

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of the Attorney General**



**ATTORNEY GENERAL**  
**BRIAN L. SCHWALB**

November 1, 2023

The Honorable Phil Mendelson, Chairman  
Council of the District of Columbia  
John A. Wilson Building  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, DC 20004

Dear Chairman Mendelson:

Enclosed for consideration and approval by the Council of the District of Columbia is proposed emergency legislation, the “Contract No. DCCB-2023-F-0043 with Edelson PC Approval and Payment Authorization Emergency Act of 2024,” and an accompanying emergency declaration resolution to approve the award of the proposed definitive multiyear Contract Number DCCB-2023-F-0043 to Edelson PC.

From time to time, the Office of the Attorney General (OAG) requires the assistance of outside counsel to carry out its mission. Drawing on the resources of specialized outside counsel allows OAG to vastly expand the types of cases it can bring and the rights it can enforce. Outside counsel services are especially helpful in matters involving complex facts and legal theories, often with national or multi-national targets. This contract arranges for Edelson PC to provide OAG with outside legal services to pursue Consumer Protection Procedures Act claims against Meta Platforms, Inc. and Instagram, LLC related to their use of deceptive and unfair trade practices that target and harm children.

The contract is a definitive multi-year, contingency-fee contract. With contingency-fee contracts, the amount the contractor will receive depends on if and when the District realizes a monetary recovery; the contractor will not receive any compensation for the costs it incurs or for the services it provides if the District never realizes a monetary recovery. The not-to-exceed amount of this contract is \$55 million, and the base period of performance is from the date of award through five years thereafter. This contract will definitize a letter contract awarded on August 17, 2023.

If you have any questions, please contact Deputy Attorney General Candyce Phoenix at (202) 788-2066 or [Candyce.Phoenix@dc.gov](mailto:Candyce.Phoenix@dc.gov). I look forward to favorable consideration of this contract.

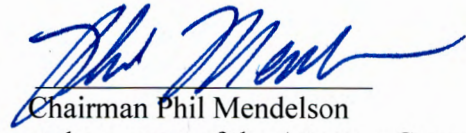
Sincerely,

A handwritten signature in blue ink, appearing to read "B. Schwalb", with a stylized, cursive script.

Brian L. Schwalb  
Attorney General

Enclosures

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Chairman Phil Mendelson  
at the request of the Attorney General

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to approve multiyear Contract No. DCCB-2023-F-0043 with Edelson PC to provide legal services to the Office of the Attorney General.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Contract No. DCCB-2023-F-0043 with Edelson PC Emergency Declaration Resolution of 2023".

Sec. 2. (a) There exists a need to approve multiyear Contract No. Contract No. DCCB-2023-F-0043 with Edelson PC to provide legal services to the Office of the Attorney General for a consumer protection matter.

(b) Because this is a multiyear contract and involves expenditures in excess of \$1 million during a 12-month period, Council approval of this contract is required by section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51).

(c) Council approval is necessary to allow the continuation of these vital services.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Contract No. DCCB-2023-F-0043 with Edelson PC Approval and Payment Authorization Emergency Act of 2023 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.