



Legislation Text

File #: 1411-2025, **Version:** 1

BACKGROUND:

The cases of *Doe, et al. v. City of Columbus*, Case No. 24cv006195 and *Doe, et al. v. City of Columbus*, Case No. 24cv006428 (collectively "Litigation Matters"), are currently pending in the Common Pleas Court of Franklin County, OH, arising from a data security intrusion experienced by the city. Due to a potential conflict of interest, it was necessary for the City Attorney's office to retain outside counsel to represent the city. The City Attorney's office entered into a special legal counsel contract with Vorys, Sater, Seymour and Pease LLP on September 24, 2024. Vorys, Sater, Seymour and Pease LLP will represent the city in the above cases and any additional litigation that may be filed as a result of the data security intrusion. It is now necessary to modify that contract in order to continue to provide the statutorily required representation.

Ordinance 2804-2024 authorized the City Attorney to modify the contract to add funds to continue to provide representation in the amount of \$250,000.00.

This ordinance authorizes the City Attorney to modify the contract to add additional funds in the amount of \$375,000.00 to pay for continued legal services.

FISCAL IMPACT: This contract modification will be funded by the Department of Technology Information Services fund.

EMERGENCY DESIGNATION: Emergency action is requested as funds are needed immediately to ensure these services can continue without interruption.

COMPANY: Vorys, Sater, Seymour and Pease LLP, **Vendor Number:** 006042

To authorize the City Attorney to modify an existing contract for special legal counsel services with Vorys, Sater, Seymour and Pease LLP, for the Litigation Matters that are currently pending in the Common Pleas Court of Franklin County, OH and any other litigation arising from the data security intrusion; to authorize the expenditure of \$375,000.00 from the Department of Technology Information Services Fund; and to declare an emergency. (\$375,000.00)

WHEREAS, due to a conflict of interest, the City Attorney has need for special legal services with regard to the Litigation Matters that are currently pending in the Common Pleas Court of Franklin County, OH and any other litigation arising from the data security intrusion; and

WHEREAS, the City Attorney and Vorys, Sater, Seymour and Pease LLP entered into a special counsel contract on September 24, 2024, to provide special legal services for the first phase of the representation on behalf of the City Attorney and the Department of Technology with regard to matters pertaining to the Litigation Matters; and

WHEREAS, Ordinance 2804-2024 authorized the City Attorney to modify the contract to add funds to continue to provide representation in the amount of \$250,000.00; and

WHEREAS, this ordinance will modify this contract for an additional \$375,000.00 to provide for continuation of those services; and

WHEREAS, funds will be provided by the Department of Technology Information Services Fund; and

WHEREAS, an emergency exists in the usual daily operation of the City Attorney's Office in that it is necessary to authorize the City Attorney to modify the contract with Vorys, Sater, Seymour and Pease LLP immediately in order to provide for uninterrupted services in their representation, for the immediate preservation of the public health, peace, property, safety and welfare; and **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Attorney is hereby authorized and directed to modify the contract entered into on September 24, 2024, with Vorys, Sater, Seymour and Pease LLP for special legal counsel to provide special legal services to the City Attorney and the Department of Technology with regard to the Litigation Matters that are currently pending in the Common Pleas Court of Franklin County, OH and any other litigation arising from the data security intrusion.

SECTION 2. That for the purposes stated in Section 1, the amount of three hundred seventy-five thousand dollars (\$375,000.00) or so much thereof as may be necessary, be and is hereby authorized in Fund 5100 Department of Technology Information Services Fund, per the accounting codes in the attachment to this ordinance.

SECTION 3. That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

SECTION 4. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 5. That for the reasons stated in the preamble hereto which are hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and immediately after its passage and signature by the Mayor, or within 10 days thereafter if the Mayor neither signs nor vetoes the same.