-chair of the General Liability Practice. Mr. Fox, who is a Fellow in the American College of Trial Lawyers and holds the elevated rank of Advocate with The American Board of Trial Advocates (ABOTA), has developed a reputation as the "go-to" attorney in high profile, high exposure catastrophic accident, police use of force, premises and product liability, public entity, and general liability cases. Mr. Fox was named one of the top 100 attorneys in California by The Los Angeles Daily Journal. He has defended and tried many complex and high profile cases.

Mr. Fox has tried to verdict cases involving wrongful death, traumatic brain injury, paralysis and similar catastrophic injuries. He is also a sought-after speaker on topics including defending trucking entities, defending police officers in use of force cases, catastrophic case evaluation, jury selection, defending high exposure cases and opening and closing argument presentation.

### Attachments:

- Attachment 1 – Agreement for Provision of Legal Services