

RESOLUTION NO. 2016-RS-11

**A RESOLUTION REGARDING PENDING
LITIGATION BETWEEN CITY OF MONTICELLO
AND SIEMENS INDUSTRY, INC.,
SIEMENS AG AND ANY OTHER RELATED
SIEMENS ENTITY OR SUBSIDIARY**

WHEREAS, in pending litigation between Siemens Industry, Inc. and related Siemens entities and the City of Monticello presently pending in the United States District Court for the Eastern District of Arkansas, there has been a recent ruling by the Honorable Price Marshall favorable to the position of the City;

WHEREAS, there are presently pending and will occur in the future various litigation strategies and decisions that special counsel C.C. Gibson, III and his law firm, Gibson & Keith, will need to make on behalf of and in consultation with the City of Monticello and its appropriate representative;

WHEREAS, it is in the best interest of the City of Monticello that the Mayor of Monticello be designated as the representative of the City of Monticello for the purpose of consultation with special counsel and approval of litigation strategies.

THEREFORE, BE IT RESOLVED, that the Mayor of Monticello should be, and hereby is, authorized to act on behalf of the City of Monticello on any decision related to the conduct of pending litigation between the City of Monticello and Siemens Industry, Inc., Siemens AG, and any other related Siemens entity or subsidiary, on any matter in any way pertaining thereto. Provided, however, that any such decision of the Mayor of Monticello is concurred with by special city counsel C.C. Gibson, III. Failing concurrence between the Mayor and Special Counsel, the matter will be submitted to the City Council for decision.

RESOLVED FURTHER, that this Resolution is effective immediately upon its passage, and shall remain in full force and effect until notice of its repeal or revocation by the City Council of Monticello and the delivery of such repeal or revocation in writing to special counsel C.C. Gibson, III.

(END OF RESOLUTION)

ADOPTED on this 11th day of March, 2016.

Andrea J. Chamberlain
City Clerk/Treasurer

APPROVED
Z.A.C.
MAYOR ZACKERY TUCKER
DATE 3/11/2014