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October 22, 2009

Board of Supervisors
County of El Dorado
330 Fair Lane
Placerville, CA

**Re: Approval of Legal Services Agreement with Scharff, Brady and
Vinding for Representation in the Case of *Friends of Shingle Springs
Interchange, Inc. v. County of El Dorado, et al.***

Honorable Supervisors:

Recommendation:

County Counsel recommends that the Board of Supervisors approve the attached agreement for legal services with the law firm of Scharff, Brady and Vinding for representation of the County in the case of *Friends of Shingle Springs Interchange, Inc. v. County of El Dorado, et al.*, El Dorado County Superior Court Case No. PC20090555.

Reasons for Recommendation:

This case is a challenge under the California Environmental Quality Act, and related laws, to the Board's approval of the Circle K project on August 4, 2009. On September 15, 2009, in closed session the Board authorized defense of the action and authorized the retention of the law firm of Scharff, Brady and Vinding to represent the County in the case. This action was reported out of closed session. This is the contract for that representation. The project approval contains a provision calling for the project applicant to indemnify the County in the event of a challenge to the project approval. So the County will not incur any out of pocket expenses as the result of this contract.

Board of Supervisors

October 22, 2009

Page 2

Fiscal Impact:

None.

Actions to Be Taken After Board Approval:

County Counsel will supervise the work of outside counsel in handling the case.

We would be pleased to respond to any questions the Board may have.

Respectfully submitted,



Louis B. Green
County Counsel

LBG/stl

Att.

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