

RESPONSE TO REQUEST FOR QUALIFICATIONS
TO ADVISE AND REPRESENT THE TOWN OF
GARDNERVILLE IN CONJUNCTION WITH ALL
GENERAL CIVIL LEGAL MATTERS

Dated: September 19, 2016

Submitted by:

Allison • MacKenzie, Ltd.
402 North Division Street
P. O. Box 646
Carson City, NV 89702

Phone: (775) 687-0202
Facsimile (775) 882-7918

Contact Person: Ryan D. Russell, Esq.
Nevada Bar No.: 8646





ALLISON · MACKENZIE

MIKE PAVLAKIS
KAREN A. PETERSON
JAMES R. CAVILIA
CHRIS MACKENZIE
DAWN ELLERBROCK
RYAN D. RUSSELL
JOEL W. LOCKE
JUSTIN TOWNSEND
THORAN TOWLER
S. JORDAN WALSH
KYLE A. WINTER

GEORGE V. ALLISON
ANDREW MACKENZIE
PATRICK V. FAGAN
CHARLES P. COCKERILL
JOAN C. WRIGHT
OF COUNSEL
MIKE SOUMBENIOTIS

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ANDREW MACKENZIE
PATRICK V. FAGAN
CHARLES P. COCKERILL
JOAN C. WRIGHT
OF COUNSEL
MIKE SOUMBENIOTIS
(1932-1997)

September 19, 2016

Mr. Thomas Dallaire, P.E.
Town Manager
Town of Gardnerville
1407 Highway 395 N.
Gardnerville, NV 89410

**RE: Response to Request for Qualifications to Advise and Represent the
Town of Gardnerville in Conjunction with All General Civil Legal
Matters**

Dear Mr. Dallaire:

It is with pleasure that we submit this Response to the Request for Qualifications to Advise and Represent the Town of Gardnerville in Conjunction with All General Civil Legal Matters.

As a matter of introduction, the law office of Allison • MacKenzie, Ltd., is what we modestly describe as a traditional, business oriented firm, with substantial involvement in both local and state government, in addition to the general practice needs of our clients. Our work includes general civil matters along with state agency and regulatory work. This firm has deep roots in Northern Nevada. The overriding majority of our attorneys are lifelong residents of Northern Nevada, and we all feel our roots firmly here. Indeed, the contact person for this proposal, Ryan Russell, is a fourth generation Carson City resident. His great grandfather made a career running the train from Reno to Minden as an engineer/fireman for the V&T Railroad. He was the fireman on the V&T's last commercial trip to Minden in the early 1950's. In fact, Ryan's wife was born and raised in Minden, and his mother-in-law continues to make Minden her home.

We are very proud of the accomplishments of our former members, including former United States Senator Paul Laxalt, United States Representative Mark Amodei, Senior United States Ninth Circuit Court of Appeals Judge Melvin Brunetti, First Judicial District Court Judge J. Todd Russell, and former Interstate Commerce Commission chairman Reese Taylor. Our current members are actively involved in professional and other organizations in our community. Attorneys within the firm hold or have held positions in the State Legislature, on the State Judicial Selection Committee, Nevada Commission on Ethics, Nevada Law Foundation, the State Board of Bar Examiners, the State Practice and Procedure Committee, Disciplinary Committee, and three of our members, Joel Locke, Karen Peterson, and Ryan Russell are appointed as Judges Pro Tempore. In fact, Ryan

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Russell is Carson City's current elected member of the State Bar of Nevada's Board of Governors. Members of the firm serve or have served on the Carson City Redevelopment Authority, Nevada Wildlife Commission, Natural Resources Advisory Board, Historical Architectural Review Committee, The Carson City Airport Advisory Committee, Saferide, the Board of Directors of the Boys and Girls Club of Western Nevada, Special Olympics, Soroptimist International, Carson City Water Management Board, Rotary, CASA, and a variety of other charitable and community involved programs.

We understand that the Town of Gardnerville is seeking to contract for professional legal services to advise and represent the Town in conjunction with all general civil legal matters. In furtherance of our desire to provide such legal services, we offer the following in response to the specific questions posed in the Town's application:

Ryan Russell will be the primary attorney from our firm to provide general legal services to the Town, including representing the Town Board and Town Officials. Ryan will attend all general and special meetings of the Town Board and ensure compliance with the open meeting law and ethics in government. Ryan will provide legal advice and written opinions as needed, and further represent the Town in general civil matters including Town services, planning, litigation, and other government civil issues.

Ryan graduated from the University of Nevada, Reno, in 2000 with a Bachelor's degree in Human Resource Management. He further graduated from the University of Nevada, Las Vegas William S. Boyd School of Law in 2003. Ryan clerked for the Honorable William A. Maddox prior to accepting a position with the firm in 2004. Since joining the firm, Ryan has represented a number of business, individual and government clients. Ryan has provided legal services as general counsel for the Town of Minden, Sierra Surgery Hospital, Pershing County and Storey County School District, and has further assisted in the general representation of Carson Tahoe Health, the Carson City School District, the State Board of Engineers, and the Eureka County School District. He has further served as president and continues as a board member of the Boys and Girls Club of Western Nevada, as a former board member of the Nevada Law Foundation, as a former associate member of the Bruce R. Thompson Inns of Court, as a current Judge Pro Tempore, a current member of the Fellows of the American Bar Foundation, and as a current member of the State Bar of Nevada's Board of Governors. Ryan is admitted to practice in all courts in the State of Nevada as well as in the Ninth Circuit Court of Appeals. Ryan is a member of the American Bar Association, the Washoe County Bar Association, the First Judicial District Bar Association (Carson City) and the Ninth Judicial District Bar Association (Douglas County). Ryan's resume is enclosed herewith.

Joel Locke will be the primary back-up attorney for Ryan. Joel will be continuously apprised of things happening with Gardnerville, so that in the event Ryan is unable to attend a particular meeting, or otherwise provide an immediate response to any need of the Town, the Town's

representation will continue seamlessly. There will be no duplication of services, nor charge for remaining apprised of the status of Gardnerville's representation.

Joel graduated from the University of Nevada, Reno in 2000 with a Bachelor's degree in Finance. He further graduated from Gonzaga University College of Law in 2006. Joel clerked for the Honorable William A. Maddox prior to accepting a position with the firm in 2007. He has experience in real property, administrative law, and components of water law. He has litigated disputes involving title to real property, violations of the Federal Safe Drinking Water Act, and working with state and federal administrative agencies on licensing, regulation and enforcement of drinking water standards. In addition to serving a number of individual, businesses, and governmental clients, Joel continues as a Judge Pro Tempore, and was further awarded and recognized by the State Bar of Nevada for his pro bono service. Joel is licensed to practice in all courts in the State of Nevada, and is further a member of the American Bar Association, Washoe County Bar Association, First Judicial District Bar Association and Ninth Judicial District Bar Association. Joel's resume is enclosed herewith.

In addition to Ryan and Joel, our entire firm stands ready, willing and able to perform legal services on behalf of the Town. All of our attorneys meet the bar admission requirements of the Request for Qualifications. More importantly, our attorneys have unique and valuable experience which will be invaluable to the Town. Some examples include the following:

Mike Pavlakis, our senior partner, has a wealth of experience representing public, private, and governmental clients. Mike has provided legal services to various school districts throughout the State for nearly twenty years. Additionally he has represented Carson Tahoe Regional Healthcare since its time as a county hospital. Mike is an authority on ethics in government and the open meeting law.

Karen Peterson is our foremost authority on water law. Karen has represented private businesses, individuals and governmental entities in all aspects of water related matters (surface and groundwater) in Nevada, including matters in State and Federal Courts and before the Nevada State Engineer, involving water right appropriations, transfers, contested hearings, due diligence and transactional matters. Our firm, and Karen in particular, has also represented private water and sewer utilities before the Public Utilities Commission of Nevada in all aspects of public utility related matters, including rate making, environmental applications and tariff approvals. Karen further provides legal services as general counsel for the Nevada State Board of Accountancy.

Jim Cavilia is our foremost authority on real estate development law, real estate title, secured collections, land use, real estate transactions, and business law. Along with Karen Peterson, Jim is also an experienced authority on water law. Jim has represented clients including the Public Employees Retirement System (real estate investments), the Douglas County Sewer Improvement District, Nevada Land and Resource Company, and Vidler Water Company.

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The attorneys in our firm have the collective experience necessary to facilitate any civil need the Town may have, from basic day to day representation to the most complicated civil issue. We act as general counsel for the Town of Minden, Storey County School District, Carson City School District; Carson Tahoe Regional Healthcare; Douglas County Sewer Improvement District; the State Board of Engineers; the State Board of Accountancy; Carson Medical Group; and Vidler Water Company, along with many other private, individual, and governmental clients. A list of these representative clients along with their respective contact information is enclosed herewith.

We stand ready, willing, and able to perform the legal services necessary as general counsel for the Town of Gardnerville. As to the charges for our services, we will bill for legal services at the following rates: All partners in the firm, including Ryan Russell, will provide any necessary legal services at the rate of \$250 per hour. Any associate providing services will do so at the rate of \$225 per hour. Any paralegal or law clerk providing services will do so at the rate of \$125 per hour. However, we will bill the Town a flat rate of \$250, or one hour, for attendance at the regular monthly meeting of the Board. We bill monthly for our services with a detailed invoice setting forth time spent on behalf of the Town by each timekeeper.

The Town will not be charged for duplicate services, nor will the Town be charged for time spent in updating attorneys within the firm of the Town's needs. Indeed, Ryan Russell will be the primary contact for the Town, and he will keep the firm fully apprised of the Town's representation. On that basis, at any given time, the Town will have at least two of our attorneys ready and able to address any of its needs. In addition, to the extent that the Town would benefit from the unique experience of any of our attorneys on any particular matter, we will be ready and prepared to provide all necessary services. The Town will never suffer from a lapse in representation, a lack of ability, or a lack of availability.

Thank you for the opportunity to submit this proposal. If you have any questions, or if you require any additional information or clarification, please let us know. We would be happy to meet with you, any member of the Town Board, its appointed selection committee, or staff. Otherwise, by my signature, I certify that the information contained in this application is complete and accurate, to the best of my knowledge and belief. We look forward to hearing from you, and again, we appreciate the opportunity to submit this proposal, and we are excited to have the opportunity to provide legal services to the Town of Gardnerville.

Sincerely yours,

ALLISON • MACKENZIE, LTD.

By:



RYAN D. RUSSELL, ESQ.

encls.

RESUMES

RYAN D. RUSSELL, ESQ.

SUMMARY OF QUALIFICATIONS

Attorney, AV Preeminent Peer Review Rated by the Martindale Hubble Law Directory, with over thirteen (13) years of legal experience focused in areas such as government, civil litigation, contracts, and education, primarily providing general legal services to business and governmental entities. Licensed to practice in all State and Federal Courts in the State of Nevada as well as the Ninth Circuit Court of Appeals.

LEGAL EXPERIENCE

Allison MacKenzie, Ltd.

Shareholder, 2010 to present

Associate, 2004 to 2010

- Represent various public and private entities and their respective governing boards. Representative clients include: the Town of Minden, Storey County School District, Carson City School District, and Carson Tahoe Health
- Successfully litigated and settled complex legal matters
- Successfully negotiated Interlocal Agreements

Carson City Justice and Municipal Courts

Judge Pro Tempore, 2010 to present

- Preside over matters before the Carson City Justice and Municipal Courts.

Carson City Juvenile Court

Special Master, 2011 to present

First Judicial District Court of Nevada

Law Clerk for the Honorable William A. Maddox, 2003 to 2004

EDUCATION

University of Nevada, Las Vegas, William S. Boyd School of Law

Juris Doctor

- Summer Externship, First Judicial District Court of Nevada
- Summer Clerkship, Office of the Attorney General, Carson City, Nevada

University of Nevada, Reno

Bachelor of Science, Business Administration with an emphasis on Human Resource Management

- Human Resources Internship, Eldorado Hotel/Casino, Reno, Nevada

COMMUNITY INVOLVEMENT

- Member/Past President of the Board of Directors of the Boys and Girls Club of Western Nevada
- Carson City's representative on the State Bar of Nevada's Board of Governors
- Member of the Fellows of the American Bar Foundation

402 N. Division Street, Carson City, Nevada 89703
Phone: (775)687-0202 Email: [REDACTED]

JOEL WILLIAM LOCKE

PROFESSIONAL EXPERIENCE

ALLISON MacKENZIE, LTD.

Carson City, Nevada

Attorney

August 2007-Present

- Experience in real property, administrative law, and components of water law, including issues relating to litigating disputes involving title to real property, violations of the Federal Safe Drinking Water Act, and working with state and federal administrative agencies on licensing, and regulation and enforcement of drinking water standards.
- Worked with various non-governmental commercial and residential clients regarding drafting documents relating to real property, including purchase agreements, residential and commercial leases, easements, and covenants.
- Comprehensive experience in estate planning and probate law, including issues related to wills, trusts, guardianships, powers of attorney, advanced directives, family estate planning, and litigating disputes arising thereunder.
- Represented various entities and individuals in complex litigation in both the federal and state civil court systems.
- Extensive knowledge and trial experience in state District Courts relating to family law; i.e., divorce, child custody, child support, division of property, and spousal support.
- Represented various for-profit and non-profit business entities in corporate formation, licensing, employment law claims, and ongoing business transactions.

CARSON CITY JUSTICE AND MUNICIPAL COURT

Carson City, Nevada

Judge Pro Tempore

December, 2013-Present

- Serve as Justice Court and Municipal Court Judge hearing various cases including landlord/tenant, criminal, protective orders, civil actions, and other cases

STATE BAR OF NEVADA

Reno, Nevada

Bar Exam Grader

July 2011-Present

- Grade selected bar exam questions for July and February bar exams, including questions regarding real property law, estate planning and probate law, and civil tort law.

WESTERN NEVADA COLLEGE

Carson City, Nevada

Part-Time Instructor

August 2009-May 2011

- Taught courses in real property law, and civil procedure in the pre-law/paralegal program.

FIRST JUDICIAL DISTRICT COURT OF NEVADA

Carson City, Nevada

Law Clerk (Hon. William A. Maddox)

August 2006-August 2007

- Legal and research assistant to sitting, visiting and senior judges for various legal matters including criminal and civil matters including complex civil litigation, administrative law and appeals on petitions for judicial review, election law, open meeting law, and family law.

EDUCATION

GONZAGA UNIVERSITY, SCHOOL OF LAW

Spokane, Washington

Juris Doctor

May 2006

- Service and Leadership Scholarship Recipient (2003-2006)

EDUCATION

UNIVERSITY OF NEVADA, RENO

Reno, Nevada

Bachelors of Science, Finance

December, 2000

- Minor in Economics
- Minor in Speech Communication
- Dean's List in 1997 and 1999

UNIVERSITY OF READING, ENGLAND

Reading, United Kingdom

USAC Foreign Exchange Program

April 2000-August 2000

WESTERN NEVADA COMMUNITY COLLEGE

Carson City, Nevada

- Dean's List in 1996 and 1997

August 1996-May 1997

MEMBERSHIPS AND AFFILIATIONS

State Bar of Nevada, United States District Court for the District of Nevada, First Judicial District Bar Association, Ninth Judicial District Bar Association, Washoe County Bar Association, Associate of the American Inns of Court, Bruce R. Thompson Chapter, Volunteer Attorneys for Rural Nevadans Pro-Bono Volunteer Attorney, Nevada Legal Services Pro-Bono Volunteer Attorney

REFERENCES

Available upon request

LIST OF REPRESENTATIVE CLIENTS WITH CONTACT INFORMATION

1. The Town of Minden
Contact: Jenifer Davidson, Town Manager



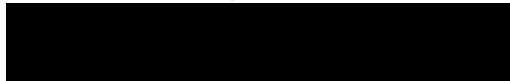
2. Carson Tahoe Regional Healthcare
Contact: Ed Epperson, CEO



3. Carson City School District
Contact: Richard Stokes



4. Vidler Water Company
Contact: Dorothy Timian-Palmer



APPLICATION FOR GARDNERVILLE TOWN COUNSEL

Name: CHARLES S. ZUMPT

Nevada Bar No.: 4804

Firm Name: MINDEN LAWYERS, LLC

Address: 990 Ironwood Drive, Suite 300, Minden, NV 89423

Business Telephone Number: (775) 782-7171

Mobile Telephone Number: Submitted to Town Manager separately

Fax Number: (775) 782-3081

Please respond to each of the following, using additional pages as necessary:

1. Please identify by name (and Bar Number, address and phone number if different than above) the proposed Town Counsel and each proposed back-up counsel:

Proposed Town Counsel: Charles S. Zumpft, Esq.

Back-up Counsel: Chris D. Nichols, Esq. Nevada Bar No. 3123

2. Please attach resumes or curriculum vitae and CLE report for each attorney identified above.

Mr. Zumpft's and Mr. Nichols' CVs and CLE reports are attached.

Note: The Town's RFP seeks specific information regarding each attorney in the firm who may provide services under the proposed contract. As the primary applicant, this response focuses on Mr. Zumpft. Mr. Nichols is an experienced Nevada attorney with a substantial background advising businesses. However, his municipal experience is limited. Accordingly, in responding to some of the RFP's questions, Mr. Nichols' specific qualifications may not be further addressed.

3. Do each of the attorneys identified above meet the minimum bar admission requirements of the RFP? If other than "yes", please explain.

No. Although admitted to the United States Supreme Court, Mr. Zumpft has not sought admission to the Ninth Circuit Court of Appeals. However, this is an easy-to-cure administrative matter. Mr. Nichols is admitted to that court. Further, Mr. Zumpft does not perform collective bargaining labor negotiations, such matters being independently handled by labor law counsel for each of the other governmental entities he represents.

4. With respect to each attorney identified, please list each and every town, municipality or special improvement district represented by the attorney within the past ten years, the years of such representation, and the name, address and phone number of at least one contact person in each location with knowledge of the attorney's representation.

A. City of Yerington; 16 years. Dan Newell, Yerington City Manager, 102 South Main Street, Yerington NV 89447 (775) 463-3511.

- B. Kingsbury General Improvement District; 2 years. Cameron McKay, General Manager, P.O. Box 2220, Stateline NV 89449 [REDACTED]
- C. Indian Hills General Improvement District; 2 years. John Lufrano, General Manager, 3394 James Lee Park Drive, Carson City NV 89705 [REDACTED]
- D. Gardnerville Water Company; 21 years. Mark Gonzales, Manager, 1394 Highway 395 N, Gardnerville NV 89410. [REDACTED]
- E. Silver Springs Mutual Water Company; 4 years. Mathew Martensen, General Manager, 1315 Lahontan Street, P.O. Box 285, Silver Springs NV 89429 [REDACTED]

D. and E. above, are private corporations providing municipal water services.

5. Please describe any and or all perceived or actual conflicts of interest with your desire to represent the Town of Gardnerville?

Mr. Zumpft has represented the Gardnerville Water Company ("GWC") for over twenty years. GWC's sole function is the provision of water service to its members; the Town does not provide water service. Discussions with GWC Staff reveal that no actual conflicts of interest exist, and that potential conflicts seem unlikely. However, one or more GWC Board members oppose the dual representation, and may not allow Mr. Zumpft's continued representation of GWC.

6. Please describe each identified attorney's experience in the areas of right of way, public land ownership, land use, zoning and planning, local government purchasing act, and public works contracting and contractors bonds on public works.

Mr. Zumpft's role as Yerington City Attorney includes representation of the Yerington Planning Commission. This work includes addressing land use, zoning and related matters. Working with staff regarding purchasing, contracting and public works matters is part and parcel of Mr. Zumpft's duties as City Attorney and as general counsel for IHGID and KGID. Mr. Zumpft has also successfully pursued actions in eminent domain.

7. Please describe each identified attorney's experience in the areas of Open Meeting Law and Ethics in Government Law.

As indicated by his CLE transcripts, Mr. Zumpft routinely attends training regarding OML, public records, ethics and related governmental issues. Mr. Zumpft previously acted as secondary firm counsel for Brooke Shaw Zumpft, which served as General Counsel for the Incline Village General Improvement District for many years. IVGID routinely experienced OML complaints from select District residents. These were diligently defended by both Mr. Brooke and Mr. Zumpft, most of which were investigated by the Nevada Attorney General. It is Mr. Zumpft's recollection that none of these complaints were found by the Attorney General to have merit. These exercises caused Mr. Zumpft to become quite familiar with the application of the OML to public entities. As for Ethics in Government issues, Mr. Zumpft's clients have, to date, not had to deal with any such complaints or investigations.

8. Please describe how you propose to satisfy the accessibility requirements of the RFP?

Mr. Zumpft's municipal clients enjoy preferred client status. For the Town, this would mean that if the District Manager calls and Mr. Zumpft is available (which is most of the time) the call will be taken rather than deferred. Mr. Zumpft is confident that upon discussion with other municipal clients, his ready availability will be confirmed. On those occasions that Mr. Zumpft is not available, his practice is to return calls the same day when possible.

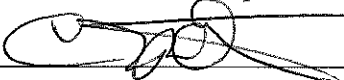
9. Please describe how you propose to satisfy the back-up requirements of the RFP?

Mr. Zumpft will be the Town's primary contact; seldom will the Town be referred to another attorney in the firm. However, for those inevitable times when the Town requires immediate assistance, Mr. Nichols should be available; and his vast experience will likely allow him to assist as dictated by the Town's needs.

By my signature, I certify that the information contained in this application is complete and accurate, to the best of my knowledge and belief.

Dated this 23rd day of September, 2016.

Printed Name: Charles S. Zumpft

Signature: 

Please attach your proposed schedule of fees for services rendered per the information provided above:

We accept the RFP's invitation to utilize our own form. Minden Lawyers is prepared to explore with the Town any fee arrangement that suits its needs. Based on discussions with current Town Counsel, it appears that the Town's need for professional legal services averages 12-14 hours per month.

It is imperative that a client and its staff not be discouraged from reaching out to counsel. Unbudgeted attorney billings are frequently that discouragement. We have found that municipal clients who have direct access to their counsel without the fear of an unexpected bill are more likely to utilize that invaluable resource.

Minden Lawyers proposes a flat monthly retainer that accommodates free access to counsel up to a predetermined limit. A proposal along those lines is attached. This proposal provides time at a significantly reduced hourly rate. Time in excess of the limit is also charged at a reduced, but slightly higher rate. Other representation scenarios are addressed in the proposed agreement. Minden Lawyers' Standard Terms, attached, are also part of the proposed agreement, as applicable.

CHARLES SCOTT ZUMPF, ESQ.

990 Ironwood, Suite 300, P.O. BOX 2860, Minden, NV 89423 | (775) 782-7171 | zumpf@mindenlawyers.com

EDUCATION

University of Utah College of Law

Juris Doctorate

1992

University of Nevada, Las Vegas

Bachelor of Arts, Political Science, *High Distinction*

1989

Bonanza High School, Las Vegas

High School Diploma, *with Honors*

1979

RELATED EXPERIENCE

Representative Clients

Gardnerville Water Company, General Counsel

1995 – Present

City of Yerington, Yerington City Attorney

2000 – Present

Silver Springs Mutual Water Company, General Counsel

2012 – Present

Kingsbury General Improvement District, General Counsel

2014 – Present

Indian Hills General Improvement District, General Counsel

2014 – Present

Minden Lawyers, LLC, Partner, a Martindale Hubbell AV rated firm

2015 – Present

Brooke Shaw Zumpf (Previously Brooke & Shaw Ltd.)

1993 – 2015

Mr. Zumpf engages in private general civil practice including transactional and litigation matters.

Nevada Supreme Court: Honorable Cliff Young, Law Clerk

Sept. 1992–Aug. 1993

This was a scheduled one-year position, which ended as scheduled. Employment with Brooke & Shaw, Ltd. then began.

PUBLICATIONS AND PAPERS

"The Case for the Unconstitutionality of NRS 125A.330"

Nevada Lawyer, Official Publication of the State Bar of Nevada

December 1999

"WHOA! . . . Nevada's Federal District Court Reins in Frivolous Civil Rights Actions"

Nevada Lawyer

December 1998

PROFESSIONAL LICENSES

State Bar of Nevada, 1992

State Bar of California, 1994

State Bar of Colorado, 1994 (inactive)

Federal District Courts of Nevada and California (various admission dates)

United States Supreme Court, 2004

Nevada Board of Continuing Legal Education Unaudited CLE Transcript																	
Tuesday, September 20, 2016 Charles S. Zumpft Compliance Group 1 2016 Compliance Period Ending : Saturday, December 31, 2016		COMPLIANT															
This course transcript indicates the courses and distribution of CLE credits for the compliance periods displayed as well as carry over to the next year. The Excess Credits column includes credits exceeding the carry over limit.																	
Course Date	Course Name	Total Credits	Credits Applied by Year				Excess Credits *										
			2015	2016	CARRY 2017	CARRY 2018											
12/31/2013	2013 CARRY HOURS	2.00E															
12/31/2013	2013 CARRY HOURS	19.00G	10.00G														
2/7/2014	What You Need to Know About Public Records and Open Meetings in Nevada	6.00G		6.00G													
3/21/2014	Helping Our Clients Afford Their Long Term Care	1.00G		1.00G													
4/18/2014	AccidentReconstructi	1.00G		1.00G													
10/17/2014	The Family Support Council & Information Every Family & Criminal Law Practice Should Know	1.00G		1.00G													
11/6/2014	The Art of Trust Administration (3hr)	3.00GD		1.00GD	2.00GD												
11/18/2014	An Overview of Capacity & Undue Influence in Estate Planning	3.00E	2.00E	1.00E													
12/13/2014	Quiz: Addiction, Substance Abuse and the Legal Profession	1.00SD															
3/3/2015	TIPS Mentor List 3/3/15-9/3/15	4.00G			4.00G												
3/3/2015	TIPS Mentor List 3/3/15-9/3/15	1.00E			1.00E												
3/3/2015	TIPS Mentor List 3/3/15-9/3/15	1.00S		1.00S													
5/12/2015	Trusts 101	5.50G			3.00G		2.50G										
5/12/2015	Trusts 101	1.00E			1.00E												
9/25/2015	Public Records & Applicable Law	1.00G					1.00G										
11/17/2015	Search & Seizure in the Robert Court in a Nutshell(Oct NV Lawyer Article)	1.00GD					1.00GD										
11/20/2015	Ethics	1.00E					1.00E										
12/7/2015	Land Use Law: Current Issues in Subdivision, Annexation & Zoning	5.00G					5.00G										
12/7/2015	Land Use Law: Current Issues in Subdivision, Annexation & Zoning	1.00E					1.00E										
12/16/2015	Nevada Legal Ethics for Every Occasion 2015	2.00E					2.00E										
12/16/2015	Nevada Legal Ethics for Every Occasion 2015	1.00S					1.00S										
8/10/2016	Recognizing & Addressing Implicit Gender Bias in the Area of the Solo & Small Firm	1.00ED				1.00ED											
If you do not see a course posted to your record, please be advised credits are entered in the order they are received. REMINDER: Excess ethics can be used towards any general credit deficiency.			Previous Carry Forward: 23.00 Total Credits Taken: 24.50 Total Credits Applied This Period: 12.00 Total Credits Carried: 23.00		23.00 1.00 12.00 12.00												
			Requirements Met or Waived: Y Total Hours Required: 0 Hours Required By: 12/31/2015 12/31/2016		Y 0 12/31/2016												
* SCR 210 2(B) Any attorney subject to these rules who completes more than twelve (12) hours of accredited educational activity in any calendar year may carry forward up to twenty (20) hours of excess general credit and four (4) hours of excess ethics credits in any calendar year for the next two (2) calendar years.																	
<table border="1" style="margin: auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align: center;">Posting Codes</th> </tr> </thead> <tbody> <tr><td>E = Ethics</td></tr> <tr><td>G = General</td></tr> <tr><td>S = Substance Abuse</td></tr> <tr><td>A = Authorship</td></tr> <tr><td>B = Bridge the Gap</td></tr> <tr><td>D = Alternate Format</td></tr> <tr><td>H = In-Home Study</td></tr> <tr><td>P = Preparation Time</td></tr> <tr><td>T = Teaching</td></tr> </tbody> </table>								Posting Codes	E = Ethics	G = General	S = Substance Abuse	A = Authorship	B = Bridge the Gap	D = Alternate Format	H = In-Home Study	P = Preparation Time	T = Teaching
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State of Nevada
ADVISORY COUNCIL FOR
PROSECUTING ATTORNEYS
100 North Carson Street
Carson City, Nevada 89705

Patricia Cafferata, Executive Director
pcafferata@ag.nv.gov
775-684-1136

ADVISORY COUNCIL FOR PROSECUTING ATTORNEYS CONFERENCE AGENDA

September 13-15, 2016
Hard Rock Hotel and Casino – Lake Tahoe
50 Highway 50
South Lake Tahoe, Nevada

September 13, 2016

All meetings/events in Graceland Meeting Room A&B unless otherwise indicated.

11:00 a.m. – 12:30 p.m.	Conference Registration
12:30 p.m. – 12:45 p.m.	Welcome by Attorney General Adam Laxalt and Introductions
12:45 p.m. – 2:00 p.m.	Charging Decisions Washoe County District Attorney's Office Bruce Hahn and Clark County Assistant District Attorney Chris Lalli (1 ¼ Hours CLE)
2:00 p.m. – 3:15 p.m.	Preparing and Presenting Expert Witnesses at Trial NAAG (1 ¼ Hours Ethics CLE)
3:15 p.m. – 3:30 p.m.	Break
3:30 p.m. – 3:45 p.m.	National Council of Juvenile and Family Court Judges Chief Executive Officer Joey Orduna Hastings
3:45 p.m. – 5:00 p.m.	Ethics of Plea Negotiations NAAG (1 ¼ Hours Ethics CLE)
5:00 p.m. – 5:45 p.m.	DNA Evidence NAAG (Tentative) (1 ¼ Hours CLE)
6:30 p.m. – 8:00 p.m.	Reception <i>Vinyl Meeting Room</i>

September 14, 2016

All meetings/events in Graceland Meeting Room A&B unless otherwise indicated.

- 7:00 a.m. – 8:00 a.m. **Breakfast**
- 7:00 a.m. – 8:00 a.m. **Breakfast Meeting**
Advisory Council for Prosecuting Attorneys, Separate Agenda
Revolution A Meeting Room
- 8:00 a.m. – 9:15 a.m. **Advanced Cross Examination and Impeachment**
NAAG
(1 ¼ Hours CLE)
- 9:15 a.m. – 10:30 a.m. **Breakout Session**
Charging and Prosecuting Child Sexual Abuse cases
Mark Krueger
Graceland Meeting Room C
(1 ¼ Hours CLE)
- Breakout Session**
Defending the County Clerk/Registrar of Voters in Election Disputes
Senior Deputy Attorney General Lori Story
Revolution Meeting Room A
(1 ¼ Hours CLE)
- Breakout Session**
Appellate Practice (Tentative)
Graceland Meeting Room A&B
(1 ¼ Hours CLE)
- 10:30 a.m. – 10:45 a.m. **Break**
- 10:45 a.m. – 12 noon **Breakout Session**
Advanced Witness Preparation
NAAG
Graceland Meeting Room A&B
(1 ¼ Hours CLE)
- Breakout Session**
FSTs, DREs and A.R.I.D.E. (Tentative)
Graceland Meeting Room C
(1 ¼ Hours CLE)
- Breakout Session**
Human Trafficking (Tentative)
Revolution Meeting Room A
(1 ¼ Hours CLE)
- BREAK for golf or other activities re: gondola ride (\$89), zip line, off road tour (\$37), canopy tour (\$189), kayaking, parasailing, hikes and running trails, bike rentals, miniature golf, fishing
- 7:00 p.m. – 9:00 p.m. **Prosecutors Dinner**
Graceland Meeting Room A&B

September 15, 2016

All meetings/events in Graceland Meeting Room A&B unless otherwise indicated.

- | | |
|--------------------------|---|
| 7:00 a.m. – 8:30 a.m. | Breakfast |
| 7:00 a.m. – 8:30 a.m. | Breakfast Meeting
District Attorney's Association , Separate Agenda
<i>Graceland C Meeting Room</i> |
| 8:30 a.m.- 10:00 a.m. | Technological Crimes/Cybercrime/ID Theft
Metro Detective Gino Basilotta and
Clark County Chief Deputy District Attorney Marc DiGiacomo
(1 ½ Hours CLE) |
| 10:00 a.m. – 10:15 a.m. | Break |
| 10:15: a.m. – 11:15 a.m. | Legal Writing: Strategies for Making Your Point
Nevada Deputy Solicitor General Joseph Tartakovsky
(1 Hour CLE) |
| 11:15 a.m. – 12:15 p.m. | Discovery and Social Media
Assistant Attorney General Nick Trutanich
(1 Hour CLE) |
| 12:15 p.m. – 1 p.m. | Lunch
<u>Sponsored by:</u>

Journal
Technologies
843 S 100 West, Logan, UT 84321
http://www.journaltechnologies.com |
| 1:00 p.m. – 2:15 p.m. | Substance Abuse Presentation
NAAG
(1 ¼ Hours Substance Abuse CLE) |
| 2:15 p.m. | Adjournment |

CHARLES ZUMPFT
MINDEN LAWYERS, LLC
990 IRONWOOD DRIVE, SUITE 00
MINDEN, NV 89423



Certificate of Attendance

HalfMoon Education Inc. certifies that on September 20, 2016,
CHARLES ZUMPFT completed

Boundaries and Easements

This live lecture presentation was conducted at the
Hyatt Place Reno – Tahoe Airport, Reno, Nevada.

The Nevada Board of Continuing Legal Education has accredited this seminar for 6.5 CLE hours (no ethics) for attorneys (Course No. 20671). HalfMoon Education Inc. is an approved CLE provider in California (Provider No. 8370) and this program offers 6.5 CLE hours to California attorneys and paralegals.

This course offers 6.5 PDHs to Nevada professional engineers and 6.5 PDHs to Nevada land surveyors to whom the subject matter is professionally relevant.

The American Association of Professional Landmen has accredited this program for 6.5 RL, RPL or CPL recertification credits (CEUs), and 0.0 CPL/ESA or ethics credits, for a total of 6.5 credits for the completion of this course (Component ID: MOON9163).

*Faculty: Charles "Dan" Church, Richard D. Williamson, Courtney Forster,
Paul G. Taggart, Laura Granier*

Seminar Sponsor:

HalfMoon Education Inc.
P.O. Box 278
Altoona, WI 54720
(715) 835-5900
www.halfmoonseminars.org

Authorized Representative:


Douglas E. Chapman
Continuing Education Director

Chris D. Nichols

990 Ironwood Drive, Minden, NV 89423
(775) 7782-7171 | nichols@mindenlawyers.com

ATTORNEY

Over 32 years experience managing business transactions including but not limited to: acquisitions, sales, leases, commercial agreements, litigation, providing regulatory and compliance advice to clients, real estate, landlord/tenant, bankruptcy and estate planning and probate, as well as providing general counsel to business clients on a wide variety of legal issues.

AREAS OF EXPERTISE:

- Negotiating and drafting loan and credit facilities for large and small businesses, both secured and unsecured up to \$150 million
 - Drafting and negotiating business, real estate and asset purchase and sales agreements for both large and small businesses including hotels, casino resorts, ski resorts, manufacturers, retailers, and including publically traded companies
 - Risk management
 - Environmental compliance
 - Mergers and acquisitions
 - Trademark and copyright registration and protection
 - Construction
 - Acquisition and sale of real estate and personal property
 - Gaming
 - Estate Planning and Probate
 - Water Law
 - Timeshares
 - Real Estate Development
 - Landlord and Tenant Issues
 - Homeowner Associations
 - Initial Public Offering as Outside General Counsel.
 - Negotiating and drafting leases, and purchase and sales agreements, including with Federal agencies
 - Negotiating and drafting construction and purchase agreements
 - Bankruptcy and workout practice, including Chapters, 7, 11 and 13 as to representation of debtors, lenders, trustees and creditors
 - Litigating creditor claims including UCC Articles 2, 3 and 9 issues
 - Negotiating and drafting business contracts
 - Business entities, including formation and governance, and compliance
 - Employment law, including negotiating and drafting employment agreements
 - Commercial litigation
-

PROFESSIONAL EXPERIENCE:

Minden Lawyers, LLC.

Partner/Attorney (2015 – Present)

Minden, Nevada

Practice limited to business and commercial transactions, corporate law, including formation, compliance and governance, commercial real estate and residential developments, mergers and acquisitions, employment law, business and individual bankruptcy with emphasis on Business and Individual Chapter 11 Reorganizations, debt restructuring, and loan workouts as to both debtor, creditor and Bankruptcy Trustees, landlord/tenant, real estate, water law, estate planning and probate and Federal and State Appellate practice.

Harris Law Practice, LLC.

Of Counsel Attorney (2013 – 2015)

Reno, Nevada

Practice limited to commercial transactions corporate law, including formation and governance, commercial real estate and residential developments, mergers and acquisitions, employment law, business

and individual bankruptcy with emphasis on Business and Individual Chapter 11 Reorganizations, debt restructuring, and loan workouts, as to both debtor and creditor and Bankruptcy Trustees, water law and Federal and State Appellate practice.

Harris & Petroni, Ltd. Partner/Attorney (1997-2013) Reno, Nevada
Practice limited to commercial law, including commercial transactions and litigation, corporate law, including formation and governance, commercial real estate, mergers and acquisitions, employment law, environmental law, business and individual bankruptcy with emphasis on Business and Individual Chapter 11 Reorganizations, debt restructuring, and loan workouts, as to both debtor and creditor and Bankruptcy Trustees, intellectual property, gaming law, water law and Federal and State Appellate practice.

Scarpello & Alling, Ltd. Partner/Attorney (1988-1997) Lake Tahoe, Nevada
Commercial Law, including transactions and litigation, corporate law, including formations and governance, mergers and acquisitions, real estate law and creditor representation in bankruptcy, intellectual property, gaming law, environmental law, water law, employment law, administrative law and Federal and State Appeals.

Edwards, Kolesar, Toigo & Sewell, Ltd. Associate Attorney (1988) Las Vegas, Nevada
Commercial law, including transactions and litigation, corporate law, including formation and governance, bankruptcy creditor representation, intellectual property, banking law and gaming law.

Alverson & Taylor, Ltd. Associate Attorney (1986 to 1988) Las Vegas, Nevada
Commercial litigation, business contracts, gaming law, Chapter 11 Bankruptcy Reorganizations, insurance defense and medical malpractice defense litigation, personal injury litigation, administrative law before State Public Service Commission, and Federal and State Appeals.

Corporon & Williams Associate Attorney (1984-1986) Salt Lake City, Utah
Commercial litigation, personal injury litigation and family law.

REPRESENTATIVE CLIENTS:

- Harvey's Hotel and Casino Resort
- Heavenly Ski Resort
- Aervo Pacific Company
- London Fog
- Pacific Trail
- Lift Engineering
- Bosch Motors
- Michael's Yamaha & Suzuki
- Lakeside Inn & Casino
- Thunderbird Lodge & Preservation Society
- Eagle Valley Construction
- Lindeman Produce
- E.A. Collins
- Great American Airways
- Firstgold Corporation
- Frontier Charter & Contract Services
- Golden State Coaches
- Intertel
- Lakemont Homes
- Mego Financial
- Creekside Development
- Winans Furniture
- Bently Enterprises, LLC

EDUCATION:

Juris Doctor Degree: University of Utah, S. J. Quinney College of Law; Salt Lake City, UT (1984)
Bachelor of Science: Weber State University; Political Science major, English minor; Ogden, UT (1981)

AFFILIATIONS, AWARDS & SERVICE:

Member of Utah State Bar Association
Member of State Bar of Nevada
Member of Washoe County Bar Association
Member of Bankruptcy Law Section – State Bar of Nevada
Member of American Bankruptcy Institute
Dean’s Commendation, 1984
Member of Northern Nevada Bankruptcy Bar Association
William H. Leary Scholar, for Academic Distinction 1984

Martindale-Hubbell AV Preeminent Rating

Journal of Contemporary Law/ Journal of Energy Law and Policy; Senior Staff Member 1983-1984 (S. J. Quinney College of Law)
Cum Laude, Dean’s List, 1981
Representative of Utah Intercollegiate Assembly 1980 session
Member Honorary political science society, Pi Sigma Alpha
Named to National Register of Outstanding College Graduates
Aide to Speaker of the House James V. Hansen, 1980

PUBLICATIONS:

Author of “Legal Ramifications of the AIDS Epidemic” 11 J. Contemporary Law 315 (1984)
Co-author of “Utah Landlord-Tenant Remedies” Utah Remedies Guidebook (1984)

BAR AND COURT ADMISSIONS:

- | | |
|--|---------------------------------------|
| • Admitted to Nevada State Bar 1987 | • All Nevada State and Federal Courts |
| • Admitted to Utah State Bar 1984 (Currently Inactive) | • Northern District of California |
| • All Utah State and Federal Courts | • Ninth Circuit Court of Appeals |

Nevada Board of Continuing Legal Education Unaudited CLE Transcript

Wednesday, September 21, 2016
Chris D. Nichols
Compliance Group 1
2016 Compliance Period Ending :
Saturday, December 31, 2016

Needed for Compliance:**Credits: General: 4 Ethics: 0 Substance Abuse: 0**

This course transcript indicates the courses and distribution of CLE credits for the compliance periods displayed as well as carry over to the next year. The Excess Credits column includes credits exceeding the carry over limit.

Course Date	Course Name	Total Credits	Credits Applied by Year				Excess Credits *
			2016	2016	CARRY 2017	CARRY 2018	
12/31/2013	2013 SUBSTANCE ABUSE	1.00S					
12/31/2013	2013 CARRY HOURS	1.00E					
12/31/2013	2013 CARRY HOURS	2.00G					
1/11/2014	Quiz: Effective Contract Drafting	1.00GD					
5/5/2014	Sexing, Texting & Facebook: First Amendment Issues in Schools	1.00GD					
5/6/2014	Working with Experts	1.00ED					
5/6/2014	Working with Experts	1.00GD					
10/29/2014	Wrongful Death: A Practical Approach	1.50GD					
11/3/2014	Substance Abuse & Attorneys: Recognition, Understanding, and Intervention	1.00SD	0.50SD				
11/5/2014	7 Steps for Legal Holds: Avoiding Malpractice and Jail	1.50ED	1.50ED				
11/7/2014	eDiscovery	1.00GD					
11/12/2014	Legal Writing Tips for Advanced Practitioners	1.00GD					
11/28/2014	6 Steps to Improved Client Relationships and Communications	1.00GD					
11/28/2014	Ethics in a Web 2.0 World	1.00ED	1.00ED				
12/1/2014	Getting Paid and Staying Out of Trouble	1.00ED	1.00ED				
6/9/2015	Recent US Supreme Court Cases: Harris v. Viegeln & Wellness International v. Sharif	1.00G	1.00G				
6/16/2015	Buying & Selling Oil & Gas Assets In Bankruptcy Cases	1.00GD	1.00GD				
6/25/2015	The Practical Impact of Preference Actions on Your Practice Webinar	1.00GD	1.00GD				
10/13/2015	State Court Receiverships	1.00G	1.00G				
10/21/2015	Foreclosure Law	3.00G	3.00G				
11/16/2015	Bankruptcy Form Changes	1.00GD	1.00GD				
11/20/2015	Ethics	1.00E		1.00E			
1/12/2016	New Bankruptcy Forms & Updated Local Rules	1.00G		1.00G			
4/12/2016	Year in Review-Part Two	1.00G		1.00G			
6/10/2016	Court Annexed Arbitration Program Relating to First & Ninth Judicial Districts	1.00G		1.00G			
7/25/2016	Trusts from A to Z	3.00G		3.00G			
7/25/2016	Trusts from A to Z	1.00E		1.00E			

If you do not see a course posted to your record, please be advised credits are entered in the order they are received.

REMINDER: Excess ethics can be used towards any general credit deficiency.

Previous Carry Forward: 4.00 1.00
Total Credits Taken: 9.00 7.00
Total Credits Applied This Period: 12.00 8.00
Total Credits Carried: 1.00 0.00

Requirements Met or Waived: Y N
Total Hours Required: 0 4
Hours Required By: 12/31/2015 12/31/2016

* SCR 210 2(B) Any attorney subject to these rules who completes more than twelve (12) hours of accredited educational activity in any calendar year may carry forward up to twenty (20) hours of excess general credit and four (4) hours of excess ethics credits in any calendar year for the next two (2) calendar years.

Posting Codes

E = Ethics
G = General
S = Substance Abuse
A = Authorship
B = Bridge the Gap
D = Alternate Format
H = In-Home Study
P = Preparation Time

AGREEMENT FOR LEGAL SERVICES

THIS AGREEMENT is made and entered into effective the ____ day of _____ 2016, by and between THE TOWN OF GARDNERVILLE, party of the First Part, hereinafter called "Town;" and MINDEN LAWYERS, LLC, party of the Second Part, hereinafter called "Firm."

WITNESSETH:

WHEREAS, Town is in need of legal representation and desires to develop a relationship with Firm to provide such representation; and

WHEREAS, Firm is a duly licensed legal company qualified to provide legal services and representation within the State of Nevada, and desires to provide such legal services to Town; and

WHEREAS, Town and Firm desire to enter into this Agreement to create an attorney-client relationship.

NOW, THEREFORE, in consideration of the premises and of the mutual promises and covenants herein contained, the parties hereto agree as follows:

1. Town hereby retains and employs Firm as General Counsel to the Town. Firm will provide the services described on Attachment A, as well as those additional services as agreed by Firm and Town. Firm shall provide services primarily through Charles Scott Zumpft. Firm shall provide preferred client status to Town.
2. The term of this Agreement shall be for a period of three (3) years, commencing on _____, 2016. The term shall be renewable annually, upon the mutual consent of Town and Firm.
3. Town shall pay to Firm an annual retainer of Thirty-Six Thousand Dollars (\$36,000.00), payable monthly in the sum of Three Thousand Dollars (\$3,000.00) per month (the "monthly retainer") during the term of this Agreement, as and for a retainer for general legal services as described in Attachment A. The monthly retainer shall entitle Town to 13 hours of legal services each month; unused time, if any, shall not be carried over. Additionally, Town shall pay Firm an hourly rate of Two Hundred and Forty Dollars (\$240.00) per hour for those additional services beyond those included within the monthly retainer, more particularly described in Attachment A, but only after exhaustion of the monthly retainer. All copy costs

incurred or advanced by Firm for Town's benefit shall be reimbursed at one-half the amount set forth in Firm's "Cost Schedule."

4. Firm shall represent and report to the Town's Board of Trustees, but shall coordinate and consult with the Town's General Manager. Firm shall have access to all Town employees to the extent deemed necessary by Firm. Firm shall maintain such staff and support as is necessary to properly represent Town in all various legal matters that may arise.

IN WITNESS WHEREOF, the parties hereby have caused this Agreement to be executed this _____ day of _____, 2016.

TOWN OF GARDNERVILLE

MINDEN LAWYERS, LLC

By: _____
General Manager

By: _____
Charles Scott Zumpft, Esq.

ATTACHMENT A LEGAL SERVICES

A. DESCRIPTION OF SERVICES

Legal services to be provided by the Town General Counsel are listed below. Counsel may provide additional services not identified herein, as agreed.

1. Advise the Board of Trustees and General Manager on legal matters.
2. Render written opinions on matters of law as requested by the Board or General Manager.
3. Attend and provide legal consultation at all regular and special Board meetings, advise on open meeting law issues, and serve as parliamentarian at these meetings.
4. Represent the Town at administrative or judicial proceedings when requested.
5. Represent the Town at contract negotiations when requested, excluding collective bargaining labor negotiations.
6. Draft or review leases, contracts, ordinances, resolutions, and other legal documents when requested.
7. Monitor and provide defense and/or monitor outside defense counsel on all outstanding lawsuits involving the Town, and provide periodic reports to the Board on their status.
8. Paralegal services for routine legal matters will be included in the monthly retainer.

B. COMPENSATION IN ADDITION TO RETAINER

The intent of these provisions is to provide compensation for matters and/or time beyond the monthly retainer.

1. All services for administrative, legislative, judicial (including litigation and alternative dispute process) proceedings shall be billed at the agreed hourly rate. However, all litigation services wherein Town is designated plaintiff or petitioner shall be billed at eighty

percent (80%) of Firm's published hourly rate. Firm's published hourly rate is part of Firm's "Standard Terms," attached hereto, and subject to change upon 30 days' notice.

2. Special Board meetings and workshops shall be billed against the monthly retainer, then hourly.

3. Fees for services provided under this section by a Firm law clerk or paralegal shall be billed at the hourly rate of One Hundred Twenty Dollars (\$120.00) per hour.

C. PAYMENT OF FEES, COSTS AND EXPENSES

1. Town will reimburse Firm for all actual costs and expenses incurred in providing legal services. Costs and expenses may include, but are not limited to, filing fees, court reporter costs, transcript fees, copies, conference and long distance telephone calls, computerized legal research, messenger service, staff automobile mileage, and services and expense of consultants, experts, or investigators.

2. All statements submitted by Firm to Town are due and payable upon receipt. A finance charge of 1.5% per month (monthly compounding) will be added to all sums not paid within thirty (30) days.

MINDEN LAWYERS, LLC

Standard Terms

This statement of standard terms, along with the terms stated in the accompanying letter, and any applicable conflicts waiver and/or confidentiality waiver, constitute the **Agreement for Legal Services** ("Agreement") between you and Minden Lawyers, LLC ("ML").

1. Effective Date

Unless otherwise provided in the accompanying cover letter, this Agreement is effective the date we first performed services on your behalf. If we have performed legal services at your request while waiting for you to sign and return this Agreement, you will still be required to pay for those services on an hourly basis even if you decide not to sign and return this Agreement.

2. Responsibility for Services

We have control and authority as to the manner and procedure of representation; however, you shall make all position decisions or those regarding settlement or resolution. You give us authority to execute all documents necessary to proceed with this matter. Although your matter may be discussed with other personnel within this firm, you may be assured of total confidentiality.

3. Termination of Representation

Unless there is some court rule or statutory reason to the contrary, either one of us may withdraw from this Agreement and representation with or without cause by giving written notice. We will be entitled to payment of all fees for services rendered, on an hourly basis, as well as costs and expenses, incurred during our representation of you.

4. Fees for and Payment of Legal Services

Unless the accompanying cover letter sets forth a different fee arrangement, our fees are hourly. Fees are determined in accordance with Nevada Rules of Professional Conduct 1.5 or, for matters pending in California, Court Rule 2-107. Some of the factors considered in determining our fees include the time and labor required, the novelty and difficulty of the matter, the skill required to perform the legal service properly, time limitations imposed by you, and the experience, reputation and ability of the lawyers serving you.

Our hourly fees differ for individual clerks, paralegals, attorneys, and partners. A current fee schedule appears at the end of these Standard Terms. Our fees are subject to change upon thirty (30) days' notice to you.

Fees for some matters may be set by statute. In such cases, absent prior agreement, ML will seek the court's approval for the maximum allowable fee.

If directed by the client, ML will accept payment from a third party. A third-party payor is not the client; and ML will not discuss the client's matter with the payor unless directed to do so by the client in writing. Further, a third-party is not an ML client solely by virtue of paying a client's legal fees.

5. Retainer (Trust)

Our policy is to obtain an initial and continuing retainer in a sum agreed upon by you

and ML, as fully set forth in the cover letter that accompanies this Agreement. You agree to keep the retainer amount constant at all times. In other words, unless we have expressly agreed to a flat fee or contingency fee arrangement, in addition to remitting the retainer, you will also pay in full for services rendered each month. Should you not pay our bills when due you agree that we may transfer funds from the retainer to satisfy the bill without further notice to you.

When this matter is complete, the retainer should be in our possession and refundable to whomever paid it. One Hundred Dollars (\$100) will be held to pay incidental costs that may appear from the firm's various vendors and/or outstanding items. We do not guarantee this \$100 will cover all outstanding costs. Upon the conclusion of the next billing cycle or 30 days, ML will provide you with a final invoice to be paid, or will refund the remaining trust balance, if any.

If we represent you in multiple matters and require a retainer for more than one matter, you agree that we may use trust funds deposited for one matter for any other matter.

It is understood that we will not be required to expend time or incur costs in excess of the retainer balance. If you choose not to maintain sufficient retainer funds, that choice shall allow us to terminate our representation.

6. Costs and Expenses

You are responsible for all legal costs as incurred. We may request that you pay various costs directly or in advance, or we may, in our sole discretion, advance the cost for you. Costs include, among other things, filing fees, court reporter costs, transcript fees, deposition charges, court copies, and other items. Your failure to pay such costs may result in the referenced items or

services not being acquired, which could adversely affect your rights and interests.

You will reimburse ML for all actual expenses. Expenses include, but are not limited to, charges for copying, conference and long distance telephone calls, computerized legal research, messenger service, automobile mileage, mailing, shipping and services and expenses of consultants, investigators, and other necessary personnel. We are not obligated to advance any costs or expenses on your behalf.

7. Experts and other Services

To prepare or present your case, we may need the services of expert witnesses, consultants, or investigators. We will select and engage them, and you are responsible for their bills. When feasible we will consult with you before completing the engagement.

8. Billing Statements and Practices

Any fees, expenses and costs advanced will be billed to you monthly. Our billings for legal services are based primarily upon the time expended. Each attorney and legal assistant in our firm maintains a record of time expended. We charge a minimum of .2 hours for any service, as well as for all telephone conversations, whether with you or a third party, regardless of how brief the call may be. Attorneys or staff with different hourly billing rates may assist with work that such personnel are capable of performing at our standards of competence and quality, subject to review by the attorney with primary responsibility for your matter.

We conduct bi-annual reviews of inactive matters. Follow-up contact will be attempted to each client with no file activity during the preceding term. Review efforts will be charged to the client.

9. Timely Payment

All bills are due and payable upon receipt. A finance charge of 1.5% per month (compounded monthly) will be added to all sums not paid and received by ML by the last business day of the month in which the bill is mailed. If payment is not received by that time, you authorize ML to pay the amount from your funds held in trust, if any. We may stop work if any bill is not paid in full by the end of the month.

10. Payment of Other Party's Fees, Costs and Legal Expenses

You understand that under some circumstances or if the other party prevails, you may be ordered by the court to pay the other party's costs, legal expenses and attorneys' fees. On the other hand, if you prevail the other party may be ordered to pay your costs, legal expenses and attorney's fees. In such event, you remain responsible for timely payment to ML for your costs, legal fees and attorney's fees pursuant to this Agreement. ML shall not be obligated to pursue payment of ML's costs, expenses and attorney's fees awarded to you from any other party unless we specifically agree to do so.

11. Client's Duties

You agree to be truthful with us, to cooperate, to keep us informed of developments that relate to our services, to abide by this Agreement, to pay our bills on time, and to keep us advised of your current mailing and residence addresses, residence telephone number, and address and telephone number of your place of employment.

You also agree to respond promptly, fully and accurately to requests for information or documents and to other requests for assistance made by ML.

12. Liens

Upon acceptance of this Agreement, you grant to ML a lien on any and all claims or causes of action that are the subject of our representation and on any advance against fees. Our lien is for any sums owing to us for any unpaid costs, attorneys' fees, and interest. The lien also attaches to any recovery, judgment or award you obtain.

13. Disclaimer of Guaranty

ML makes no representations, promises or guarantees about the outcome of your matter. Any comments by us about the outcome of your matter are expressions of opinion only.

14. File and other Property

So long as your obligations to us are current, we will, upon request, copy any or all of your file for your use, at your expense. Alternatively, we will provide you with the original file; however, we may, at your expense, make copies thereof for our records. If your obligation to us is not current, we may, if permitted by law, refuse your request for copies or delivery of the original file or for return of your other property held by us.

Upon conclusion of this matter, we will retain your file and other property for ninety (90) days unless you have retrieved it from us within that time. After ninety (90) days the file and other property may be destroyed without further notice to you.

15. Fee Dispute

If we have a disagreement regarding our fees the matter will be referred to the Nevada State Bar Fee Dispute Committee, or the California State Bar Association, depending on where the legal services were rendered. You and ML expressly agree to submit to binding arbitration with the appropriate entity mentioned herein, in accordance with its rules and regulations.

If we are forced to bring suit and prevail in litigation to recover our fees and costs, or to enforce or interpret this Agreement, you agree to pay all costs, legal expenses, and reasonable attorneys' fees, including the reasonable value of legal services rendered by partners of or attorneys employed by ML, at their then-regular rates. This provision is intended to allow ML to represent itself and to recover the value of fees that it may or would have paid outside counsel for such representation.

16. Jurisdiction

Any dispute arising between us, not related to a fee dispute, whether initiated by you or ML, shall be brought and maintained only in the Ninth Judicial District Court of the State of Nevada, in and for Douglas County, or in the East Fork Justice Court of said county. You agree to personally submit to the jurisdiction and laws of the State of Nevada, with venue in Douglas County, regardless of your actual place of business or residence and regardless of which state we primarily rendered services. Nevada law shall apply for resolution of our dispute.

17. Negotiated Agreement

This is a negotiated agreement that you can accept or reject. The terms of this Agreement are not set by law. We have not represented you nor advised you with respect to this Agreement. You

are encouraged to consult independent counsel before entering into this Agreement.

18. Additional Terms

The scope of ML's representation in this matter is set forth in the letter which accompanies this Agreement, as are any additional terms relating to this representation.

19. Subsequent Representation

If, after initial representation, you decide to retain our services for other matters, and we agree to perform them, these Standard Terms shall apply unless modified in writing.

20. Legal Service and Similar Plans

If you are a member of a service plan which entitles you to a discounted rate or other benefit, it is your obligation to confirm that the attorney providing your services participates in that plan. ML, as a firm, does not participate in any such plans. However, some of its attorneys participate in some plans, and discounted rates and other plan benefits only apply to work performed by those attorneys. The attached rate schedule is applicable for all services rendered until such time as you advise ML, in writing, that you are a member of an eligible legal service plan. The discounted rate will be applied to a participating attorney's billing only after you provide that notice in writing.

21. Credit Card and PayPal Policies

ML accepts many credit cards and PayPal. An authorized signature must be on file prior to processing each credit card transaction. If you fund your retainer or pay your invoices from us by credit card or PayPal, ML will typically not advance costs or expenses on your behalf. You will be separately responsible to pay out of pocket

costs and expenses directly and in advance, as set forth in Section 6. If costs or expenses are advanced a 3% administrative fee will be added to the amount advanced.

Retainer refunds are made only to the original credit card you used and less a 3% administrative fee of the amount refunded to the credit card. ML will not refund amounts paid by credit card in cash or by check. PayPal refunds are refundable by check

22. Returned Checks

Should any check or similar instrument be returned unpaid, you will be charged and you agree to pay a fee of \$25.00 for each instrument returned.

23. Electronic Communications

Whenever possible we will communicate with you in writing in the manner you direct. In the event you direct us to communicate by facsimile it is your responsibility to ensure no other persons have access to the communications. Similarly, in the event you authorize us to communicate with you by email it is your responsibility to ensure that no other persons have access to your email account. You may have no right to privacy in email communications sent to or from you through your employer's or other third party's computer network. In the event any third party has lawful access to our communications you may be unknowingly waiving the confidentiality of our communications as well as the protections offered by the attorney client privilege. You assume these risks by authorizing or utilizing electronic forms of communications. In the event you provide us with your email address or fax number you will be deemed to be authorizing our communication with you in those manners.

Fee Schedule

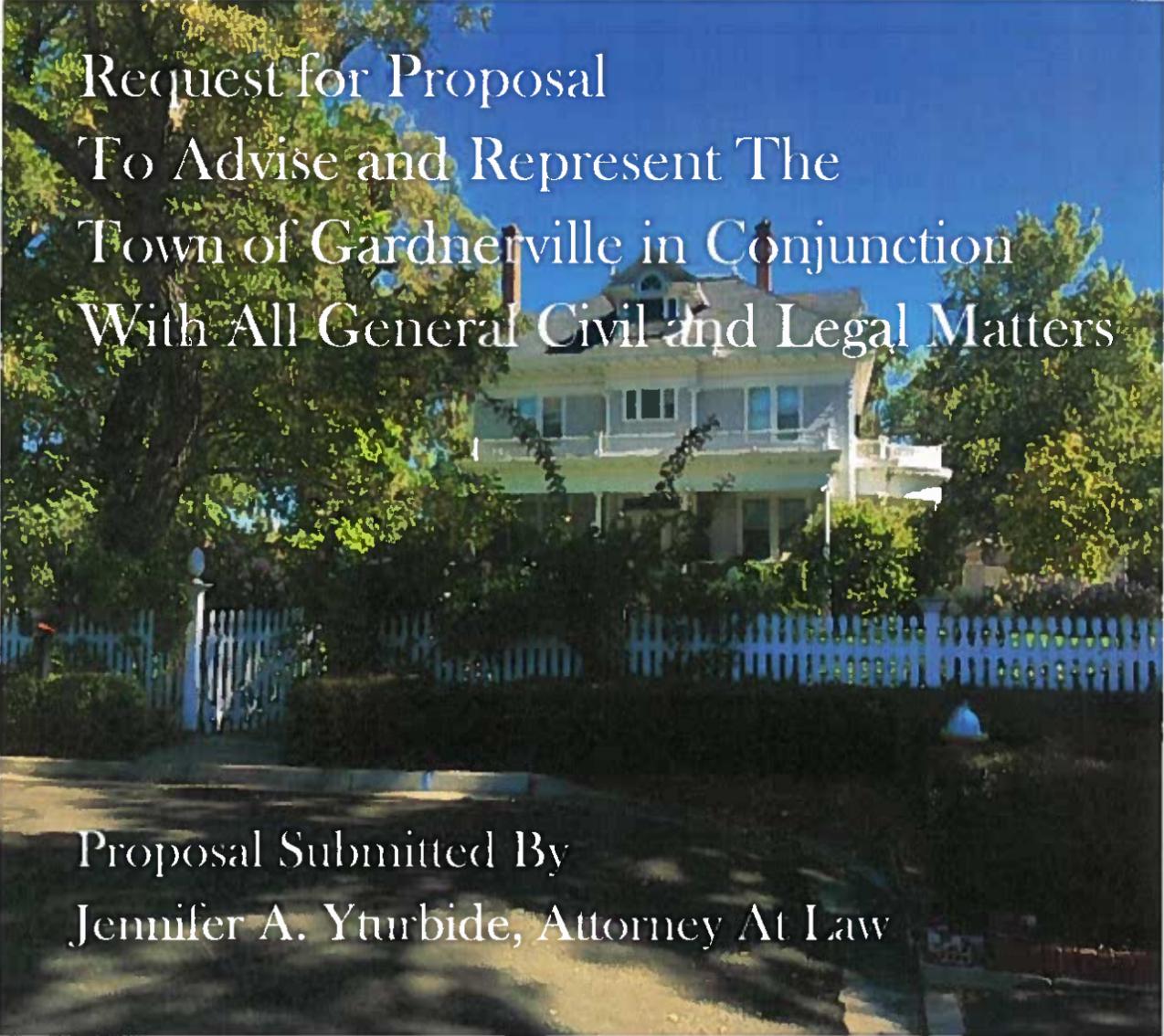
Effective 1 March 2016

PROFESSIONAL	INITIALS	HOURLY FEE	INITIAL CONSULTATION
Charles S. Zumpft, Esq.	CSZ	\$325.00	\$225.00
Chris D. Nichols, Esq.	CDN	\$325.00	\$225.00
Tammy L. Swails	TLS	\$180.00	N/A
Mary M. Hasselmann	MMH	\$125.00	N/A
Administration	ADM	\$60.00	N/A

Cost Schedule

Effective 1 March 2016

Copies	Black & White	Color
1 – 150	.25¢ ea.	.50¢ ea.
Above 151 copies per month	.15¢ ea.	.25¢ ea.



Request for Proposal
To Advise and Represent The
Town of Gardnerville in Conjunction
With All General Civil and Legal Matters

Proposal Submitted By
Jennifer A. Yturbide, Attorney At Law



Rowe Hales Yturbide, LLP
1638 Esmeralda Avenue
Minden, Nevada 89423



ROWE HALES YTURBIDE

A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW

P.O. Box 2080
1638 Esmeralda Avenue
Minden, NV 89423

Telephone (775) 782-8141
Facsimile (775) 782-3685

Michael Smiley Rowe
James R. Hales
Jennifer A. Yturbide

September 23, 2016

**Town of Gardnerville
Attn: Tom Dallaire
1407 Highway 395 N
Gardnerville, Nevada 89410**

Re: Request For Proposal – Gardnerville Town Counsel

Honorable Board Members of the Town of Gardnerville,

It is with great desire that I officially submit my Request for Proposal to advise and Represent the Town of Gardnerville in Conjunction with All General Civil and Legal Matters.

As a practicing Attorney for almost thirty years, I have had the opportunity to represent several Special Districts and the Town of Gardnerville, serving on several occasions as the secondary counsel and current partner of your long time counsel, Michael Smiley Rowe, Esq. His tenure and dedication to the Town and his long history of service is certainly to be commended.

The system of Town government in Douglas County is one to be admired and emulated in my opinion. The provision of town governance reinforces Thomas Jefferson's contention that, "*the government closest to the people was best.*" Gardnerville's town government and operation is a hallmark example of that concept, and quite honestly, one that I would be honored to be a part of as Town Counsel.

Nevada Law, specifically NRS 269, makes specific provisions for the establishment of Town Governance. It also allows the Town Board to select its own Town Counsel. In making that selection, you do have choices. Finding competent legal counsel that can provide accurate, competent, professional, and most importantly, timely service is critical to efficient governance.

As a local attorney, and one who has worked for the Town of Gardnerville as Mr. Rowe's backup counsel, I feel I am quite qualified and ready to meet those expectations and in a "turn-key" fashion. While very unlikely, I have identified Ms. Kara Hayes, Esq., as my alternate. Ms.

Town of Gardnerville
September 23, 2016
Page 2


Hayes brings a very complimentary legal background and career of experience, all of benefit to the Town's legal needs.

Gardnerville is positioned for an exciting future but also will face some significant challenges in the years ahead. Many of the legal issues related to future development either within or adjacent to town boundaries, including planning and zoning matters, both public and private utility matters, and issues related to county government in general, will best be served by an individual who is "*conflict free*" and solely able to represent the best interests of the Town. Being free of potential conflict, either actual or perceived, with other entities is an essential benefit for your next Town Counsel.

I hope you find my application in order and informative. I would consider it a privilege and honor to be selected to represent the Town of Gardnerville as Town Counsel and as a local attorney.

Please feel free to contact me anytime if you have questions about my application or the services that I can provide. Thank you for your consideration,

Sincerely,



Jennifer A. Yturbide, Esq.

ROWE HALES YTURBIDE

A LIMITED LIABILITY PARTNERSHIP

ATTORNEYS AT LAW

P.O. Box 2080
1638 Esmeralda Avenue
Minden, NV 89423

Telephone (775) 782-8141
Facsimile (775) 782-3685

Michael Smiley Rowe
James R. Hales
Jennifer A. Yturbide

23 September 2016

**Town of Gardnerville
Attn: Tom Dallaire
1407 Highway 395 N
Gardnerville, Nevada 89410**

Re: Application for Gardnerville Town Counsel

Chairperson Wenner and Board Members:

I respectfully submit this Application and its enclosures for your consideration for the appointment of Gardnerville Town Counsel. I am pleased to submit the information sought in the Request for Proposal which was released under date of 12 September 2016.

APPLICATION FOR GARDNERVILLE TOWN COUNSEL

Name: Jennifer A. Yturbide, Esq. Nevada Bar No.: 6540

Firm Name: Rowe Hales Yturbide, LLP

Address: 1638 Esmeralda Avenue
Minden, Nevada 89423

Business No.: 775-782-8141

Responses to Application Questions

1. Please identify by name (and Bar Number, address and phone number if different than above) the proposed Town Counsel and each proposed back-up counsel.

Response 1: Jennifer A. Yturbide, Esq. applies to be proposed Town Counsel. Proposed back-up counsel is: Kara M. Hayes, Esq. (SBN: 5664),

- 2. Please attach resumes or curriculum vitae and CLE report for each attorney identified above.**

Response 2: Curriculum Vitae and CLE reports for Ms. Yturbide and Ms. Hayes are attached.

- 3. Do each of the attorneys identified above meet the minimum bar admission requirements of the RFP? If other than "yes", please explain.**

Response 3: Yes

- 4. With respect to each attorney identified, please list each and every town, municipality or special improvement district represented by the attorney within the past ten years, the years of such representation, and the name, address and phone number of at least one contact person in each location with knowledge of the attorney's representation.**

Response 4 on behalf of Jennifer Yturbide :

Town of Gardnerville	2011 - present
1407 Hwy 395 No.	
Gardnerville, NV 89410	
Manager, Thomas Dallaire - (775) 782-7134	

Gardnerville Ranchos Improvement District	2011 - present
931 Mitch Drive	
Gardnerville, NV 89460	
Manager, Robert Spellberg - (775) 265-2048	

Topaz General Improvement District	2011 - present
1490 Albite Road	
Wellington, NV 89444	
Secretary, Karen Vandervort or	
Chair, Ole Chavez - (775) 266-3000	

Indian Hills General Improvement District	2003 - 2011
3400 James Lee Park Road	
Carson City, Nevada 89705	
Secretary/Treasurer, Brian Patrick	
Vice Chair, Denise Pierini	
Trustees, Bill Eisele or Ronny Lynch - (775) 267-2805	

City of Yerington 2003 - 2011
102 South Main Street
Yerington, Nevada 89447
City Manager, Dan Newell - (775) 463-3511

Kingsbury General Improvement District 2003 - 2011
PO Box 2220
Stateline, Nevada 89449
Trustee, Dr. Dan Norman - (775) 588-3548

Incline General Improvement District 2003 - 2011
964 Incline Way
Incline Village, Nevada 89451
Susan A. Herron, District Clerk - (775) 832-1235

Douglas County Assessor 1999 - 2000
PO Box 218
Minden, Nevada 89423
Former Assessor, Barbara Byington - (775) 782-2368

Douglas County Planning Commission 1999 - 2000
PO Box 218
Minden, Nevada 89423
Former District Attorney Scott W. Doyle - (775) 782-7913

Response 4 on behalf of Kara M. Hayes:

Douglas County Commission 2007
PO Box 218
Minden, Nevada 89423
District Attorney Mark Jackson - (775) 782-9800

5. Please describe any and or all perceived or actual conflicts of interest with your desire to represent the Town of Gardnerville?

Response 5: In determining whether an attorney has a conflict of interest in representing a client, the Nevada Rules of Professional Conduct provide in relevant part that a concurrent conflict of interest exists if:

- (1) The representation of one client will be directly adverse to another client;

or

(2) There is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

Nevada Rules of Professional Conduct, Rule 1.7(a)(1)-(2).

Applying this standard, Jennifer Yturbide, Rowe Hales Yturbide, and Kara Hayes do not represent another entity that has a competing interest with the Town of Gardnerville. It is highly unlikely that our entity clients would be presented with an issue in which their positions could differ because they do not share decisional authority over common projects and services. Water and sewer services provided in the Town's jurisdictional boundaries are provided by other entities that are not represented by applicant, her law firm, or Ms. Hayes. The opportunity for conflict is slight. The resigning Town Counsel is a partner at Rowe Hales Yturbide and has not experienced any significant conflict in his representation of the Town for more than three decades.

6. **Please describe each identified attorney's experience in the areas of right of way, public land ownership, land use, zoning and planning, local government purchasing act, and public works contracting and contractor's bonds on public works.**

Response 6: Jennifer Yturbide has both public and private experience in these areas. Over the past 29 years, she has had opportunities to work on a broad range of legal issues. While employed with the Douglas County District Attorney's office, she worked in both the Civil and Criminal Division representing several county agencies. Her civil work included assistance provided to the Building Department on public projects that involved the bid process, construction, drafting and review of agreements, and she assisted with negotiations and inspections ensuring compliance by the contractor in the library renovation. She also worked on behalf of the county to enforce codes, local ordinances, and Title 20 - Consolidated Development Code, including improper storage, signage, and lighting. Jennifer appeared as counsel before the local and State Board of Equalization and District Court, and represented the former Douglas County Assessor, Barbara Byington, successfully defending taxes imposed on non-tribal members for the value of 99-year leaseholds located on tribal allotment lands. Jennifer also prepared inter-local agreements for Special Districts, and aided in the transition over from a pilot program for child support enforcement to the statewide program now in existence. Jennifer transferred to the Criminal Division thereafter providing primary prosecution of youth offenders, child abuse and neglect cases, overflow criminal prosecution of adult offenders, and on-call deputy coverage that included cases involving homicide, kidnap and sexual assault,

shootings and violent crimes against children. She also represented the government in appeals to the Nevada Supreme Court.

After re-entering private practice in 2003, and over the past 13 years, Jennifer has had a variety of cases involving zoning and land use issues and she has provided advice to Special Districts, the City of Yerington and the Town of Gardnerville as back-up counsel to Scott W. Brooke, Esq. (for Incline GID, Kingsbury GID, Indian Hills GID), Michael Smiley Rowe (Town of Gardnerville, GRID, and Topaz Ranch Estates GID) and Charles S. Zumpft (City of Yerington). She has appeared as back-up counsel (and on primary assignment) before the Special Districts and Town listed above. Jennifer researched, assisted and provided coverage for Scott W. Brooke, Esq. concerning disputes over use of public beach property and other public facilities on behalf of the Incline Village GID. She also represented private land owners who successfully resisted the development of a coal-fired power plant in Gerlach through negotiation with various governmental agencies and departments, private companies, and nonprofit organizations. Her efforts included appearances before agencies regarding air and water quality, coordination of evidence and experts for testimony, and arguing before the Washoe County Board (as co-counsel with William J. Shaw, Esq.) and at the Washoe County Planning Commission. The power plant has not been constructed.

Jennifer has represented other private clients concerning zoning, land development, right of way, easement, and public taking issues in Douglas County, Lyon County and Carson City. Jennifer successfully defended an individual being prosecuted by Douglas County under its prior ordinance limiting windmills on residential property. The County has since enacted a new windmill ordinance. She has also achieved compensation for her client, the owner of a commercial marina and resort, against Douglas County for improperly requiring a Special Use Permit by establishing through research of county records that the uses pre-dated the zoning and land use laws relied upon. Jennifer also recently obtained compensation for clients from Carson City involving commercial property and public right of way. In representing private parties in these instances, Jennifer has learned the importance of being readily available to local government staff as circumstances develop, questions arise, and before action is taken. She believes that experience representing both government and private clients on issues has made her more effective in her work.

Ms. Hayes does not have direct experience in the specific areas of law listed. However, in her capacity as a judicial staff attorney, Deputy District Attorney, and as an attorney with over 26 years of experience, she is skilled at legal research, writing and drafting of agreements. Over the past several years, she has provided contract legal services to other attorneys, primarily in the area of family law, real

estate and business litigation. She has served on the Genoa Town Board, and advised and appeared before the Douglas County Commission.

7. Please describe each identified attorney's experience in the areas of Open Meeting Law and Ethics in Government Law.

Response 7: Jennifer has had the privilege of serving under the former District Attorney Scott W. Doyle, well known in the legal community for his pioneering efforts in the establishment of Nevada's Open Meeting Law, NRS Chapter 241. Early on, it became clear that adherence to the Nevada Open Meeting Law is of primary importance. The law is designed to ensure that members of the public are alerted in advance about the matters that will be considered by the Town Board by the posting of sufficiently worded agendas, so that they can participate in a transparent and meaningful way in local government. Jennifer has had the pleasure of presenting on the Open Meeting Law to new board members of special districts. She is also of the opinion that an ounce of prevention is worth a pound of cure. Therefore, she has not hesitated to provide guidance to board members when they have concerns related to potential conflicts of interest. Although Jennifer has assisted defending against claims of violations successfully, she has not hesitated to seek advance legal opinions and guidance on behalf of districts and board members from the Attorney General's office and the body regulating Nevada's Ethics in Government Law, NRS Chapter 281A, if there is any question about a potential conflict or situation that could be construed as a violation. Many issues can be prevented by review of the proposed agenda before publication, proper notice and dissemination of materials to the public, and disclosures. Many of these practices have been the custom and practice of the retiring Town Counsel that have been implemented by the Town Manager, Mr. Dallaire. Jennifer has been impressed by the organization, interest and commitment shown by the Town Manager, Staff and the Board to uphold the principles of Nevada's Open Meeting Law and engage members of the public in a meaningful way during meetings. Ms. Hayes was a member of the Genoa Town Board in the 1990s. In that capacity, she became familiar with and abided by the Nevada Open Meeting Law.

8. Please describe how you propose to satisfy the accessibility requirements of the RFP.

Response 8: My office is local, and within minutes from the Town's office. I have a business cell phone upon which I receive voice mail, text and office email. If I am away from my office, I keep my cell phone with me. On occasions when I may be in court or a meeting, I have a full-time legal assistant devoted to my work, who knows my schedule and will know how to reach me in case of an emergency. If there

is an emergency, I ask that you call and speak with her and alert her that you have emailed me. I will schedule my other commitments around general and special meetings of the Town Board so that I am available. Our office is fully equipped with the necessary research tools, and office equipment to complete work for the Town.

As the Town Board may recall, my partner Michael Smiley Rowe, Esq. served as the District Attorney of Douglas County from 1978-1983, and was the principal author of the three ordinances which created the unincorporated towns of Minden, Gardnerville and Genoa. I am familiar with NRS 269.500 et seq. and am confident that I will become familiar with the Town's ordinances in short order. Although Mr. Rowe has retired as Town Counsel after more than 30 years of dedicated service, I am pleased and honored that he will remain as a valuable resource for historical background on Town issues. The physical files and computer files are readily available for a smooth transition.

9. Please describe how you propose to satisfy the back-up requirements of the RFP.

Response 9: I am pleased that a colleague who I have known and respected for almost 20 years has agreed to provide back-up coverage on Town matters for me in case of an emergency. Ms. Hayes, like myself, has had experience in the public sector providing legal services for the California Supreme Court, the Ninth Judicial District Court (the Honorable Michael P. Gibbons), and as a Deputy District Attorney for Douglas County under our current District Attorney, Mark Jackson. She has also had experience working for the Nevada Supreme Court. She has exceptional skills in research, writing, and drafting agreements. Furthermore, she has served on the Genoa Town Board. I have every confidence that she will understand and represent the Town competently in the unlikely event I am unavailable. I intend to introduce her to the board should I be selected, and intend to keep her abreast of significant issues facing the Town.

Although my partner, James R. Hales, Esq. is not applying with me for Town Counsel, he has offered to provide back-up in case of an emergency. Mr. Hales has served as back-up counsel for the Town Board at past meetings and the board is familiar with him. Mr. Hales has approximately 30 years of litigation experience, including litigation of land entitlement issues, water rights ownership issues, and personnel issues. He has also served, with Mr. Rowe, as former counsel for the Douglas County School District.

In closing, it would be my pleasure to serve as Town Counsel. I have deep roots to the community, as the daughter of a first generation Basque family. I grew up in Northern

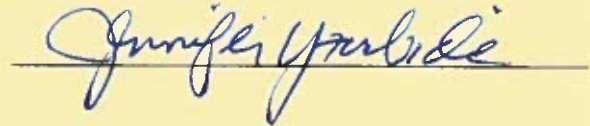
Nevada, in Douglas County, and frequented the Basque restaurants in Gardnerville with my family. I graduated high school from George Whittell in Douglas County. After attending law school at USF, and practicing law in the San Francisco Bay Area for 10 years, I returned to raise my own family so that they could experience this unique place that I call home. I am happily married to a Nevada native and lifelong public servant, Tod Carlini, whom I love and admire. In my free time, I enjoy riding my horse in the nearby mountains and valleys, attending movies at Heritage Park, and the concert series offered in Minden Park and by Carson Valley Arts Council, Farmer's Market, and the Candy Dance. It is not lost upon me that many of the events I enjoy are sponsored and made possible by our local towns.

By my signature, I certify that the information contained in this application is complete and accurate, to the best of my knowledge and belief.

Dated this 26th day of September, 2016.

Printed Name: Jennifer Yturbide

Signature:

A handwritten signature in blue ink, reading "Jennifer Yturbide", written over a horizontal line.

JAY/kh
Enclosures

PROPOSED SCHEDULE OF FEES

1. For attorney representation at the discounted rate of \$200 per hour. Representation may include preparation of contracts, ordinances and other documents and for consultation with the town manager, Town Board members or staff regarding issues presenting themselves on a day to day basis.
2. Attorney representation shall separately bill the town for costs and services performed on the town's behalf for litigation related matters at a discounted rate of \$250 per hour including for time spent for research, preparation of documents, and time spent in court, before a board or a tribunal. Attorney bills time in increments of a minimum of .2 per hour.

The duration of the proposed agreement is offered for 2 years, with an option for automatic renewal for another consecutive 2 years at the rate of \$225 per hour and \$250 per hour for day-to-day representation versus litigation related matters, respectively.

Objective

Appointment as Town Counsel for Town of Gardnerville, Douglas County, Nevada.

Career Profile

I was raised in Northern Nevada and Douglas County. I am married and have two grown daughters. Graduating with high academic distinction, I earned my J.D. from the University of San Francisco School of Law in 1987. I am licensed to practice law in both California (1987) and Nevada (1997).

For the past twenty-nine years, I pursued a broad career in the private and public sectors in Northern Nevada and California. I am dedicated to the local community, the advancement of the practice of law, and meeting the needs of my clients.

Professional Experience and Employment

Rowe Hales Yturbide LLP

2012 – present

Partner in general practice law firm, with emphasis in government representation, litigation, estates, trusts, guardianships, and family law matters.

Rowe & Hales

2011 – 2012

General practice law firm, with emphasis in government representation, litigation, estates, trusts, guardianships, and family law matters.

Brooke Shaw Zumpft

2003 – 2011

General practice law firm designed to provide full service to clients. The firm represented City of Yerington, Kingsbury GID, Indian Hills GID, Incline Village GID. I provided back-up coverage for government board meetings and a variety of issues as they arose in day to day operation. My services included matters involving civil and criminal litigation, water litigation, family law, elder issues, business and estate planning and administration.

Douglas County District Attorney's Office, DA Scott Doyle

1999-2003

During my tenure as a Deputy District Attorney, I was assigned to both civil and criminal departments. While in the Civil Division, I assisted the District Attorney with a civil appeal involving the Washoe County Clerk's Office. I represented

Jennifer Yturbide, Esq.

local government boards and agencies, handled administrative appeals, established and enforced child support obligations, enforced county codes and land uses prescribed by Title 20, prepared inter-local agreements, and worked on public construction projects.

Ninth Judicial District Court, Douglas County, Honorable Michael P. Gibbons, (1997-1999). Assisted with all matters pending before the District Court.

- *Routine felony and gross misdemeanor cases – review and advice concerning bail conditions, pretrial motions, and plea negotiations; prepare proposed orders; independent evaluation of presentence investigations conducted by parole and probation, and provide advice concerning the appropriate sentence.*
- *Work on post-conviction death penalty case requiring significant review, research, hearing, and analysis of constitution issues challenging the defendant's conviction and his sentence.*
- *Review and provide advice on the merits of appeals from Justice Court.*
- *Work on a myriad of civil matters including family, business, land and estate disputes.*
- *Provide independent advice and proposed written orders to the district judge analyzing the legal merits of motions, and evidence presented at trial.*
- *Worked with and facilitated relationships between the various courts, the District Court Clerk's office, local counsel, and other government departments as necessary.*
- *Participated in pretrial, discovery and settlement conferences with the district judge, litigants, and counsel.*
- *Assisted in the development of administrative rules and procedures, and forms designed to streamline the litigation process.*

Law Offices of Jennifer Yturbide, Novato, California.

1992 -1996

A small civil practice designed to balance parenting time with my young children. Work with small businesses; perform estate planning; and litigate select civil matters.

California Supreme Court, San Francisco, California–Central Staff. 1989-1992

Permanent staff attorney - Work emphasis on review and proposed disposition of civil cases coming before the California high court for review. Analyze and recommend whether to grant review considering the importance and novelty of the legal issues, or the perceived conflict in law among different districts of the

Jennifer Yturbide, Esq.

courts of appeal. Skills in research, writing, analysis, negotiation, debate and oral communication were imperative. Participation required in weekly meetings with justices to report upon and discuss prospective and pending cases.

Berger, Kahn, Shafton & Moss, San Rafael, California. 1988

Responsible for own civil litigation caseload, analysis of insurance coverage and defense. Resigned for position with the California Supreme Court.

Low, Ball & Lynch, San Francisco, California 1987-1988

Attorney in established San Francisco firm assigned to the complex litigation team specializing in civil litigation defense, including wrongful death claims, serious injuries, construction defect and premises liability claims. Daily appearances in court, depositions, arbitration proceedings, and settlement conferences. Significant written work and ongoing communications with insurers and clients regarding evaluation of their case, defense strategies, and the status of proceedings.

California Supreme Court, San Francisco, California – Extern for The Honorable Justice Edward Panelli 1986

As a law student, I had the unique opportunity to work for the Honorable Justice Edward Panelli. Chief duties included the review, research, analysis and preparation of memoranda for the justices recommending whether civil and criminal appeals had merit and should be granted review. Attend oral argument, review and critique circulating proposed opinions concerning pending cases at weekly meetings with Justice Panelli and staff.

Education

University of San Francisco, School of Law, San Francisco

- Graduated Cum Laude, Juris Doctorate 1987***
- McAuliffe Honor Society***
- Moot Court (Director/Program Manager/Participant), Moot Court Best Brief***

San Francisco State University, San Francisco

- Graduated Cum Laude, Bachelor of Arts - Social Sciences and Interdisciplinary Studies 1983***

University of Nevada, Reno

- Dean's List 1978-1979***

Jennifer Yturbide, Esq.

George Whittell High School, Zephyr Cove, Douglas County, Nevada

- *Graduated with honors, Diploma* 1978
- *Honor Society*
- *Speech and Debate, competition awards and honors*
- *“Miss Whittell”, title bestowed by teachers for most well- rounded student*

Community Service and Associations

- *Member of the Nevada State Bar and California State Bar*
- *Founding Member of Douglas County Bar Association*
- *Member of the Douglas County Business Council*
- *Member of the Washoe County Bar Association*
- *Member of Northern Nevada Estate Planning Council*
- *Carson Valley Arts Council, Board member*
- *Past Pro Tem Justice of the Peace, Tahoe Township Justice Court*
- *Former President of the Douglas County Bar Association*
- *Former Board Member of the Carson Valley Children’s Center (Austin’s House)*
- *Past Class Presenter for CASA, SAFE, and DCSO Reserve*
- *Former presenter at local leadership classes, Douglas County Government classes, and Teen Pregnancy Prevention community events*
- *Former member of the Douglas County Sheriff’s Posse*

Nevada Board of Continuing Legal Education

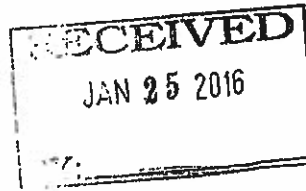
457 Court Street, 2nd Floor
Reno, NV 89501

Phone - 775-329-4443 Fax - 775-329-4291

Email - nevadacleboard@sbcglobal.net Website - www.nvcleboard.org

January 19, 2016

JENNIFER YTURBIDE
1638 ESMERALDA
MINDEN, NV 89423



LAWYER ID: 6540

ANNUAL CLE REPORT

The Nevada Board of Continuing Legal Education records indicate you are **COMPLIANT** with the annual credit requirement due by 12/31/2015.

This 2015 Compliance Report is provided to inform you of your status with the Nevada Board of Continuing Legal Education (NV CLE) for the 2015 calendar year.

PLEASE NOTE:

- þ The annual CLE requirement is twelve (12) hours including a minimum of two (2) hours of ethics.
- þ The enclosed Compliance Report may not reflect hours completed within the last 30 days.
- þ Please review your Compliance Report carefully. If there are any courses missing from your report, attach the certificates of attendance, sign and return. You can review your most recent NV CLE transcript at www.nvcleboard.org by accessing MyNVCLE.
- þ For your convenience, fees can now be paid online at www.nvcleboard.org.

To be in full compliance, sign and return your report with your \$40.00 annual fee by the March 1 deadline. Failure to pay your annual fee or return your signed report by March 1, will result in a late fee of \$100.00.

Our office is available to assist you. Please contact us with any questions you may have.

Enclosure(s)

Nevada Board of Continuing Legal Education

457 Court Street, 2nd Floor

Reno, NV 89501

Phone - 775-329-4443 Fax - 775-329-4291

Email - nevadacleboard@sbcglobal.net Website - www.nvcleboard.org

2015 REPORT OF COMPLIANCE WITH MANDATORY CLE REQUIREMENTS

01/19/2016

LAWYER ID: 6540 NAME: Jennifer Yturbe
ADDRESS : 1638 Esmeralda
Minden, NV 89423

PAGE NO: 1

COURSE DATE	COURSE NAME	CR HRS/ TYPES	12/31/2014	12/31/2015	CARRY 12/31/2016	CARRY 12/31/2017	EXCESS *
12/31/2013	2013 ETHICS CARRY HOURS	4.00E	2.00E	2.00E			
12/31/2013	2013 GENERAL CARRY HOURS	20.00G	9.00G	10.00G			1.00G
01/09/2014	Elimination of Bias in the Legal Profession 2011	1.00SD			1.00SD		
01/13/2014	Sex, Drugs and Rock & Roll - Detection/Prevention of Substance Abuse	1.00SD	1.00SD				
04/18/2014	AccidentReconstructi	1.00G					
05/23/2014	Ninth Judicial Court Rerogization Update and Filing Tips	1.00G			1.00G		
04/24/2015	The Dangers of Substance Abuse for Professionals	1.00S			1.00S		
10/09/2015	Introduction to Collaborative Law	1.00G			1.00G		
11/03/2015	Combatting Ethical Issues-A Conversation Among Legal Minds	2.00E			2.00E		
<hr/>							
Previous Carry Forward:			23.00	15.00			
Total Credits Taken:			4.00	4.00			
Total Credits Applied This Period:			12.00	12.00			
Total Credits Carried:			15.00	7.00			

Requirements Met: Y Y
Hours Needed By: 12/31/2014 12/31/2015

LEGEND: A = Authorship, D = Distance Learning, E = Ethics, G = General, P = Preparation Time, S = Substance Abuse, T = Teaching

* SCR 210 2(B) Any attorney subject to these rules who completes more than twelve (12) hours of accredited educational activity in any calendar year may carry forward up to twenty (20) hours of excess general credit and four (4) hours of excess ethics credits in any calendar year for the next two (2) calendar years.

NOTE: all or some of these hours were applied to previous period's deficiency.

Kara M. Hayes

Professional Experience

Law Office of Kara M. Hayes - Owner

December 2008 to Present

During the past 8 years, I have primarily worked in a consulting/independent contractor capacity with other law firms, including the Law Office of Peter B. Jaquette; the Law Office of Kathleen B. Kelly; and Alling & Jillson. My areas of practice include family law, real estate and business litigation.

Douglas County, Nevada - Deputy District Attorney,

April 2007 to December 2007

I represented the Civil and Child Support Divisions of the Douglas County District Attorney's office. In this capacity, I assisted in the drafting of the County's sustainable growth initiative and flood ordinances, advised and appeared before the County Commissioners, participated in civil litigation and water rights matters, and represented the County before the Child Support Master and Douglas County's District Court judges on child support matters.

Law Offices of Kara M. Hayes, P.C. - Owner

August 1997 to November 2006

I operated a general law practice with a primary focus on family law cases with an emphasis on assisting women and child victims of domestic violence.

Douglas County, Nevada - Law Clerk

August 1996 to August 1997
January 1995 to July 1995

I was Judge Michael Gibbons first law clerk when he assumed the bench in 1994. My duties included research and analysis of virtually all cases pending before Judge Gibbons as well as drafting opinions and orders.

Beavers & Young - Associate

August 1995 to March 1995

My work involved primarily civil litigation matters.

Nevada Supreme Court - Law Clerk

January 1994 to January 1995

I clerked for Justice Charles Springer. My duties included research and analysis of the more novel and complicated cases pending before the court and extensive writing projects including bench memorandum and draft opinions.

Crosby, Heafey, Roach & May - Associate

August 1990 to December 1993

I worked for the business litigation, real estate and business transactional groups of this large Bay Area law firm.

California Supreme Court - Extern

January 1990 to May 1990

I was an extern to Justice Allen Broussard. My duties included research and analysis and the drafting of bench memorandum.

Hastings College of the Law - Teaching Assistant and Tutor

September 1988 to August 1990

I was a teaching assistant for classes in Evidence, Torts, and Corporations and a tutor in Contracts, Corporations, Constitutional Law, Criminal Procedure and Torts.

Kara M. Hayes

Education

Hastings College of the Law, University of California, San Francisco - Juris Doctorate May 1990

Class Standing: 5/383

Honors: Magna Cum Laude, Order of the Coif

Staff: Hastings International and Comparative Law Review

Assistant Production Editor: Hastings Constitutional Law Quarterly

University of California, Davis - Bachelor of Arts, Economics June 1986

Graduated with High Honors (Top 5%)

Member Economic Honors Society

Additional Relevant Experience

Volunteer Attorneys for Rural Nevada – current Board Member

Nevada Supreme Court Access to Justice Form Committee – current Member

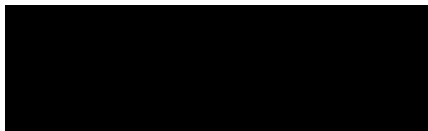
Genoa Town Board – former Member

Genoa Historic Commission – former Member



Profile Information

Name: Kara M. Hayes
Bar #: 5664



CLE Compliance Information

[view full transcript](#)

Updated March 17, 2016

Status for Compliance Period Ending December 31, 2015:	COMPLIANT
Status for Compliance Period Ending December 31, 2016:	REQUIREMENTS NOT YET COMPLETED
Compliance Group: 1 Reporting Deadline: December 31	FEES OWED: NO
License Status: Active	Each active lawyer must complete a total of twelve (12) credits with a minimum of two (2) ethics credits and ten (10) general credits <u>each reporting year</u> . credits are taken every third year beginning 2014. Ethics credits in excess of your ethics requirement may be used to meet the general requirement. Substance Abuse credits in excess may be used to meet the ethics and/or general requirements.

12/31/2016 Credit Summary

Annual Requirement:	General:	10	Ethics:	2
Credits Completed:	General:	0	Ethics:	1.5
Credits Required by December 31, 2016:	General:	5.5	Ethics:	0.5

Recently Posted Credits

[view full transcript](#)

Title	Show <input type="button" value="3"/> ▼	Date	General	Ethics	Substance Abuse
26th Annual Family Law Conference		03/05/2015	10	2	0
Advanced Family Law Program		12/04/2014	5	1	0
#408 Foreclosure and Bankruptcy Essentials		11/30/2014	1	0	0
#418 Selecting Your Jury in Criminal and Civil Trials		11/27/2014	1	0	0
#426 Asset Protection Planning - Learn the Nuts & Bolts		11/24/2014	1	0	0
#428 Ethics: Avoiding Legal Malpractice Law Suits		11/21/2014	0	1	0
#401 Ethics: Handling Conflicts with Pro-Bono Clients		11/15/2014	0	1	0
#422 SA: Substance Abuse and Treatment Options (Assessmen ...		11/12/2014	0	0	1
2013 CARRY HOURS		12/31/2013	0	0.5	0
2013 CARRY HOURS		12/31/2013	5.5	0	0

Proposal for Legal Services
Town of Gardnerville



September 26, 2016

Handelin Law, LTD
1049 S. Carson Street
Carson City, NV 89701
www.handelinlaw.com
[office] 775.882.6888
[fax] 888.474.7751



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Introduction

Handelin Law is excited to prepare this proposal in response to the Request for Proposal issued by the Town of Gardnerville and Main Street Gardnerville. Handelin Law is a team of three attorneys and administrative staff. Handelin Law is equipped to handle any task at any time.

The founder and owner of Handelin Law, Steven P. Handelin, has direct experience with the Town of Gardnerville, having the pleasure to serve as Town counsel by and through Michael Rowe, while employed at Rowe & Hales, LLP. During his time representing the Town, he also assisted with and prepared the organizational and compliance paperwork for Main Street Gardnerville.

Should Handelin Law be selected to represent the Town of Gardnerville, the Town will receive exemplary legal representation. Handelin Law will provide, for the first year, two attorneys for every regular meeting, and when possible, for every special meeting, as Mr. Handelin is the only attorney who meets the preferred qualifications. This initial duality will provide the opportunity for the Board to meet our team, while ensuring proper representation in the event of unavailability of one of our attorneys. In conjunction, this approach will also allow personal interaction between the Board, Town manager and our team of attorneys.

Handelin Law's top priority of is to serve our clients and provide expert legal advice. Handelin Law will respond to any and all concerns expeditiously. Further, we can be reached by cellular phone at any time, so accessibility will not be an issue as we are acutely aware of the value of time sensitive responses. With our team of three attorneys, there will always be legal representation a phone call away.

We thank you for this opportunity to offer our services to the Town of Gardnerville.

Legal Team

I. Attorneys

a. Steven P. Handelin, Esq.

NV Bar: 9575

CA Bar: 243821

Steven P. Handelin is a Native Nevadan, who has been practicing law since 2005. Mr. Handelin is licensed to practice law in State and Federal Courts in the State of Nevada and California, as well as the Ninth Circuit Court of Appeals.

Mr. Handelin graduated from McGeorge School of Law in 2005. Thereafter, he clerked for the Honorable William A. Maddox in the First Judicial District Court in and for Carson City and Storey County.

Thereafter, he had the honor of working under James R. Hales and Michael Rowe in Douglas County for approximately 4 ½ years. While there, he had the pleasure to serve as counsel for the Town of Gardnerville, the Town of Genoa, Topaz Ranch Estates General Improvement District, and the Gardnerville Ranchos General Improvement District. While representing these entities, Mr. Handelin became exposed to and quite experienced in the issues that local governments face, including public rights of way, issues concerning public land ownership, zoning, the local government purchasing act, contracts and development issues.

In January 2011, Steve founded Handelin Law. Since that time, he has focused on building a law firm with the client experience being the paramount goal. With this proposal, he looks forward to bringing his unique approach to the Town of Gardnerville.

b. Cara Sheehan, Esq.

NV Bar: 14119

WA Bar: 48737

Cara Sheehan is also a Native Nevadan, who has been practicing law since 2014 and is licensed to practice law in the State of Nevada and Washington State. Ms. Sheehan graduated from Willamette University School of Law in 2014. While attending law school, Ms. Sheehan worked for a sole practitioner who focused on employment law, labor law, and business training.

After passing the bar in Washington State, Ms. Sheehan moved back to Nevada to be closer to her family and was hired at Handelin Law as a law clerk in April of 2015. While working at Handelin Law, Ms. Sheehan studied for and passed the February 2016 Nevada Bar. Since becoming licensed in the State of Nevada she has been working as an associate attorney.

As an attorney at Handelin Law, Ms. Sheehan has gained experience in a variety of civil litigation ranging from workers' compensation to assisting veterans in obtaining benefits and drafting various agreements. She is looking forward to the chance to assist the Town of Gardnerville in its future endeavors.

c. Joseph Dragon, Esq.

NV Bar: 13682

Joseph A. Dragon is a Native Nevadan born and raised in Gardnerville. Mr. Dragon graduated from Douglas High School in 2006. He then obtained a Bachelors in Finance from the University of Nevada, Reno in 2010. He graduated from the University Of Idaho College Of Law in 2014.

While in law school, Mr. Dragon completed 120+ hours of pro bono service. He also worked as a public defender in the summer of 2013 and a prosecutor in the Fall of 2013 and the Spring of 2014. Mr. Dragon also worked on a variety of different business related legal matters, and focused his

studies on business related law. Between February of 2015 and June of 2016, Mr. Dragon served as a law clerk for the Honorable Leon Aberasturi in the Third Judicial Court of Nevada. While there, Mr. Dragon gained experience on a plethora of legal topics. Mr. Dragon looks forward to serve his home town by implementing his skills and expertise.

II. Qualifications

a. Approach

With all matters, no matter how small or large, Handelin Law employs a team approach and team mentality. Conceptually, this model allows for the best utilization of time and resources within our clients' budgets, as well as the vital scenario to review and ensure that regardless of the circumstances, you will be covered. Practically, this is accomplished by the appointment of two attorneys for each matter and one assistant. There is not any double billing under this model, as the work is a "divide and conquer" mentality while obtaining the benefit of vetting, and one billing for any jointly attended meetings.

At Handelin Law, we utilize cloud technology and cloud base practice management software. This allows us to work from anywhere and at any time, from in person meetings to actual monthly meetings. We look forward to putting our experience and knowledge to work for the Town of Gardnerville.

b. Open Meeting Law

Nevada Revised Statute, Chapter 241, and the subsequent Attorney General opinions are the back bone of governmental transparency at the local levels

While working for the respective Boards during his tenure at Rowe & Hales, LLP, Steve Handelin ensured compliance with the Open Meeting Law. Since that time, Handelin Law has worked with entities subject to the Open Meeting Law, as well as advised individuals and business on the application as well as potential violations of the Open Meeting Law.

Mr. Dragon previously clerked for the honorable Leon Aberasturi in Lyon County. While there, Mr. Dragon gained experience in Open Meeting Law compliance. This experience provided Mr. Dragon with understanding in ensuring local governmental agencies are in compliance with the laws. Simple steps can help ensure the Town of Gardnerville is fully transparent to its citizens while protecting against possible writs of mandamus and invasion of the Boards and the entities employees' personal information.

While representing any entity, Mr. Handelin has also become well versed in Robert's Rules of Order to ensure civility and structure to meetings. While the Open Meeting Law is the backbone to any public meeting, Roberts Rules of Order allows for order and productivity. By retaining our

services, we will work to ensure not only compliance, but orderly and civil conduct within the meetings.

c. Business Law

From start-up to dissolution, Handelin Law has experience in assisting business navigate the gamut of issues facing any industry. We have prepared countless acquisitions of assets and entities themselves. We have assisted companies with various contracts – from leases to vendor agreements, and everything in between. Additionally, we have represented business before administrative agencies, as well as State agencies, so we have the experience and expertise to have a seamless transition of counsel.

Mr. Handelin has over 10 years' experience with business type related legal matters. Mr. Dragon received his Bachelor's in Finance with a Minor in Economics in 2010. While in law school, Mr. Dragon focused his studies on business related legal issues.

d. Non-Profit Law

Handelin Law works with numerous non-profit entities serve and preserve their tax exempt status, as well as facilitate strategic alliances with for profit entities. With this experience, the continuation of Main Street Gardnerville will be encompassed within our scope of representation.

While serving as the town counsel under Mr. Rowe, Steve Handelin was instrumental in the formation of Main Street Gardnerville, working with the former Town Manager and the current Town Manager creating a seamless introduction within the Town's structure.

e. Contract Law

Handelin Law works with individuals, businesses and municipalities regarding the agreements in which they negotiate and perform. From drafting, reviewing and enforcing contracts, we have the skill and experience needed to ensure the Town of Gardnerville continues to flourish.

Mr. Handelin has experience with interlocal agreements, as well as vendor and services agreements.

f. Development Law

Our attorneys represent numerous developers, which in turn have allowed us to spot potential issues well in advance, as well as become familiar with areas of concerns within local governments. In so doing, we have become well versed in land use issues, as well as working with all parties involved to reach resolutions that continue to benefit both sides of any development.

g. Litigation and Dispute Resolution

At Handelin Law, all of our attorneys are well versed in dispute resolution and litigation. We work closely with our clients so that ideally, a dispute will never reach Court. However, we prepare each case from the outset as though it will be necessary to pursue through the end of trial. This approach allows us to vet and address issues from the outset in order to establish a litigation plan from the outset and to drive resolution, if applicable.

h. Legislative Tracking

Handelin Law provides legislative tracking for various entities, and the Town of Gardnerville will be no different. While the Legislature is in session, we will provide monthly updates (or more frequently if necessary), for any and all proposed legislation that may impact the Town, and discuss avenues to approach the legislators or methods to minimize the impact, if possible, upon the Town and its constituents.

i. Employment Law

From Policy and Procedure Handbooks to injuries on the job, and everything in between Handelin Law has done it all. As with many aspects of an organization, expectations are essential to providing a comprehensive approach to provide a synergistic approach to maximizing the benefits to the workers and the organization as a whole.

Budget

I. Fees

a. Time

Attorneys will be billed for actual time spent on a matter. In order to facilitate a beneficial relationship, Handelin Law proposes a reduction of nearly 25% off regular rates, and proposes to perform counsel services for the following rates:

- i. Partner \$250/hr.
- ii. Associate \$215.00/hr.
- iii. Paralegal \$100/hr.
- iv. Assistant \$30/hr.

b. Meetings

- i. Monthly Meetings – Monthly Meetings will be billed at one hour flat fee of the Partner attorney (\$250.00), regardless of who attends, with no travel time. Preparation and work performed in furtherance of the meeting will be billed accordingly.

- ii. Special Meetings - Special meetings will be billed at time attended by the lead attorney. Preparation and work performed in furtherance of the meeting will be billed accordingly.

c. Annual Review

In order to ensure a synergistic and viable relationship, we would propose that we review the fee structure annually.

II. Expenses

Expenses will be billed as incurred on a monthly basis.

References

I. Bob Spellberg

Mr. Spellberg is the District manager at the Gardnerville Ranchos General Improvement District (GRGID), and was District Manager during Mr. Handelin's representation of the GRGID. Mr. Spellberg's contact information is:

931 Mitch Drive
Gardnerville, NV 89460
775.265.2048
grgid@aol.com


II. Tom Dallaire

Mr. Dallaire is the Town Manager for the Town of Gardnerville, and was during Mr. Handelin's representation of the Town. Mr. Dallaire's contact information is:

1407 Highway 395 N
Gardnerville, NV 89410
775.782.7134
tdallaire@douglasnv.us

III. Mike Rowe, Esq.

Mr. Rowe, is a principal in the law firm of Rowe, Hales & Yturbide, and was Mr. Handelin's supervising attorney during his representing local governments and general improvement districts. Mr. Rowe's contact information is:

1638 Esmeralda Ave.
Minden, NV 89423
775.782.8141


Conflicts of Interest

There are no known current or potential conflicts of interest that would either impose a hardship on the Town or prevent Handelin Law from performing legal services on any issue.

However, with the cloud technology utilized at Handelin Law, whether or not a potential conflict may arise is only a quick check on line away, so in the unforeseen event that a conflict would arise, we will know prior to any substantive work being performed.

Insurance

Handelin Law obtains legal malpractice from ALPS Insurance. While no claim has ever been filed, we maintain policy limits of \$2,000,000.

Conclusion

We thank you again, and we look forward to having the opportunity discuss our qualifications in person on October 10, 2016.

Handelin Law, LTD
1049 S. Carson Street
Carson City, NV 89701
www.handelinlaw.com
[office] 775.882.6888
[fax] 888.474.7751


Exhibits

- Exhibit A: Resumes
- Exhibit B: Certificate of Insurance
- Exhibit C: Executed Certification

Exhibit “A”

STEVEN P. HANDELIN, ESQ.

PO Box 4568
Carson City, NV 89701

www.handelinlaw.com
steve@handelinlaw.com

Phone: 775.882.6888
Fax: 888.474.7751

ADMISSIONS

NEVADA License No. 9575

Admitted in 2005

CALIFORNIA License No. 243821

Admitted in 2006

PROFESSIONAL EXPERIENCE

HANDELIN LAW, LTD.

January 2011–Present

FOUNDER/PRESIDENT

- Focus on estate planning, probate, business formation and transactions, contracts, litigation, asset protection and wealth preservation, workers' compensation, healthcare law, and renewable energy law.
- Prepare and negotiate real property and business transactions
- Prepare judicial pleadings and prepare motions and orders
- Presently employ an Associate Attorney and several staff members.
- Manage and supervise an annual case load of approximately 850 matters in 2015
- Sustain 20% annual growth in matters

GREAT BASIN CORPORATE SERVICES, LLC

February 2013–present

MANAGER

- Prepare, file and retrieve, filings with the Secretary of State
- Commercial Registered Agent with the Nevada Secretary of State

ROWE & HALES, LLP

August 2006–January 2011

ASSOCIATE ATTORNEY

- Prepare court pleadings and motions
- Prepare business contracts
- Prepare comprehensive estate plans
- Represent Town and General Improvement District Boards

TRANSCENDENT ENTERPRISES, INC.

August 2000–August 2009

PRESIDENT

- DESIGN, IMPLEMENT AND OPERATE ECOMMERCE WEBSITES

FIRST JUDICIAL DISTRICT COURT, HON. JUDGE MADDOX

July 2005–July 2006

LAW CLERK

- Research variety of complex legal issues presented before the Court
- Prepare Legal Briefs and Legal Memorandums

- PREPARE AND RESEARCH VARIETY OF POLICIES WITHIN THE AUTHORITY

EDUCATION

University of the Pacific, McGeorge School of Law
Juris Doctor, 2005

- Concentration in Intellectual Property

University of Nevada-Reno

Finance, Bachelor of Science, 2001

Marketing, Bachelor of Science, 2001

- Economics, Minor, 2001
- Computer Information Systems, Minor, 2001

MEMBERSHIPS

- First Judicial District Court Bar Association
- Washoe County Bar Association
- State Bar of California, Trusts and Estate Section
- El Dorado County Bar Association

NON-PROFIT CORPORATIONS

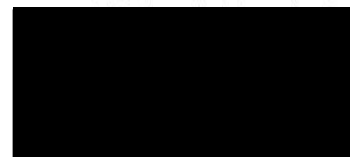
Carson Baseball Boosters Club, Inc., President
501(c)(3) designated entity by the IRS

December 2014 - present

Nevada Manufacturer's Association, Inc. n/k/a Western Manufacturer's Alliance
Treasurer

501(c)(3) designation pending

August 2015 - present



Education

Willamette University College of Law, Salem, Oregon

- Juris Doctor 2014
- Willamette Law Online, Oregon Court of Appeals, same day case reporting service, Writer
- Street Law Instructor, Free Speech and Family Law
- Study Abroad: East China University School of Politics and Law in Shanghai, China, Summer 2012

University of Nevada Reno, Reno, Nevada

- Bachelors of Arts in Secondary Education, 2010

Experience

Handelin Law, Ltd., Carson City, Nevada

Associate Attorney May 2016-Present

Law Clerk April 2015-April 2016

- Represent Employer and Insurers in Workers' Compensation Hearings
- Draft documents for civil litigation
- Performed research and prepared legal memoranda on a variety of litigation issues

Whitford Law Offices, LLC, Salem, Oregon

Law clerk, August 2013-May 2014

Extern, May 2013-July 2013

- Researched legal issues pertaining to employment law issues such as workers' compensation, wage and hour, and Weingarten rights under the NLRB
- Drafted document request letters
- Analyzed wage documents; prepared exhibits for hearings

DeMuniz Pine Street Resource Center, Salem, Oregon

Volunteer, October 2012-May 2013

- Interviewed reentering felony offenders with legal issues such as child custody issues, debt collection, and expungement
- Conferred with volunteer attorneys on client legal issues
- Counseled clients on steps to resolve their legal issues or questions

JOSEPH A. DRAGON, ESQ.



Education/Licensing

University of Idaho, College of Law: JD

May 2014

Academics/Activities/Recognitions:

- Dean's List; Fall 2012/Spring 2014
- Served as Vice President for the Public Interest Law Group
- Received recognition for over 120 hours of Pro Bono Service
- Completed upper division legal paper that focused on the new healthcare laws

University of Nevada, Reno: Bachelor of Science, Finance/Minor in Economics

May 2010

Activities:

- Rugby Team 2007, 2008 - Most Improved Player Award, 2007

Successfully passed the Uniform Bar Examination

July 2014

Successfully passed the Nevada State Bar Examination/Licensed to Practice in Nevada

February 2015

Professional Experience

Handelin Law Ltd.

June 2016-Present

Associate Attorney

- Responsibilities included:
 - Conducting civil and criminal litigation
 - Providing expert legal advice to clients
 - Providing transactional work on a myriad of legal topics
 - Appearing in Court on behalf of clients

Lyon County District Court

February 2015-June 2016

Staff Attorney for the Honorable Leon Aberasturi

- Responsibilities included:
 - Conducting legal research and writing
 - Providing expert legal advice/assistance to Judge Aberasturi
 - Drafting Court Orders
 - Drafting memos containing legal analysis

Susan Lyn Mimura and Associates

August 2013-April 2014

Legal Intern

- Responsibilities included:
 - All of Eagle City's misdemeanor prosecution work in the State of Idaho
 - Attended court hearings and represented the State of Idaho
 - Drafted legal documents
 - Worked with City of Eagle Police Department and other governmental agencies to help ensure the well-being of the community.

Ada County Public Defender's Office
Legal Intern

June 2013-August 2013

- Responsibilities included:
 - Appeared in Court on behalf of indigent defendants
 - Drafted various legal documents
 - Consulted with clients and gave expert legal advice
 - Performed jury trials on behalf of the defendant

Personal Interests

Provide tutoring services for Tutor Doctor, rock climbing, skiing, pro-sports enthusiast, intramural sports and outdoor activities

Exhibit “B”



HOME OFFICE ADDRESS:
111 N. Higgins, Suite 200
Missoula, MT 59802

PHONE:
(800) 367-2577

MAILING ADDRESS:
PO Box 9169
Missoula, MT 59807-9169

**LAWYERS PROFESSIONAL LIABILITY INSURANCE
POLICY DECLARATIONS**

NOTICE: THE POLICY IS A CLAIMS MADE AND REPORTED POLICY. NO COVERAGE EXISTS UNDER THE POLICY FOR A CLAIM WHICH IS FIRST MADE AGAINST THE INSURED OR FIRST REPORTED TO THE COMPANY BEFORE OR AFTER THE POLICY PERIOD OR ANY APPLICABLE EXTENDED REPORTING PERIOD. PLEASE READ THE POLICY CAREFULLY AND DISCUSS THE COVERAGE UNDER THE POLICY WITH YOUR INSURANCE ADVISOR.

POLICY NUMBER: ALPS14958- 5

Item 1 – Named Insured: Handelin Law, LTD
Address: P.O. Box 4568
Carson City, NV 89702

Item 2 – Name of Each Insured Attorney: Duvall, Amber
Handelin, Steven P.
Retroactive Date
11/18/2013
01/24/2011

Item 3 – Policy Period:
Effective Date: 01/24/2016
Expiration Date: 01/24/2017
Loss Inclusion Date: 01/24/2011
12:01 AM at the address stated in Item 1.

Item 4 – Limit of Liability: \$1,000,000 *Each Claim
\$2,000,000 Aggregate
*This means "all claims arising out of the same, related or continuing professional services."

Item 5 – Deductible: \$2,500 Each Claim

Item 6 – Annual Premium: \$6,999

Item 7 – Endorsements attached at inception of the policy form: LPL ENH (07-14)

Signature Page NV Amendatory Office Sharing Exclusion
First Dollar Defense Endorsement

All current and previously submitted application forms delivered to the Company are made a part of the policy. The Named Insured may obtain a copy of all application forms by submitting a written request to the Company.

Countersigned by: Charles Reese
Authorized Representative

Date: January 21, 2016

Exhibit “C”

REQUEST FOR PROPOSAL FOR TOWN COUNSEL

to Advise and Represent the Town of Gardnerville in
Conjunction with All General Civil Legal Matters

APPLICATION FOR GARDNERVILLE TOWN COUNSEL

Name: STEVEN P. HANDERIN

Nevada Bar No.: 9575

Firm Name: HANDERIN LAW, LTD

Address: 1049 S. KANSAS ST.

Business Telephone Number: 775.882.6888

Fax Number: 888.774.7751

Please respond to each of the following, using additional pages as necessary:

1. Please identify by name (and Bar Number, address and phone number if different than above) the proposed Town Counsel and each proposed back-up counsel:
2. Please attach resumes or *curriculum vitae* and *CLE report* for each attorney identified above.
3. Do each of the attorneys identified above meet the minimum bar admission requirements of the RFP? If other than "yes", please explain.
4. With respect to each attorney identified, please list each and every town, municipality or special improvement district represented by the attorney within the past ten years, the years of such representation, and the name, address and phone number of at least one contact person in each location with knowledge of the attorney's representation.
5. Please describe any and or all perceived or actual conflicts of interest with your desire to represent the Town of Gardnerville?
6. Please describe each identified attorney's experience in the areas of right of way, public land ownership, land use, zoning and planning, local government purchasing act, and public works contracting and contractors bonds on public works.
7. Please describe each identified attorney's experience in the areas of Open Meeting Law and Ethics in Government Law.
8. Please describe how you propose to satisfy the accessibility requirements of the RFP?
9. Please describe how you propose to satisfy the back-up requirements of the RFP?

By my signature, I certify that the information contained in this application is complete and accurate, to the best of my knowledge and belief.

Dated this 26th day of September, 2016.

Printed Name: STEVEN P. HANDERIN

Signature: [Signature]

The following questions are for your consideration. Please add your own at the meeting. This is what was submitted to me for your consideration.

1. Mike Rowe represented Main Street Gardnerville pro-bono would you consider doing that also?
2. Are you a member of, or volunteer for any non-profit organization?
3. A grand jury is being impaneled in Douglas County and there is a good chance that the Town of Gardnerville, as well as the other towns and general improvement districts are going to be of topic. How qualified do you feel you would be to represent the interests of the town or do you feel special council would be needed?
4. Describe your experience and comfort level when it comes to dealing with the State of Nevada Legislature, and would you be comfortable representing the town should a BDR be proposed that would affect the town?
5. Do you represent any other political subdivision within the State of Nevada? If so, please share them with us.
6. What is the governing statute that allowed the establishment of the town? How familiar are you with that Nevada Revised Statue?
7. What is the section of county code dealing with the town governance?
8. Do you see a perceived or actual conflict of interest with your desire to provide the town legal guidance and counsel?
9. How do you see the working relationship between you and or your firm and the town board and town staff?
10. Besides, submitting the Request for Proposal, what kind of preparation did you do for this interview?

Scale that will be used for each question we come up with for the interview. This will be similar to the RFP evaluation included with this packet.

0	1	2	3	4	5	6	7	8	9	10
Very Poor	Barely Adequate		Average		Very Good		Excellent			



Town Legal Services Request for Proposal for Town Counsel Summary

Sum of interview question response evaluation and includes RFP Score

Candidates

	Ryan D. Russell	Charles S. Zumpft	Jennifer A. Yturbide	Steve P. Handlin
OVERALL EVALUATION	546	427	569	503

Gardnerville Town Board

AGENDA ACTION SHEET



1. **For Possible Action:** Discussion on selection of legal counsel; with public comment prior to board action.

2. **Recommended Motion:** To be determined at meeting.

Funds Available: ☒ Yes ☐ N/A (requires staff time)

3. **Department:** Administration

4. **Prepared by:** Tom Dallaire

5. **Meeting Date:** 10/10/16 **Time Requested:** N/A

6. **Agenda:** ☐ Consent ☒ Administrative

Background Information: See attached. Presentations at meeting.

7. **Other Agency Review of Action:** ☐ Douglas County ☒ N/A

8. **Board Action:** Motion Miller/Higuera to select Jennifer Yturbide as town attorney starting January, 2017. Motion carried unanimously.

☒ Approved ☐ Approved with Modifications
☐ Denied ☐ Continued