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June 1, 1998

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City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Association of Pro Bono Counsel in Robert B. Miller, M.D., et al. v. City of Sacramento, et al.

LOCATION AND COUNCIL DISTRICT: All Districts

RECOMMENDATION: No action required. For informational purposes only.

CONTACT PERSON: Samuel L. Jackson, City Attorney, 264-5346

FOR COUNCIL MEETING OF: June 9, 1998

SUMMARY: A group of individuals and entities have announced their intent to file a legal challenge to Sacramento City Ordinance No. 97-077. The law firm of Mennemeier, Glassman and Stroud will be representing the interests of the City on a pro bono basis, in association with the Sacramento City Attorney's Office.

BACKGROUND: On December 16, 1997, the Sacramento City Council adopted Ordinance No. 97-077, prohibiting the sale by wholesale or retail firearms dealers of "Saturday Night Specials" or "Junk Guns". The National Rifle Association, the California Rifle and Pistol Association, a City resident, and three gun dealers doing business within the City, have announced their intent to immediately file a lawsuit against the City of Sacramento, Mayor Serna, the Sacramento City Council, the Sacramento Police Department, and Chief Arturo Venegas, Jr., challenging the legality of the ordinance.

The law firm of Mennemeier, Glassman and Stroud is prepared to represent the interests of the City on a pro bono basis, in association with the Sacramento City Attorney's Office. Mennemeier, Glassman and Stroud will act as lead counsel, while the City Attorney's Office will monitor the lawsuit, and, if necessary, provide litigation support.

FILED
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OFFICE OF THE CLERK
BY THE CLERK

City Council Report

Re: Association of Pro Bono Counsel in Robert
B. Miller, M.D., et al. v. City of Sacramento, et al.

June 1, 1998

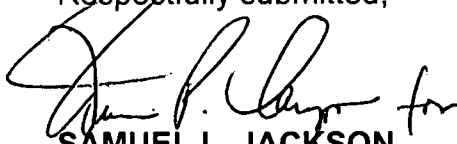
Page Two

ENVIRONMENTAL CONSIDERATIONS: The subject of this report does not involve a project that requires compliance with the California Environmental Quality Act (CEQA), inasmuch as it does not involve an activity which may cause a direct or indirect change in the environment (Public Resources Code Section 21065).

POLICY CONSIDERATIONS: The defense of this lawsuit is consistent with City policy as enunciated in Ordinance No. 97-077. Additionally, the association of pro bono counsel will result in a savings to the City in terms of City Attorney staff time.

MBE/WBE: Since no goods or services are being purchased, this report does not impact the City's MBE/WBE policies.

Respectfully submitted,


SAMUEL L. JACKSON
City Attorney