

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 138

Approved April 6, 1990

WHEREAS, there has been filed in Providence County Superior Court, a legal action entitled: "CITY OF PROVIDENCE, et al. vs. MAURICE A. BISSONNETTE, et al., in Their Capacities as Members of the Employees Retirement Board, and STEPHEN T. NAPOLITANO, in His Capacity as the Treasurer of the City of Providence"; and

WHEREAS, said lawsuit is intended as a substitute to the previous legal action filed, entitled "JEROME J. BARON, et al. vs. STEPHEN T. DAY, et al., C.A. 89-7084"; and

WHEREAS, said substitute lawsuit arises out of the numerous controversies regarding actions taken by the Employees' Retirement Board of the City of Providence; and

WHEREAS, the City Council believes that it is in the overall best interest of the City of Providence to dismiss the original lawsuit and to proceed with the substitute lawsuit, and to pay for the legal representation on behalf of the named Plaintiffs in the substituted lawsuit, and to provide a mechanism for said payment.

NOW, THEREFORE, BE IT RESOLVED, That the City Council, under the authority granted under Section 401(d) of the Home Rule Charter of the City of Providence does, by at least a 2/3rd vote of all the Members of said City Council, authorize that

1. the legal action entitled "JEROME I. BARON, et al. vs. STEPHEN T. DAY, et al." may be dismissed.
2. that the legal action entitled "CITY OF PROVIDENCE, et al. vs. MAURICE A. BISSONNETTE, et als." may be substituted in place of "BARON et al. vs. DAY, et al."
3. that legal counsel may submit his bills for payment to the Chairman of the Finance Committee or his designee.
4. and indemnify and hold harmless said Plaintiffs, from any legal or equitable actions arising from, or in relation to, said transactions or related events.

IN CITY COUNCIL

APR 5 1990

READ AND PASSED, as amended

Richard W. E. Don
PRES.

Rose M. Mander
CLERK

APPROVED

APR 6 1990

[Signature]
MAYOR

Councilman Glavin, Councilman Dillon
and Councilwoman Sargnoli (By Request)