

OP ED

Out of Town Lawyers Out to Clean Out Colfax

They're bent on picking the pockets of Colfax.

By Bruce Kranz, City Manager

On Wednesday night the City Council of the City of Colfax unanimously declared the city faced unreasonable hardship, even bankruptcy, if it were not allowed to make installment payments on massive monetary judgments impending against the city.

The citizens and taxpayers of Colfax deserve to know the truth about lawsuits against the city.

Lawyers for Clean Water are surely all for cleaning up Colfax...and then some.

As is well-known to the poor citizens of the city, Colfax has been struggling for some years to clean up an old tired, leaking sewage system. The City has borrowed money, increased fees and received grants to build a new state of the art sewage treatment plant and now to begin to replace miles of old pipes, both public and private. Under existing law the new plant must produce water cleaner--in the case of copper 100 times cleaner--than drinking water. That's the law and Colfax plant complies, but its pipes do not. There is a long way, many miles of pipe, and many million dollars to go, but the City is trying to do the best it can to comply with the law and protect the public's health.

In the midst of this mess and fiscal nightmare, Lawyers for Clean Water, have flown into town, allegedly to assist damaged neighbors suing the city. In fact, San Francisco based lawyers paid \$550 an hour, eating a celebratory \$125 lunch at *IL Fornaio* and giving 40% tips are acting like vultures feasting upon Colfax like it was road kill. Perhaps they think they are dealing with country mountain hicks who won't catch what they are doing.

Lawyers for Clean Water, doing business as Environmental Law Foundation, might be more accurately called Lawyers to Clean Out Colfax. They seem bent on picking the pockets of Colfax.

Instead of honoring a contract, a settlement, they signed to limit attorney fees, they are demanding fees and costs more than triple the settlement cap they previously agreed to. They are demanding exorbitant attorney fees, as much as \$550 an hour and reimbursements for costs such as \$125 lunches. They are demanding preemptive, immediate payment for services not yet completed in the ongoing case and without a hearing to determine the reasonableness of their fees and costs. They are double billing, back billing, the city's taxpayers for services for which they have already been paid. They want to pay an apprentice lawyer with 18 months experience in environmental law \$350 an hour. They are claiming lawyer time well over twice that of the City's attorney doing the same work, on the same motions on the same case. They want to be paid unsubstantiated, undocumented and unexplained cost for computers, travel, research economist, meals etc.

We are appealing to the judge to hold payments until the end; cap fees to limit agreed to in the settlement; accept reasonable fees for lawyers in Sacramento region rather than San Francisco; and to allow the city to pay annual installments.

Lawyers ought to be paid reasonable fees and no more.

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