

October 23, 2019

**WHEREAS**, the City of Dallas has engaged Fanning Harper Martinson Brandt & Kutchin, P.C., for legal services necessary to represent former City of Dallas employee Amy Wilburn in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D; and

**WHEREAS**, on January 29, 2014, Administrative Action No. 14-5283, authorized a professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C., for legal services necessary to represent former City of Dallas employee Amy Wilburn, in an amount not to exceed \$50,000.00; and

**WHEREAS**, on September 24, 2014, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C., for additional legal services necessary to represent former City of Dallas employee Amy Wilburn, in an amount not to exceed \$200,000.00, from \$50,000.00 to \$250,000.00, by Resolution No. 14-1593; and

**WHEREAS**, on October 28, 2015, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C., for additional legal services necessary to represent former City of Dallas employee Amy Wilburn, in an amount not to exceed \$175,000.00, from \$250,000.00 to \$425,000.00, by Resolution No. 15-2008; and

**WHEREAS**, on October 11, 2016, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C., for additional legal services necessary to represent former City of Dallas employee Amy Wilburn, in an amount not to exceed \$150,000.00, from \$425,000.00 to \$575,000.00, by Resolution No. 16-1646; and

**WHEREAS**, on November 14, 2018, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C., for additional legal services necessary to represent former City of Dallas employee Amy Wilburn, in an amount not to exceed \$150,000.00, from \$575,000.00 to \$725,000.00, by Resolution No. 18-1586; and

**WHEREAS**, the professional legal services of Fanning Harper Martinson Brandt & Kutchin, P.C., continue to be necessary.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

October 23, 2019

**SECTION 1.** That the City Manager is hereby authorized to execute Supplemental Agreement No. 5 to the professional services contract with Fanning Harper Martinson Brandt & Kutchin, P.C., approved as to form by the City Attorney, for additional legal services necessary to represent former City of Dallas employee Amy Wilburn, in the lawsuit styled Kelvion Walker v. Amy Wilburn, Civil Action No. 3:13-CV-04896-D, in an amount not to exceed \$150,000.00, increasing the contract amount from \$725,000.00 to \$875,000.00.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$150,000.00 in periodic payments to Fanning Harper Martinson Brandt & Kutchin, P.C., from Fund 0192, Department ORM, Unit 3890, Object 3033, Encumbrance CT-ATT389014J332, Vendor 399210.

**SECTION 3.** That this contract is designated as Contract No. ATT-2018-00008124.

**SECTION 4.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.