

A CEREMONIAL RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To recognize the Council of the District of Columbia’s *pro bono* counsel, Karen L. Dunn and Brian D. Netter, for their contributions to the advancement of autonomy in the District of Columbia by successfully defending the Local Budget Autonomy Act, and for their distinguished service to the District of Columbia.

WHEREAS, in December 2012 the Council of the District of Columbia adopted the Local Budget Autonomy Act of 2012 (“Budget Autonomy Act”), a Home Rule Charter amendment that permits the District to spend its own tax-and-fee revenues, which was subsequently ratified, on April 23, 2013, by District voters 2013 with 83 percent approving the amendment;

WHEREAS, in early 2014, during consideration of the Fiscal Year 2015 budget, the then-Mayor and the Chief Financial Officer made known their intent not to comply with the Budget Autonomy Act, immediately throwing into disorder the ongoing budget adoption process;

WHEREAS, in February 2014 the Council engaged the services Bois, Schiller & Flexner LLP Partner Karen L. Dunn and Mayer Brown LLP Partner Brian D. Netter to

38 advise the Council, and to defend the Budget Autonomy Act and the will of the District
39 residents that approved the underlying Charter amendment;

40 WHEREAS, in April 2014, the Council, represented by Ms. Dunn and Mr. Netter,
41 initiated a suit against the Mayor and Chief Financial Officer seeking declaratory and
42 injunctive relief;

43 WHEREAS, Ms. Dunn graduated *magna cum laude* from Brown University, received
44 her J.D. from Yale Law School, and has an extensive record of government service having
45 served in all three branches in government: as Associate Counsel to President Barack
46 Obama; as an Assistant United States Attorney for the Eastern District of Virginia; as
47 Communications Director and Senior Advisor to Senator Hillary Rodham Clinton; and as a
48 law clerk first to Judge Merrick B. Garland of the United States Court of Appeals for the D.C.
49 Circuit, then to Justice Stephen G. Breyer of the Supreme Court of the United States;

50 WHEREAS, Ms. Dunn is currently a Partner at Bois, Schiller & Flexner LLP and has
51 been recognized both locally and nationally for her work on high-profile civil and criminal
52 litigation as well as strategic counseling and crisis management;

53 WHEREAS, Mr. Netter graduated *summa cum laude* from the University of
54 Michigan, received a Master of Science in Engineering from the University of Michigan,
55 received his J.D. from Yale Law School where he served as Reviews Editor for the Yale Law
56 Journal and received multiple awards in moot court competition, and has had an impressive
57 career that includes serving as a law clerk first to Judge Judith W. Rogers of the United
58 States Court of Appeals for the D.C. Circuit, then to Justice Stephen G. Breyer of the
59 Supreme Court of the United States, as well as serving as counsel in a number of high-profile
60 cases on constitutional law and a range of other issues;

61 WHEREAS, Mr. Netter is currently a Partner at Mayer Brown LLP where he is co-
62 leader of the firm’s Supreme Court and Appellate group and has been recognized both locally
63 and nationally for his work in appellate litigation;

64 WHEREAS, Ms. Dunn and Mr. Netter – who married in 2009 – collaborated as a legal
65 team for the first time in order to litigate on behalf of the Council and the people of the
66 District of Columbia, and to defend the Budget Autonomy Act;

67 WHEREAS, Ms. Dunn and Mr. Netter, working on a *pro bono* basis, worked tirelessly
68 over the course of two years, as the litigation moved through different forums and with
69 changes to parties involved, making oral arguments before the United States District Court
70 for the District of Columbia and the United States Court of Appeals for the District of
71 Columbia, and submitted countless briefs and motions in both federal and District courts on
72 behalf of the Council;

73 WHEREAS, Ms. Dunn and Mr. Netter spent countless hours reviewing and
74 scrutinizing documents in various archives relating to the enactment of the Home Rule Act,
75 and pursuing interviews with current and former members of Congress and staff;

76 WHEREAS, Ms. Dunn and Mr. Netter provided zealous advocacy for the Council,
77 spending nearly two years in complex and time-consuming litigation, all in effort to advance
78 the will of District voters and the morally correct position that underlies the Budget
79 Autonomy Act;

80 WHEREAS, in March 2016, after taking a long and circuitous route through the
81 courts, the litigation over the Budget Autonomy Act was resolved with the Superior Court of
82 the District of Columbia order upholding the validity of the Act and stating that the Council,
83 the Mayor, and the District voters lawfully exercised their collective power to gain control
84 over expenditure of local funds;

85 WHEREAS, the Council of the District of Columbia, and the residents of the District
86 of Columbia, owe Ms. Dunn and Mr. Netter a debt of gratitude for the exemplary service and
87 tireless efforts to advance local autonomy; and

88 WHEREAS, the Council of the District of Columbia recognizes the distinguished
89 service of Ms. Dunn and Mr. Netter in defense of the Budget Autonomy Act, having been the
90 Council’s distinguished counsel since the very beginning.

91 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this
92 resolution may be cited as the “Karen L. Dunn and Brian D. Netter Distinguished Service to
93 the District of Columbia Recognition Resolution of 2016”.

94 Sec. 2. The Council of the District of Columbia recognizes and honors Karen L. Dunn
95 and Brian D. Netter for their defense of the Local Budget Autonomy Act of 2012 and their
96 advancement of autonomy for, and service to, the District of Columbia.

97 Sec. 3. This resolution shall take effect immediately upon the first date of publication
98 in the District of Columbia Register.