

County Council of Cuyahoga County, Ohio

Resolution No. R2012-0081

Sponsored by: County President Connally	A Resolution authorizing employment of the law firm of Baker & Hostetler LLP in the amount not-to-exceed \$745,000.00 for legal services in connection with U.S. District Court, Northern District of Ohio, Case No. 1:11-CV-933, <u>D'Ambrosio v. Marino, et al.</u> , in accordance with Ohio Revised Code Section 305.14; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Prosecuting Attorney of Cuyahoga County is recommending that Cuyahoga County retain the law firm of Baker & Hostetler LLP in the amount not-to-exceed \$745,000.00 for legal services in connection with U.S. District Court, Northern District of Ohio, Case No. 1:11-CV-933, *D'Ambrosio v. Marino, et al.*; and

WHEREAS, the Prosecuting Attorney and the County must apply to the Court of Common Pleas for authorization to employ outside legal counsel under Ohio Revised Code Section 305.14.; and

WHEREAS, the retention of outside legal counsel in the above matter is in the best interests of Cuyahoga County.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby authorizes employment of the law firm of Baker & Hostetler LLP, at the hourly rate of \$195.00 for lawyers and \$100.00 for paralegals, in an amount not-to-exceed \$745,000.00 for legal services in connection with U.S. District Court, Northern District of Ohio, Case No. 1:11-CV-933, *D'Ambrosio v. Marino, et al.*

SECTION 2. The County Prosecuting Attorney is hereby authorized to submit an application to the Court of Common Pleas for authorization of the employment of said legal counsel in accordance with Ohio Revised Code Section 305.14 on behalf of Cuyahoga County.

SECTION 3. The County Council hereby exempts this contract from the competitive procurement requirements of Section 4.4(d) of the County's Contracting and Purchasing Procedures Ordinance, Ordinance No. O2011-0014, as amended.

SECTION 4. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county department; therefore, this Resolution, provided it receives the affirmative vote of eight members of Council, shall become effective immediately upon the signature of the County Executive; otherwise it shall be in full force and effect from and immediately after the earliest time permitted by law.

SECTION 5. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by Ms. Conwell, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Germana, Gallagher, Schron, Conwell, Jones, Rogers, Greenspan, Miller and Connally

Nays: Simon

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County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

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