

**A RESOLUTION**

**BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO EXECUTE A RETAINER AGREEMENT WITH THE LAW FIRM OF ALSTON & BIRD, LLP TO REPRESENT THE CITY OF ATLANTA IN THE MATTER OF COREY AIRPORT SERVICES, INC. VS. CITY OF ATLANTA, ET AL, CAFN: 1:04-CV-3243 UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA; TO AUTHORIZE EXPENDITURES FOR THAT PURPOSE IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND AND 00/100 DOLLARS (\$300,000.00) TO BE FUNDED OUT OF THE FUND ACCOUNT AND CENTER NUMBER 2H01-524001-T31001; AND FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta is in litigation with Corey Airport Services, Inc. for alleged violations of anti-trust law and other related laws; and

**WHEREAS**, a favorable resolution to this law suit by the City is important to the City on a financial and precedential basis; and

**WHEREAS**, anti-trust law is a specialized and complex area of the law, and none of the attorneys in the City's Department of Law possess an expertise in that area of the law; and

**WHEREAS**, Section 2-396 of the City of Atlanta Code of Ordinances vests the City Attorney "with complete and exclusive authority and jurisdiction in all matters of law;" and

**WHEREAS**, the City Attorney has determined that, in order to most effectively and efficiently represent the City in this anti-trust dispute, the attorney(s) handling the dispute must have an expertise in the area of anti-trust law; and

**WHEREAS**, the attorneys at Alston & Bird, LLP specialize in the area of anti-trust law and have an excellent reputation; and

**WHEREAS**, the City Attorney recommends that the City retain Alston & Bird, LLP to represent the City in this dispute; and

**WHEREAS**, the City Attorney requests authorization to expend funds to compensate and reimburse Alston & Bird, LLP in an amount not to exceed Three Hundred Thousand and 00/100 Dollars (\$300,000.00), with the understanding that the cost of handling this dispute may exceed this amount, and that, if necessary, the City Attorney will return to the City Council in the future with a status report on the matter and a request for authorization for additional funds.



**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ATLANTA, GEORGIA** that the City Attorney is authorized to execute a retainer agreement with Alston & Bird, LLP, or other appropriate documentation, to retain the services of the Firm to serve as outside counsel for the city on this matter, in an amount not to exceed Three Hundred Thousand and 00/100 Dollars (\$300,000.00).

**BE IT FINALLY RESOLVED** that the Chief Financial Officer is hereby authorized to remit payment of all legal fees, expenses and costs due for legal services rendered or incurred by the law firm of Alston & Bird, LLP, and its consultants, including experts, in connection with the forgoing matter after approved for payment by the City Attorney or her designee, in an amount not to exceed Three Hundred Thousand and 00/100 (\$300,000.00) to be paid from the Fund Account and Center Number 2H01-524001-T31001.

A true copy,

A handwritten signature in black ink, appearing to be "K. A. ...", is written over the text "A true copy," and above the title "Deputy Clerk".

Deputy Clerk

**ADOPTED** by the Council  
**APPROVED** by the Mayor

February 7, 2005  
February 14, 2005

RCS# 6440  
2/07/05  
2:34 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 3-16 EXCEPT 05-R-0109  
05-R-0126  
ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	NV Sheperd	NV Borders

CONSENT I

05-*P*-0127

(Do Not Write Above This Line)

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Approved:

*Rosalind Rubens Newell, Deputy CA*

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred \_\_\_\_\_

Referred To: **ADOPTED BY**

Date Referred **FEB 07 2005**

Referred To: **COUNCIL**

First Reading

Committee \_\_\_\_\_

Date \_\_\_\_\_

Chair \_\_\_\_\_

Referred To \_\_\_\_\_

*PSLA* Committee

*2/1/05* Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

*Callie Smith*  
*CIT Member*

Refer To

Committee

Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Committee

Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

Committee

Date

Chair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

Refer To

- FINAL COUNCIL ACTION
- 2nd
  - 1st & 2nd
  - 3rd
  - Consent
  - V Vote
  - RC Vote

CERTIFIED

FEB 07 2005



*Rosalind Rubens Newell*  
MUNICIPAL CLERK

MAYOR'S ACTION

*Mandy Frank*