

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
THE CLOSED SESSION MEETING REPORT  
FOR MONDAY AND TUESDAY, SEPTEMBER 8 AND 9, 2008  
CITY ADMINISTRATION BUILDING  
COMMITTEE ROOM – 12<sup>TH</sup> FLOOR  
202 “C” STREET  
SAN DIEGO, CA 92101**

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**REPORTING THE RESULT OF THE CLOSED SESSION MEETING**

Only items that can be disclosed are reported out in the Open Session of the regular City Council Meeting. Public comment on Closed Session items are taken in Open Session. Please refer to the City Clerk’s minutes for Open Session for more information. Chief Deputy City Attorney Huston Carlyle reports the results of the Closed Session Meeting of September 8 and 9, 2008, as follows:

**CLOSED SESSION MEETING FOR MONDAY, SEPTEMBER 8, 2008**

Closed Session Items were heard on Tuesday, September 9, 2008.

**CLOSED SESSION MEETING FOR TUESDAY, SEPTEMBER 9, 2008**

**ROLL CALL:**

Present: Council President Peters, Council President Pro Tem Madaffer, and Councilmembers Faulconer, Atkins, Maienschein, Frye, and Hueso

Absent: Mayor Sanders (Absent for Items CS-8 and 9)  
Councilmember Young - Dist. 4 (Absent for Item CS-5)

**CLOSED SESSION ITEMS:**

**Conference with Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(a):**

**CS-1 *Bun Bun Tran, et al. v. City of San Diego, et al.***  
San Diego Superior Court Case No.: 7-2007-00065432-CU-PA-CTL

DCA Assigned: D. Shanahan

Report: Nothing to report

**CS-2 *Pablo Gomez v. City of San Diego, et al.***

San Diego Superior Court Case No.: GIC 877892

DCA Assigned: D. Shanahan

Report: Nothing to report

**CS-3 *John Ghiotto, et al. v. COSD, et al.***

San Diego Superior Court Case No.: 37-2007-00073878-CU-CR-CTL

DCA Assigned: K. Zlotnik

Report: Nothing to report

**CS-4 *In The Matter of: Natural Gas Anti-Trust Cases I, II, III, & IV***

***Re: All Price Indexing Cases,***

San Diego Superior Court JCCP Nos. 4221, 4224, 4226, and 4228

DCA Assigned: F. Ortlieb

Report: Nothing to report

**CS-5 *Marcus Abbe, et al. v. City of San Diego***

U.S. District Court Case No. 05cv1629 and 06cv538 DMS (RBB) ("POA II")

DCA Assigned: G. Schaefer

Report: Nothing to report

**CS-6 *City of San Diego v. RCP Block and Brick, Inc. and Casey Development, Inc.***

San Diego Superior Court Case No. 37-2008-00090291-CU-CD-CTL

DCA Assigned: J. Taylor

Report: Nothing to report

**CS-7 *Merle Richman & Susan T. Tran***

Claim No. LP07-7773-1760

DCA Assigned: C. Leone

Report: Nothing to report

**CS-8** *Citizens for Responsible Equitable Environmental Development v. City of San Diego*  
*San Diego Superior Court Case No. GIC871259;*  
*Citizens for Responsible Equitable Environmental Development, et al. v. City of San Diego*  
*San Diego Superior Court Case No. GIC876017*

DCA Assigned: M. Dickenson

Report: Nothing to report

**CS-9** *Amy Lepine v. Aguirre and City of San Diego*  
*San Diego Superior Court Case No. 37-2007-00064048-CU-OE-CTL*

DCA: W. Chung

Report: Nothing to report

**Conference with Legal Counsel - anticipated litigation - significant exposure to litigation, pursuant to California Government Code Section 54956.9(b):**

**CS-10 Number of Potential Cases: Up to 50 (Voluntary Compliance Program Filing)**

DCA Assigned: W. Chung

Report: Nothing to report

REPORTED BY: \_\_\_\_\_  
Huston Carlyle  
Chief Deputy City Attorney