

**MEMORANDUM FROM THE CITY ATTORNEY
CONCERNING A CLOSED SESSION BEFORE
THE CITY COUNCIL OF THE CITY OF REDWOOD CITY**

TO: Honorable Mayor and Members of the City Council

FROM: Stan T. Yamamoto, City Attorney

SUBJECT: Closed Session – Anticipated Litigation [*Government Code §54956.9 (b)(1)*]

Case Name: iPass, Inc.

A closed session will be held on September 8, 2008, at 5:30pm, for the purpose of conferring with and/or receiving advice from your legal counsel concerning anticipated litigation. Based on existing facts and circumstances and the advice of its legal counsel, the City Council believes there is a significant exposure to litigation. [*Gov't. Code §54956.9(b)(1)*]

If the City Council authorizes the City Attorney to defend, or seek or refrain from seeking appellate review or relief, this determination shall be disclosed immediately following this closed session. If the City Council authorizes initiation or intervention, such authorization shall be disclosed immediately following this closed session and the public advised that the action, defendants and other particulars may be disclosed upon request after the action is formally commenced. [*Gov't. Code §54957.1(a)(2)*].

If the City Council accepts a settlement offer signed by the opposing party, the substance of the settlement shall be disclosed immediately following this closed session. [*Gov't. Code §54957.1(a)(3)(A)*].

Any disclosures shall include the vote or abstention of each member.

Dated: Septemeber 8, 2008



Joseph D. Aranda
Assistant City Attorney