

RESOLUTION NO. 2018- 11

A RESOLUTION AUTHORIZING EXECUTION OF ENGAGEMENT LETTER WITH THRASH LAW FIRM P.A. AND OTHERS TO FILE A MOTION TO INTERVENE IN A LAWSUIT AGAINST ONLINE TRAVEL COMPANIES FOR GROSS RECEIPT TAXES OWED THE CITY OF JOHNSON.

WHEREAS, the Pine Bluff Advertising and Promotion Commission filed suit in Jefferson County, Arkansas, in an attempt to collect gross receipts taxes from online travel companies;

WHEREAS, the Circuit Court has opened a window of time, expiring September 11, 2018, for other Arkansas Cities to intervene where the City may be owed gross receipts taxes by those online travel companies;

WHEREAS, there are two hotels in the City which frequently accommodate visitors from all over Arkansas and from other States and Countries;

WHEREAS, the City has received a proposed Letter of Agreement (see attached) to engage the Thrash Law Firm, P.A. along with other attorneys for the Plaintiffs, to represent the City in that proceeding; and,

WHEREAS, there are no fees or expenses for which the City will be responsible to join such litigation and the Council desires to seek to join such litigation.

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF JOHNSON, ARKANSAS, That:

Section 1: That the City is very likely owed funds by online travel services for gross receipts taxes on bookings at hotels in Johnson.

Section 2: That the attached Letter of Agreement for representation of the City of Johnson by Thrash Law Firm, P.A. and others in the matter of Pine Bluff Advertising and Promotion Commission, et al vs. Hotels.com, et al in Jefferson County, Arkansas, is hereby approved.

Section 3: That daniel wright, as City Attorney, is hereby authorized to execute such Letter of Agreement on behalf of the City and transmit same to Thrash Law Firm, P.A.

to obtain the services of said firm and others in seeking to intervene in and prosecute the claim of the City in such litigation against the Defendants.

PASSED AND APPROVED this 14th day of August, 2018.

APPROVED:



CHRIS KEENEY, Mayor

ATTEST:



JENNIFER ALLEN, Recorder-Treasurer



THRASH LAW FIRM, P.A.
1101 Garland Street
Little Rock, AR 72201

Thomas P. Thrash
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Facsimile: 501-374-2222

July 17, 2018

Via E-Mail: dw77law@gmail.com

Danny Wright
City of Johnson
P.O. Box 8203
Fayetteville, AR 72703

Re: *Pine Bluff A&P Commission, et al v. Hotels.com, et al*
Intervention and Claim

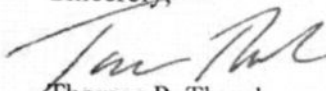
Dear Mr. Wright:

Please allow this letter to confirm your request that we represent the interest of the City of Johnson, as an Intervenor and Claimant in the above referenced case. Your execution and approval of this *Letter of Agreement* will represent our authority to proceed with your intervention and claim in the above-described litigation.


You will not be responsible for any attorneys' fees or expenses. We will advance all expenses and deduct the expenses from any recovery in this case. Any award of legal fees and expenses will be determined and approved by the Court and will be paid from the overall recovery in this case. The attorneys representing the Plaintiffs and Intervenors in this case include: Thrash Law Firm, P.A., 1101 Garland Street, Little Rock, Arkansas 72201; Williams & Anderson PLC, 111 Center Street, Suite 2200, Little Rock, AR 72201; The Finnell Firm, PO Box 63, Rome, GA 30162-0063; and Bird Law Group, P.C., 2170 Defoor Hills Road NW, Atlanta, GA 30318.

If this accurately represents our agreement, please acknowledge your approval by your signature below.

Sincerely,


Thomas P. Thrash

APPROVED AND AGREED TO:



Danny Wright, City Attorney
City of Johnson