

1 event of a recovery; and,

2 **WHEREAS**, the City Board of Directors finds that the prosecution of these claims is in the best
3 interests of the City of Little Rock and its taxpayers, and that authorization of the contingency fee agreement
4 and the prosecution of affirmative litigation will permit the City to seek recovery of public funds without
5 cost to the General Fund.

6 **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY**
7 **OF LITTLE ROCK, ARKANSAS;**

8 **Section 1. *Authorization to Prosecute Affirmative Litigation.*** The City Attorney is hereby authorized
9 to prosecute affirmative litigation on behalf of the City of Little Rock, Arkansas, as a named plaintiff and
10 proposed class representative in In re: Fire Apparatus Antitrust Litigation, MDL No. 3179, pending in the
11 United States District Court for the Eastern District of Wisconsin, and in any associated, related, or
12 successor action, for the purpose of recovering overcharges and other damages incurred by the City in the
13 purchase of fire apparatus, together with such injunctive and equitable relief as may be available. The City
14 Attorney shall exercise supervisory oversight of this litigation at all stages.

15 **Section 2. *Authorization to Enter into a Contingency Fee Agreement.*** The City Manager is hereby
16 authorized to enter into a contingency fee agreement with Zelle LLP and Antimonopoly Counsel, as co-
17 counsel, on terms consistent with those presented to the Board of Directors, under which counsel advance
18 all litigation expenses, the City incurs no upfront fees, costs, or expenses, and counsel are compensated
19 only from a recovery obtained on behalf of the City or of a class of which the City is a member. Any
20 settlement of the City's claims shall require prior approval of the Board of Directors.

21 **Section 3. *Authority to Take Necessary Action.*** The City Manager and the City Attorney, and such
22 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, preserving and producing
24 such records, and making such filings and appearances as lead plaintiffs' counsel may require to add the
25 City of Little Rock as a named plaintiff and proposed class representative in the referenced proceedings.

26 **Section 4. *Severability.*** In the event any title, section, paragraph, item, sentence, clause, phrase, or
27 word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or
28 adjudication shall not affect the remaining portions of the resolution which shall remain in full force and
29 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
30 resolution.

31 **Section 4. *Repealer.*** All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
32 the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

33 **ADOPTED: AUGUST 4, 2026**

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ATTEST:

APPROVED:

Allison Segars, City Clerk

Frank Scott, Jr., Mayor

APPROVED AS TO LEGAL FORM:

Thomas M. Carpenter, City Attorney

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