

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

September 23, 2025

**FROM**

**TOM BUNTON, County Counsel**

**SUBJECT**

Purchase Order with Miller Barondess, LLP for Specialized Legal Services

**RECOMMENDATION(S)**

Authorize the Purchasing Agent to increase Purchase Order No. 4100423139 with Miller Barondess, LLP by \$1,500,000, from \$200,000 to a not-to-exceed amount of \$1,700,000, to continue specialized legal services in connection with the federal court action titled *Marlon Johnson, et al. v. County of San Bernardino, et al.* (Four votes required).  
(Presenter: Tom Bunton, County Counsel, 387-5455)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Sufficient appropriation has been included in the 2025-26 marLitigation budget (1340001000) and will be included in future recommended budgets, as necessary.

**BACKGROUND INFORMATION**

*Johnson v. County of San Bernardino* is a class action case. Plaintiffs allege the County did not change its strip search practices after the prior lawsuit that concluded in 2008. There are 7 plaintiffs. Trial is scheduled for September 25, 2025.

On May 29, 2025, the Purchasing Department approved Purchase Order No. (PO) 4100414413 in the amount of \$20,000 to retain Miller Barondess LLP to provide specialized legal services. PO 4100414413 has been fully expended. On July 21, 2025, Purchasing approved a new PO 4100423139 with Miller Barondess LLP in the amount of \$200,000. This second purchase order has also been fully expended. Outside counsel projects costs for this matter will be approximately \$1,500,000 through the end of the fiscal year 2025-26.

Pursuant to Title 1, Division 2, Chapter 19, section 12.1908 of the County Code and County Policy 11-04, County Counsel is authorized to select and retain, through a Purchase Order, specialized legal counsel for a particular matter not-to-exceed \$200,000 per fiscal year. Contracts for specialized legal services in excess of \$200,000 per fiscal year require four votes approval from the Board of Supervisors per Government Code section 25203.

Approval of this item will increase PO 4100423139 by \$1,500,000 and allow the County to continue to utilize Miller Barondess LLP for the specialized legal services in the Action.

**Purchase Order with Miller Barondess, LLP for Specialized Legal  
Services  
September 23, 2025**

**PROCUREMENT**

Not applicable.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Laura Feingold, Chief Assistant County Counsel, 387-5455) on August 18, 2025; Risk Management (Gregory Ustaszewski, Staff Analyst, 386-9008) on August 20, 2025; Purchasing (Jessica Barajas, Supervising Buyer, 387-2065) on August 20, 2025; and County Finance and Administration (Penelope Chang, Principal Administrative Analyst, 387-4886) on August 22, 2025.

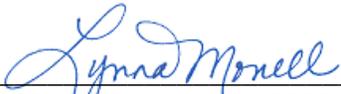
**Purchase Order with Miller Barondess, LLP for Specialized Legal  
Services  
September 23, 2025**

Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Joe Baca, Jr. Seconded: Curt Hagman  
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: September 23, 2025



cc: File - County Counsel  
CCM 10/2/2025