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**First Responders File Suit against Dallas Mayor, City Manager
and City Council Members**

Individual Lawsuits Continuation of Litigation Surrounding 1979 Referendum

DALLAS, Texas—May 6, 2010—City of Dallas fire fighters and police officers filed suit today against the Mayor of Dallas, the City Manager and City Council members in an attempt to resolve litigation pending for 16 years. The long delayed and ongoing litigation revolves around the City of Dallas' refusal to pay these First Responders what they are owed under a 1979 voter-approved referendum.

"City of Dallas attorneys invited these individual suits against City of Dallas officials," said Terry Scarborough, lead trial attorney representing the Dallas First Responders. "We had no choice but to serve the mayor himself and other city officials with the lawsuit after City attorneys told us we could not file suit against the City itself and had to instead file against City officials."

Dallas police officers and fire fighters initially filed suit against the City of Dallas when the City failed to honor a 1979 voter-approved referendum involving pay for the First Responders. June 30, 2010 marks the 16th anniversary of this litigation, which the City of Dallas has intentionally delayed with countersuits and other legal maneuverings.

"We filed individual suits against the Dallas mayor and city administrators in our attempt to have this never-ending case resolved," said James Wallace, a retired Dallas police sergeant who served on the force for 40 years. "We hope the mayor sees this latest development as an opportunity to honor the loyal service of First Responders to the City and its citizens by helping bring this case to an amicable resolution once and for all."

"It's certainly disappointing to say that the City would not try to resolve this for their First Responders. They owe a lot to their First Responders, and they've made no effort through their lawyers to bring this to a resolution," continued Scarborough. "The City is simply looking for its way out legally rather than stepping up to the plate, doing the right thing by their First Responders and reaching a resolution both sides can live with."

The individual suits against the mayor and other city officials are in response to the May 1, 2009 Texas Supreme Court ruling in *Heinrich v. The City of El Paso*. The Court held in the *Heinrich* opinion that citizens suing their government must sometimes sue government officials rather than the government itself for acting beyond their authority.

Today's filing asserts that the government officials in Dallas are liable for their unlawful acts, not the City itself, as dictated by the Court's ruling in *Heinrich*.

"I strongly believe that 16 years of litigation is too much," said Joe Betzel, Dallas fire fighter. "Today's lawsuit is our attempt to see justice finally served in this case that the City of Dallas has ceaselessly delayed."

In 1979, the City of Dallas passed an ordinance to implement a voter-approved referendum involving pay for the City's First Responders, including police officers and fire fighters. First Responders first filed suit against the City when the City failed to honor its ordinance.

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