

RESOLUTION NUMBER 05 - 05

**RESOLUTION AUTHORIZING THE
VILLAGE OF EAST DUNDEE TO OPT
OUT OF CLASS ACTION LITIGATION
AGAINST FORD MOTOR COMPANY**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, the Village of East Dundee is a plaintiff in a class action lawsuit in the 20th Judicial Circuit, County of St. Clair, State of Illinois, along with all counties, municipalities, and public agencies within the State of Illinois who have purchased and/or leased Ford Crown Victoria Police Interceptors ("CVPI") and currently use those vehicles for law enforcement purposes; and

WHEREAS, defendant, FORD MOTOR COMPANY, is presently refusing to sell CVPI's to the Village of East Dundee because it is a member of the class; and

WHEREAS, the corporate authorities of the Village of East Dundee have determined that it is advisable, necessary and in the public interest that the Village opt out of the class to purchase new CVPI's; and

WHEREAS, the Village of East Dundee desires to retain special counsel in the 20th Judicial Circuit, County of St. Clair, for purposes of opting out of said class.

NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the Village of East Dundee retain as its special counsel, Larry O. Brockman, 5 Executive Woods Court, Swansea, IL 62226, in the 20th Judicial Circuit, County of St. Clair, in the matter of ST. CLAIR COUNTY and CITY OF CENTERVILLE, individually and on behalf of all similarly situated vs. FORD MOTOR COMPANY, Case No. 2003 L 115, and that he be authorized and directed to take all actions necessary to secure the dismissal of the Village of East Dundee from said class action lawsuit.

Section Two. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section Three. Repeal. All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

Section Four. Publication. This resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 21st day of February, 2005, pursuant to a roll call vote as follows:

AYES: Zaeste, Buffalo, Bartels, Schock, VanOstenbridge, Scarpelli

NAYES: None

ABSENT: None

Approved by me this 21st day February, 2005.

Roger W Ahrens
ROGER AHRENS, President

Published in pamphlet form this 23rd day of February, 2005, under the authority of the President and Board of Trustees.

ATTEST:

Jane E. Theis

JANE THEIS, Village Clerk

Recorded in the Village Records on February 23rd, 2005.

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