

## Official Statement

On

### Pil Orbison Litigation and Related Claims for Compensation

The City of Hercules is appropriately defending against litigation initiated by local resident Pillar Lee Orbison, aka Pil Orbison, and her Bay Area Diversified Tennis Foundation. The litigation names nine current and former public officials as defendants, and includes one private citizen. The crux of her claim is that the City owes her money for consulting work she claims to have performed on behalf of the City. The lawsuit has been filed in Contra Costa Superior Court as Case No. MSC16-00638.

It is the City's position that the litigation is being pursued by the Plaintiff for personal enrichment and gain at the expense of City taxpayers. Public records show that since 1991, Ms. Orbison has been involved in 60 or more law suits in five Bay Area counties. This includes four prior small claims actions that she has filed against Hercules that have all been dismissed by the courts.

We believe the court will dismiss the current lawsuit, because there is simply no merit to Plaintiff's claims. These lawsuits divert resources from other priorities and projects which would benefit the community. Due to the pending lawsuit the City will not comment in detail, except to make the following points in support of the City's position that the City owes no money to Ms. Orbison whatsoever:

- The City never sought her services, has never entered into a contract with Ms. Orbison or her non-profit, and she was never authorized to pursue projects or funding on the City's behalf;
- The City has fully responded to all Public Records Act requests made by Ms. Orbison;
- The City does not have any of her documents or plans, as whatever was submitted on an unsolicited basis in the past was returned;
- The City has not applied for any grants based on Ms. Orbison's unsolicited proposals or documents;
- The City has never used any of her unsolicited proposals or plans to undertake any work whatsoever;
- The City has consistently demanded that Ms. Orbison stop representing that she is authorized to undertake work, solicit funding, or engage in any activities on behalf of the City.

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The foregoing Official Statement was approved for distribution at a regular meeting of the City Council of the City of Hercules held on the eleventh day of October, 2016, by the following vote of the Council:

AYES: D. Romero , M. de Vera, C. Kelley, B. Kelly, S. McCoy