



# MARIPOSA COUNTY

County Counsel · (209) 966-3222



## RESOLUTION - ACTION REQUESTED 2018-63

MEETING: February 13, 2018  
TO: The Board of Supervisors  
FROM: Steve Dahlem, County Counsel - Interim Human Resources Director  
RE: Legal Services Agreement with Abbott & Kindermann, LLP

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### 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 Sohn in Mariposa County Superior Court.

### BACKGROUND AND HISTORY OF BOARD ACTIONS:

On December 29, 2017 the County was served with a First Amended Cross-Complaint for 1) trespass and damages; 2) declaratory relief; and 3) quiet title (*Dana Hall, et al. v. Daniel Sohn, 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 Engagement Letter (PDF)**

**RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Marshall Long, District III Supervisor

**AYES:** Smallcombe, Jones, Long, Cann, Menetrey

February 7, 2018

**Via U.S. Mail and  
Email to: [sdahlem@mariposacounty.org](mailto:sdahlem@mariposacounty.org)**

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

**Re: *Dana Hall, et al. v. Daniel Sohn, et al.*  
Mariposa County Superior Court Case No. 10647**

Dear Mr. Dahlem:

This letter serves as a proposed engagement letter by which Abbott & Kindermann, Inc., 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. 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.

Thank you for selecting Abbott & Kindermann, Inc., to provide additional legal services.

Sincerely,

  
William W. Abbott

WWA/lh  
Encl.

**APPROVED:**

By: 

Name: Rosemarie Smallcombe

Date: \_\_\_\_\_

**APPROVED AS TO FORM:**

  
STEVEN W. DAHLEM  
COUNTY COUNSEL

ABBOTT & KINDERMANN, INC.

RATE SCHEDULE

William W. Abbott	\$ 375.00 per hour
Diane G. Kindermann	\$ 375.00 per hour
SENIOR COUNSEL	\$ 350.00 per hour
ASSOCIATE IV	\$ 285.00 per hour
ASSOCIATE III	\$ 225.00 per hour
ASSOCIATE II	\$ 200.00 per hour
ASSOCIATE I	\$ 160.00 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 21<sup>st</sup> 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.