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2. Consideration of negotiating a Contingency Fee Agreement with Frantz Law Group relating to the Public Entities Social Media lawsuit.



LEGISLATIVE MEMORANDUM

TO: Honorable Mayor and Members of the City Council

FROM: Patricia Smith, City Attorney

THRU: Patricia D. Smith

DATE: April 18, 2024

RE: Consideration of negotiating a Contingency Fee Agreement with Frantz Law Group relating to the Public Entities Social Media lawsuit.

SUMMARY:

Mr. William Shinoff and the Frantz Law Group currently represents over 850 public entities in both state court and federal court against Meta, Tik Tok, Snapchat and Youtube for the harms to children associated with their platform. The Frantz Law Group has been appointed into a leadership position on behalf of public entities and has defeated several motions to dismiss. The lawsuits filed on behalf of municipalities typically allege public nuisance, negligence and gross negligence. The suits allege that the social media companies' algorithms promote harmful and destructive content to children. These harmful effects, adversely affect the health, safety and welfare of the City. An example of harm to the City may be increased demands placed upon law enforcement in responding to matters proximately caused by social medias' platforms conduct. Under Mr. Shinoff's proposal, the City would not pay any attorney fees or any other costs unless he was successful in achieving a monetary recovery for the City. In other words, the City would not be required to pay legal fees from any fund other than the monies recovered from the Defendants in the litigation. He proposes representing the City in exchange for 25% of any monetary recovery that his firm obtains for the City.

Mr. Shinoff will be present at the City Council meeting to provide a background on the litigation and answer any questions that Council may have.

REQUESTING DEPARTMENTS:

City Attorney's Office

FISCAL IMPACT:

None

Honorable Mayor and Members of the City Council

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STAFF RECOMMENDATION:

Motion to authorize the City Attorney to negotiate a contingency fee agreement with the Frantz Law Group.