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AUG 14 2014



**Chandler · Arizona**  
*Where Values Make The Difference*



**MEMORANDUM**

**Law Department - Council Memo**

**DATE:** August 14, 2014

**TO:** Mayor and Council Members

**CC:** Rich Dlugas, Marsha Reed

**FROM:** Kay Bigelow, City Attorney (*klb*)

**SUBJECT:** NOTICE OF CROSS-APPEAL IN AUSTIN ETAL V. CITY OF CHANDLER

The plaintiffs in Austin *etal* v City of Chandler have filed a notice of appeal on the court's judgment dismissing their lawsuit. 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 reimbursement of the City's costs and attorney fees.

**MOTION:**

City Council authorizes the filing of a cross-appeal of the trial court's ruling on reimbursement of City's costs and attorney fees.