

RESOLUTION NO. 2018-02

A RESOLUTION AUTHORIZING THE PAYMENT OF ATTORNEY'S FEES AND COSTS RELATED TO DEFENSE OF ACTION FILED BY CAROLINA PINES I, LLC AGAINST THE CITY OF NORTH AUGUSTA. SUCH ACTION BEING ACTION NO. 3:16-1124-TLW IN THE UNITED STATES DISTRICT COURT, DISTRICT OF SOUTH CAROLINA, COLUMBIA DIVISION.

WHEREAS, the City was named as a Defendant in a lawsuit involving multiple cities and counties as well as other organizations within the State of South Carolina, such action being related to disposal of electronic waste; and

WHEREAS, by Resolution No. 2016-32, the Mayor and Council authorized settlement of the case and at that time, authorized the payment of \$17,000.00 in order to settle the case; and

WHEREAS, the City has completed the settlement and has been given a total release related to such litigation, although the litigation remains active and is moving forward against other named Defendants; and

WHEREAS, of the \$17,000.00, payment of \$11,000.00 was made to Carolina Pines I, LLC; and

WHEREAS, the City has paid to Davidson & Lindemann, PA, the attorneys who represented the City in such action, the amount of \$6,000.00 towards attorney's fees; and

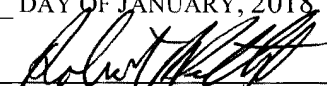
WHEREAS, the attorney's fees were estimated, at the time of the settlement authorization, without full knowledge as to how much additional work would be required in order to complete the settlement; and

WHEREAS, the total fees and costs to the City resulting for such representation was \$7,499.83, which leaves a balance owing for attorney's fees and costs in amount of \$1,499.83.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, in meeting duly assembled and by the authority thereof, that:

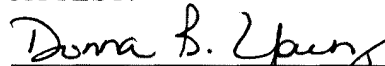
1. The Director of Finance is hereby directed to pay to Davidson & Lindemann, PA the sum of \$1,499.83 to complete the payment of fees related to the representation for the litigation.
2. That these funds shall be paid out of the Sanitation Services Fund

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS THE 16 DAY OF JANUARY, 2018.



Robert A. Pettit, Mayor

ATTEST:



Donna B. Young, City Clerk