

1 **WHEREAS**, the court has established a deadline of May 5, 2026, for the addition of new named
2 plaintiffs to the complaint, and timely action by this Board is required to preserve the City's right to
3 participate at the class level; and,

4 **WHEREAS**, the Office of the City Attorney has reviewed the proposed retainer agreement with
5 Grant and Eisenhofer, P.A., and recommends its execution; and,

6 **WHEREAS**, the Board of Directors finds that participation in this litigation is in the public interest
7 and serves the fiscal interests of the City of Little Rock and its residents.

8 **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE**
9 **CITY OF LITTLE ROCK, ARKANSAS:**

10 **Section 1. Authorization to Prosecute Affirmative Litigation.** The City Attorney is hereby
11 authorized to prosecute affirmative litigation on behalf of the City of Little Rock, Arkansas as a named
12 plaintiff in City and County of Butte-Silver Bow, et al. v. 3M Company, et al., Case No. 2:25-cv-00036-
13 BMM, pending in the United States District Court, District of Montana, Butte Division, for the purpose of
14 recovering costs incurred by the City in purchasing PFAS-contaminated firefighter turnout gear. The City
15 Attorney shall exercise supervisory oversight of this litigation at all stages.

16 **Section 2. Authorization to Execute Retainer Agreement.** The City Manager is hereby
17 authorized to execute a retainer agreement with Grant and Eisenhofer, P.A., on terms consistent with those
18 presented to the Board of Directors, including a contingency fee arrangement under which the City incurs
19 no upfront fees, costs, or expenses. Any settlement of the City's claims shall require prior approval of the
20 Board of Directors.

21 **Section 3. Authority to Take Necessary Action.** The City Manager and the City Attorney, and
22 such other City officers and employees as they may direct, are authorized to take all actions necessary or
23 appropriate to effectuate this Resolution, including executing such documents, providing such records, and
24 making such filings as lead plaintiff's counsel may require to add the City of Little Rock as a named plaintiff
25 in the referenced litigation on or before the May 5, 2026 court deadline.

26 **Section 4. Effective Date.** This Resolution shall be in full force and effect from and after its adoption.

27 **Section 5. Severability.** In the event any portion of this Resolution is declared or adjudged to be
28 invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of this
29 Resolution, which shall remain in full force and effect as if the portion so declared or adjudged invalid or
30 unconstitutional was not originally a part of this Resolution.

31 **Section 6. Repealer.** All ordinances and resolutions, and parts thereof, which are in conflict
32 with any provision of this ordinance are hereby repealed to the extent of such conflict.

33 **ADOPTED: April 28, 2026**

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1 **ATTEST:**

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4 **Allison Segars, City Clerk**

5 **APPROVED AS TO LEGAL FORM:**

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9 **Thomas M. Carpenter, City Attorney**

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APPROVED:

Frank Scott, Jr., Mayor