

May 8, 2014



MEMORANDUM

DATE: May 8, 2014
TO: Mayor and Council Members
CC: Rich Dlugas, Marsha Reed
FROM: Kay Bigelow, City Attorney (*kl*)
SUBJECT: NOTICE OF CROSS-APPEAL IN JUSTUS ETAL V. CITY OF CHANDLER

The plaintiffs in Justus *etal* v City of Chandler have filed a notice of appeal on the court's judgment dismissing their lawsuit and awarding fees to the city. State law requires municipalities' governing board to approve filing a notice of cross-appeal before its attorneys may do so.

RECOMMENDATION:

The City Attorney and outside counsel representing the city recommend that the City Council approve the filing of a cross-appeal on the issue of the trial court's decision to not award the full amount of attorney fees requested by City.