

# COUNCIL COMMUNICATION

**From:** The City Manager

**Subject:** Giarmarco, Mullins & Horton, P.C. Agreement.

**Manager's Recommendation:**

I recommend approval of the Agreement for Professional Legal Services with Giarmarco, Mullins & Horton, P.C. Further, it is recommended that either the City Manager or his designee be authorized to execute the Agreement. This Agreement has been approved by the City Manager as to substance and the City Attorney as to form.

**Justification:**

William H. Horton of Giarmarco, Mullins & Horton, P.C. is experienced in a specialized area of negotiation and litigation with health care providers, in particular, the issue of adequate notification of access fees. He has successfully litigated this issue on behalf of Oakland County and is currently representing Saginaw County in a similar action. The proposed Contingent Fee Agreement will allow him to represent the City of Saginaw at the same time. The legal fee will be 25% of the gross recovery for the first \$3 million and 15% of any amount above that. There will be no charge if there is no recovery.

**Council Action:**

Council \_\_\_\_\_ moved that the recommendation from the City Manager be approved.