



City of South Pasadena

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CITY OF SOUTH PASADENA PUBLIC NOTICE

SPECIAL MEETING OF CITY COMMISSION OUT OF SUNSHINE PURSUANT TO FLORIDA STATUTES SECTION 286.011(8)

SPECIAL COMMISSION MEETING
SOUTH PASADENA, FLORIDA

TUESDAY, JULY 14, 2015
COMMISSION CHAMBERS 9:00 A.M.

- A. CALL TO ORDER
- B. ROLL CALL
- C. CITY ATTORNEY ADVISEMENT THAT HE DESIRES ADVICE CONCERNING LITIGATION RELATING TO DEEPWATER HORIZON OIL SPILL CLAIM
- D. ANNOUNCE THAT:
 - a. Upon adjournment of this open meeting, the Commission shall commence an out of the sunshine meeting to discuss City of South Pasadena, Florida vs. BP Exploration & Production, Inc., et al, pursuant to Florida Statutes § 286.011(8).
 - b. It is estimated that the meeting will take approximately 30 minutes; and
 - c. The names of the persons attending that meeting will be: Mayor Dan Calabria, Vice Mayor Lari Johnson, Commissioner Arthur Penny, Commissioner Gail Neidinger, City Attorney David Ottinger, and City Clerk Carley Lewis (Commissioner Max Elson is unable to attend).
- E. ADJOURN OPEN MEETING TO HOLD OUT OF SUNSHINE MEETING
- F. HOLD OUT OF SUNSHINE MEETING IN CITY CLERK'S OFFICE**
- G. RETURN TO DAIS AND RE-OPEN MEETING TO PUBLIC AND ANNOUNCE THAT THE OUT OF SUNSHINE MEETING HAS BEEN TERMINATED
- H. ADJOURNMENT - APPROXIMATELY 9:30 A.M.

**THIS MEETING IS NOT A PUBLIC MEETING

In accordance with the Americans with Disabilities Act and F.S. 286.26, persons with disabilities needing special accommodation to participate in this proceeding should contact the Clerk's Office at (727) 347-4171 at least 72 hours prior to the meeting.

813-273-5278

DAVID.OTTINGER@GRAY-ROBINSON.COM

MEMORANDUM

TO: South Pasadena Mayor
South Pasadena Commissioners

CC: Carley Lewis, City Clerk
Brianna Wetherwax, Deputy Clerk

FROM: David J. Ottinger

DATE: July 10, 2015

SUBJECT: BP Oil Spill Claim Settlement

As you have been previously advised, a global settlement has been reached between the various BP defendants and all governmental entity claimants. Pursuant to the attached correspondence from the Federal Court Magistrate and related Confidentiality Order, completion of the settlement and payment of the settled claims is subject to receipt and acceptance of all local governmental releases.

Because of the court's Confidentiality Order, we will have a closed meeting as authorized by law to discuss settlement of the City's litigation against BP. During that closed meeting, I will provide information regarding the settlement, the settlement agreement that the City will need to execute and return, and the settlement disbursement statement which will reflect the gross settlement amount and the attorneys' fees and litigation costs that will be deducted from the gross settlement.

Following the closed meeting, we will have a special public meeting to adopt Resolution 2015-10 authorizing execution of the settlement agreement and the settlement disbursement statement. The settlement agreement will then need to be executed and returned to the Federal Court in New Orleans, LA by the close of business on July 15, 2015 pursuant to the court's instructions. Specifics of the settlement must remain confidential until disclosure is authorized by the Federal Court.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA
500 POYDRAS STREET, B-345
NEW ORLEANS, LOUISIANA 70130
(504) 589-7620 FAX (504) 589-4994

SALLY SHUSHAN
U.S. MAGISTRATE JUDGE
shushan@laed.uscourts.gov

July 2, 2015

Dear Counsel:

The group of Neutrals, Louis Freeh, Pat Juneau and I, appreciate your assistance in resolving this matter. We are pleased to confirm that this matter has settled subject only to your client's return of the attached Release Agreement evidencing a full and final resolution of the claim and having BP receive and accept all local governmental releases. All local entity releases must be returned to us via email (lge@freehgroup.com) by the **close of business on Wednesday, July 15, 2015**.

The terms of the settlement will be confidential until the Neutrals have received all releases. I attach the confidentiality order issued today which I ask that you provide to your client. Pending confirmation that all releases have been received, we will let you know when the local governmental entities may publicly announce the terms of their settlements. We anticipate it will be around July 14 or 15.

Again, we thank you for your considerable effort in resolving this matter and appreciate your help in bringing this to a conclusion.

With best regards,

Sincerely,

A handwritten signature in black ink, appearing to be 'Sally Shushan', written over a large, stylized, circular flourish.

Sally Shushan
U.S. Magistrate Judge

Attachment 1 – Release Agreement
Attachment 2 – Confidentiality Order

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

**In re: Oil Spill by the Oil Rig
“Deepwater Horizon” in the Gulf
of Mexico, on April 20, 2010**

MDL NO. 2179

SECTION J

Applies to: *All Cases*

**JUDGE BARBIER
MAGISTRATE JUDGE SHUSHAN**

AMENDED CONFIDENTIALITY ORDER

[Concerning Settlement Documents and Discussions]

After receiving input from Counsel on the vagaries of the public meeting laws of the five states, it has become clear that there is a need for a path forward for public approval of the recommended settlement amount and release and passage of the resolution authorizing the settlement.

Counsel are hereby authorized to hold public meetings, after the closed or executive sessions under their State’s public meeting laws, and approve the recommended amount, release and a resolution no later than close of business July 15, 2015. The sooner the releases, resolutions and authority letters are returned to the Court the more likely that the global local government settlement will be approved and accepted by BP. The confidentiality required by the Court will remain in place until the commencement of the public meeting to consider the matters discussed in the closed session, subject to each State’s public meetings law. The Court’s Confidentiality Order (Rec. doc. 14801) is hereby amended to reflect this path forward.

The settlement amount provided by the Neutrals to the local government entities are final and no amendments will be considered.

BP will make its decision to accept or reject the global settlement with the local government entities based upon the receipt and acceptance of releases from substantially all of the the Local Government Entities. The Court will hold the releases and other settlement documents in trust pending acceptance and execution by BP.

New Orleans, Louisiana, this 2nd day of July, 2015.



SALLY SHUSHAN
United States Magistrate Judge