



MARIPOSA COUNTY

County Counsel • (209) 966-3222



RESOLUTION - ACTION REQUESTED 2016-620

MEETING: December 6, 2016

TO: The Board of Supervisors

FROM: Steve Dahlem, County Counsel

RE: Legal Services Agreement with Abbott & Kindermann, LLP

RECOMMENDATION AND JUSTIFICATION:

Approve a Legal Services Agreement with Abbott & Kindermann, LLP to Provide Legal Services to the County; and Authorize the Board of Supervisors Chair to Sign the Agreement.

This Agreement retains Abbott and Kindermann, LLP to represent Mariposa County in a legal action filed by Daniel and Juliet Sohn in Mariposa County Superior Court.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On November 8, 2016 the County was served with a Complaint for declaratory relief; to quiet title; for injunctive relief; and for damages (*Daniel Sohn and Juliet Sohn v. County of Mariposa, et al.*).

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

FINANCIAL IMPACT:

The funding for this agreement will be paid from the County's Liability fund and there is currently sufficient money in this fund for this Legal Services Agreement.

ATTACHMENTS:

Abbott&Kindermann Legal Svs Agt (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Dallin Kimble, Deputy CAO 11/30/2016

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Carrier

November 17, 2016

**Via U.S. Mail and
Email to: sdahlem@mariposacounty.org**

Steven W. Dahlem
County Counsel
County of Mariposa
5100 Bullion Street
P.O. Box 189
Mariposa, CA 95338

**Re: *Sohn v. Mariposa County*
Mariposa County Superior Court Case No. 10841**

Dear Mr. Dahlem:

This letter serves as a proposed engagement letter by which Abbott & Kindermann, LLP will provide legal services to the County under the direction of your office. The subject matter of the assignment is to represent the County in the above-entitled matter. Our billing practices are currently on file with the County and are incorporated by reference into this letter. I am enclosing an updated billing and expense schedule for your files. If this proposal conforms to your understanding, you may approve this work by signing in the place provided below.

The parties acknowledge that Attorney is considering converting its legal status from a limited liability partnership to a professional corporation and that such an action would require an assignment of this Agreement from Attorney to the new professional corporation. In the event Attorney changes its legal status from a limited liability partnership to a professional corporation, Client hereby consents to an assignment of this Agreement from Abbott & Kindermann, LLP to the successor professional corporation on the condition that the officers and shareholders of the successor professional corporation are the same as the existing partners in Abbott & Kindermann, LLP.

Steven W. Dahlem
County Counsel
County of Mariposa
November 17, 2016
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Thank you for selecting Abbott & Kindermann, LLP to provide additional legal services.

Sincerely,


William W. Abbott

WWA/lh
Encl.

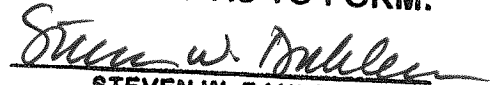
APPROVED:

By: 

Name: John Carrier, Chair

Date: 12-9-16

APPROVED AS TO FORM:


STEVEN W. DAHLEM
COUNTY COUNSEL

ABBOTT & KINDERMANN, LLP

RATE SCHEDULE

PARTNERS	\$ 330.00 per hour
SENIOR COUNSEL	\$ 330.00 per hour
ASSOCIATE IV	\$ 265.00 per hour
ASSOCIATE III	\$ 250.00 per hour
ASSOCIATE II	\$ 200.00 per hour
ASSOCIATE I	\$ 140.00 per hour
PLANNER II	\$ 150.00 per hour
PLANNER I	\$ 110.00 per hour
PARALEGAL II	\$ 150.00 per hour
PARALEGAL I	\$ 100.00 per hour
LAW CLERK II	\$ 110.00 per hour
LAW CLERK I	\$ 60.00 per hour
STAFF RESEARCHER	\$ 65.00 per hour

INDIRECT EXPENSES:

A charge of 4.25% of monthly fees is added to offset ordinary copying, secretarial, postage, including overnight deliveries, faxing, local and long distance telephone charges.

Court Calls and fax filing for court documents are not included.

COSTS:

Costs (including filing fees, court reporter fees, special deliveries, on-line computer research, etc.) will be billed as incurred.

SERVICES:

The following services will be billed as incurred at the following rates:

ACCOUNTING - \$50.00 per hour
OFFICE CLERK - \$15.00 per hour
MILEAGE - Current IRS rate

- * Distribution from a client trust account for payment of a bill and all other payments received shall be allocated to amounts owing in the following order: (1) accrued interest; (2) costs advanced; and (3) attorney's fees.
- ** This Rate Schedule is adjusted December 21st of each year. This schedule may also be adjusted at any time upon thirty (30) days prior notice to client.
- *** Telephone calls to or from a client, or other parties involved in matters pertaining to the client's legal affairs, are subject to a minimum charge of 0.2 hour times the applicable billing rate.