

1 [Closed Session – Anticipated Litigation – Public Financing Law]

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3 **Motion that the Board of Supervisors convene in closed session on September 27,**  
4 **2011, to consult with Legal Counsel for the purpose of conferring with, or receiving**  
5 **advice from, Legal Counsel regarding anticipated litigation involving the City's public**  
6 **financing law (Campaign and Governmental Conduct Code Section 1.144) in light of**  
7 **Arizona Free Enterprise Club's Freedom PAC et al. v. Bennett, U.S. Supreme Court**  
8 **Case No. 10-238. Government Code Section 54956.9(b) and San Francisco**  
9 **Administrative Code Section 67.10(d)(2) permit this closed session because discussion**  
10 **in open session concerning this matter would likely and unavoidably prejudice the**  
11 **position of the City in the anticipated litigation.**

12  
13 WHEREAS, This closed session is held pursuant to Government Code Section  
14 54956.9(b), and Administrative Code Section 67.10(d)(2); now, therefore, be it

15 MOVED, That the Board of Supervisors convene in closed session on September 27,  
16 2011, to consult with Legal Counsel for the purpose of conferring with, or receiving advice  
17 from, Legal Counsel regarding anticipated litigation involving the City's public financing law  
18 (Campaign and Governmental Conduct Code Section 1.144) in light of Arizona Free  
19 Enterprise Club's Freedom PAC et al. v. Bennett, U.S. Supreme Court Case No. 10-238.  
20 Government Code Section 54956.9(b) and San Francisco Administrative Code Section  
21 67.10(d)(2) permit this closed session because discussion in open session concerning this  
22 matter would likely and unavoidably prejudice the position of the City in the anticipated  
23 litigation.



**City and County of San Francisco**

**Tails**

**Motion: M11-143**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 111044

**Date Passed:** September 27, 2011

Motion that the Board of Supervisors convene in closed session on September 27, 2011, to consult with Legal Counsel for the purpose of conferring with, or receiving advice from, Legal Counsel regarding anticipated litigation involving the City's public financing law (Campaign and Governmental Conduct Code Section 1.144) in light of Arizona Free Enterprise Club's Freedom PAC et al. v. Bennett, U.S. Supreme Court Case No. 10-238.

Government Code Section 54956.9(b) and San Francisco Administrative Code Section 67.10(d)(2) permit this closed session because discussion in open session concerning this matter would likely and unavoidably prejudice the position of the City in the anticipated litigation.

September 27, 2011 Board of Supervisors - APPROVED

Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

File No. 111044

**I hereby certify that the foregoing Motion was APPROVED on 9/27/2011 by the Board of Supervisors of the City and County of San Francisco.**

A handwritten signature in black ink, appearing to read "Angela Calvillo", written over a horizontal line.

Angela Calvillo  
Clerk of the Board