
CONFIDENTIAL MEMORANDUM

TO: CITY COUNCIL
FROM: ROBERT GEHLER, CITY ATTORNEY
SUBJECT: CITY ATTORNEY'S OFFICE THIRD QUARTER ACTIVITY REPORT AND LITIGATION UPDATE
DATE: OCTOBER 28, 2013

The following is a summary of the activities undertaken by the City Attorney's Office during the third quarter of 2013:

Meetings Attended:	395
Legal Opinions Rendered:	191
Contracts Drafted or Reviewed:	52
Issues Requiring Legal Research:	45
Preparation of Pleadings/Court Attendance:	19
Resolutions/Ordinances Drafted or Reviewed:	55
Preparation of Other Legal Documents:	67

During the third quarter, the only pending non-tax litigation against the City was likely concluded. Ms. Salazar has until December 23, 2013 to seek review by the United States Supreme Court. Such review is highly unlikely, even if she were to seek it. The following is a brief summary of that litigation.

Stephanie Salazar v. City of Commerce City, et al., 10-CV-01328-LTB

On June 9, 2010, Ms. Salazar filed a complaint in federal court against the City, Paul Natale, Gerald Flannery, Tom Acre, and Heather Spencer alleging discrimination, retaliation, and stigmatization in violation of federal and state law. In May 2012, the US District Court in Denver granted the City's motion for summary judgment on the claims of gender discrimination, national origin discrimination, and First Amendment retaliation and dismissed Paul Natale and Heather Spencer from the suit. In August 2012, a jury found in favor of the City, Mr. Flannery, and Mr. Acre on Ms. Salazar's remaining claims. Ms. Salazar appealed to the Tenth Circuit Court of Appeals. The Tenth Circuit Court of Appeals affirmed the District Court's decision on September 23, 2013.