RESOLUTION 41-2011
RESOLUTION AUTHORIZING WITHDRAWAL
FROM CONSOLIDATION LAWSUIT

WHEREAS, by Resolution 11-2011, adopted on May 23, 2011, the Board of Mayor and Aldermen authorized intervention by the City in the Consolidation Lawsuit, as defined in said Resolution; and

WHEREAS, at the time of adoption of Resolution 11-2011, it was the understanding of the Board of Mayor and Aldermen that an inter-local agreement to share the fees and costs of such intervention on a population basis was to be entered by Arlington, Bartlett, Collierville, Germantown and Millington; and

WHEREAS, the City has been informed that the other suburban municipalities have decided that there will not be a cost-sharing agreement; and

WHEREAS, by order entered October 21, 2011, the Court denied the motions of the City and the other suburban municipalities to intervene in the Consolidation Lawsuit, and some or all of the other suburban municipalities have file a motion asking the Court to reconsider its ruling;

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Millington, Tennessee, that the City shall withdraw from the Consolidation Lawsuit and shall take no part in any action related to said lawsuit after the Court's ruling of October 21, 2011.

BE IT FURTHER RESOLVED that the action of City Attorney Barbara Lapides of notifying the law firm of Adams and Reese, LLP that the City of Millington intended to withdraw from the Consolidation Lawsuit following the Court's ruling is hereby ratified and approved.

This Resolution is adopted as of the 5th day of December, 2011.

Richard L. Hodges, Mayor

Bruce Rasmussen, City Clerk and Recorder