



PINAL COUNTY
wide open opportunity

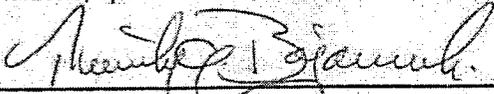
Offer and Acceptance

Pinal County
Finance Department
31 N. Pinal St.
Bldg. A
P.O. Box 1348
Florence, AZ 85132

OFFER AND ACCEPTANCE FORM

TO PINAL COUNTY:

The undersigned hereby offers and agrees to furnish the material, service, or construction in compliance with all terms, conditions, specifications, and amendments in the Solicitation.

	Partner
Authorized Signature	Title
Timothy J. Bojanowski	03/29/2016
Printed Name	Date
Struck Wieneke & Love, PLC	480-420-1600
Company Name	Telephone
3100 W. Ray Road, Suite 300	Chandler, AZ 85226
Address	City, State, Zip

For clarification of this offer, contact:

Name: Kara Rosseaux Phone: 480-420-1622 Fax: 480-420-1699

Email: krosseaux@swlfirm.com

ACCEPTANCE OF OFFER (For Pinal County Use Only)

The offer is hereby accepted and the Responder is now bound to sell or provide the materials, services, or construction as indicated by the Purchase Order or Notice of Award and based upon the solicitation, including all terms, conditions, specifications, amendments, etc. and the Offer as accepted by Pinal County.

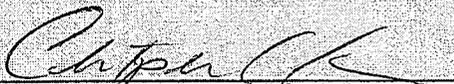
The contract is for: Specialty Legal Services

This contract shall henceforth be referenced to as Contract No. ROQ-151721. The Offeror is cautioned not to commence any billable work or to provide any material or service under this contract until Offeror receives an executed purchase order or notice to proceed.

Awarded this 1st day of June 2016.

<u>Todd Huse</u>	<u>Chairman</u>	
Name (Print)	Title	Signature

Approved as to form:


Pinal County Attorney's Office



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OFFER AND ACCEPTANCE FORM – Page 2

By signing the previous page of the Offer and Acceptance Form, Responder certifies:

- A. The submission of the bid did not involve collusion or other anti-competitive practices.
- B. The Responder shall not discriminate against any employee or applicant for employment in violation of Federal Executive Order 11246.
- C. The Responder has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the Submittal.
- D. The Responder certifies that it complies with Executive Order 12549 related to Federal Government Debarment and Suspension (see 4-7)
- E. The Responder certifies that the individual signing the bid is an authorized agent for the Responder and has the authority to bind them to the contract.

Struck Wieneke & Love, PLC

Firm


Authorized Signature

 <p>PINAL COUNTY <i>wide open opportunity</i></p>	<p align="center">ROQ – 151721 Specialty Legal Services</p>	<p align="right">Pinal County Finance Department 31 N. Pinal St. Bldg. A P.O. Box 1348 Florence, AZ 85132</p>
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PROFESSIONAL SERVICES CONTRACT

This Contract for Professional Services (the "Contract") is made as of the latest date beneath the executions appearing at the end of the Contract, by and between:

("Contractor"), with its principal place of business at (address)

AND

Pinal County ("County"), with its principal place of business at 31 North Pinal Street, Florence, AZ 85132.

SECTION 1. PURPOSE AND SCOPE

1. Contractor will furnish to the Customer by this Contract Professional Service(s) listed in the Statement of Work of the ROQ.
2. All pricing quoted in Schedule A: Pricing Supplement is valid for the term of the Contract.

SECTION 2. TERM

This Contract is effective from the date on which it is executed and will remain in effect for one year with four automatic one year renewal periods unless earlier terminated by mutual Contract of the parties.

SECTION 3. PRICING AND PAYMENT TERMS

All pricing and terms associated with this professional service requested are specified on Schedule A of the Supplement.

SECTION 4. INSURANCE

Without limiting any of the Contractor's liabilities or other obligations, Contractor shall provide and maintain the insurance coverage listed in Section 7 of the Special Terms and Conditions, as well as the coverage listed below. Such coverage shall remain in full force and effect until obligations under this Contract are satisfied. At a minimum the professional liability insurance shall be kept in force at least two years after final payment to Contractor.

1. Professional Liability insurance covering errors and omissions arising out of the work or services performed by Contractor or any such person employed by him with a minimum limit of not less than One Million Dollars each claim.

All insurance shall be maintained with responsible insurance carriers qualified to do business within the State of Arizona.



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Excepting the worker's compensation coverage, insurance certificates shall endorse Contractor as insured and Customer, its officials, employees and agents as additional insured and shall stipulate that the insurance afforded Contractor shall be primary insurance and that any insurance carried by Customer, its officials, employees or agents shall be excess and not contributory insurance to that provided by Contractor.

Certificates of insurance acceptable to Customer shall be issued to Customer prior to commencement of the Project as evidence that policies providing the required coverages, conditions and limits are in full force and effect. Such certificates shall contain provisions that coverage afforded under the policies will not be canceled, terminated or materially altered until at least thirty (30) days prior written notice is given to the Customer.

SECTION 5. SUBCONTRACTOR INSURANCE

In addition to insurance coverage required of Contractor, as set forth above, Contractor shall require insurance coverage in the same amounts from its Subcontractors on behalf of the Customer and Subcontractor shall comply with the paragraph entitled "Insurance" above, except certificates of insurance shall be issued and delivered to Customer prior to Subcontractor's performance under this contract.

SECTION 6. INDEMNIFICATION

In addition to the requirements in Section 6.2 of the Uniform Terms and Conditions, Contractor shall indemnify, defend, save and hold harmless Customer, its officials, employees and agents, from any and all claims, demands, suits, actions, proceedings, loss, costs and damages of every kind and description, including attorney's fees, litigation expenses and/or arbitration expenses, which may be brought or made against or incurred by Customer on account of loss of or damage to any property or for injuries to or death of any person, caused by, arising out of, or contributed to, by reason of any omission, professional error, fault, mistake or negligent act, whether active or passive, of Contractor, its employees, agents or representatives or Subcontractor, their employees, agents or representatives in connection with or incident to the performance of Contractor's employees and/or its Subcontractor's employees, or claims under similar such laws or obligations. Such indemnity shall not be limited by reason of remuneration of any insurance coverage herein provided. Such indemnity shall be required by Contractor from its Subcontractors on behalf of the Customer. Every provision of this indemnification paragraph shall survive the termination of this Contract.

SECTION 7. NOTICE OF CLAIM

Contractor is required to notify Customer of any claim filed against Contractor or Contractor's insurance company arising from services performed under this Contract within thirty (30) days of such filing.

SECTION 8. CLAIMS/LIMITATION OF ACTION

No action shall be maintained by Contractor, its successors or assigns, against Customer on any claim based upon or arising out of this Contract or out of anything done in connection with



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this Contract unless such action shall be commenced within one year of the termination of this Contract.

SECTION 9. CANCELLATION OR TERMINATION OF CONTRACT

The County may cancel or terminate this Contract as set forth in Sections 3.6, 3.15, 4.5 and 9 of the Uniform Terms and Conditions.

SECTION 10. INCORPORATION OF UNIFORM GENERAL TERMS AND CONDITIONS

The Contractor agrees that the county's Uniform General Terms and Conditions for this ROQ are incorporated herein as if they were recited in full. If the Contractor takes exception to any such Terms and Conditions, such exception is fully explained on Response Form 1 and is subject to acceptance in writing by the County.

SECTION 11. DISPUTE RESOLUTION

Any disputes between the Customer and Contractor shall be resolved under the Pinal County Purchasing Code's Contract Dispute Process. In the event of litigation over the performance of this Contract, the prevailing party shall be entitled to attorney's fees and costs incurred during the course of litigation. This Contract shall be governed by the laws of the State of Arizona. In the event of a suit filed by either Contractor or the Customer under this Contract, the venue of such suit shall be the Superior Court of the State of Arizona in and for the County of Pinal, Florence, Arizona.

SECTION 12. MISCELLANEOUS

- a) **Assignability.** This contract is non-assignable in whole or in part by either party without the written consent of both parties.
- b) **Authority of Signatory.** The individuals signing this Contract and any supplements, warrant that they have been duly authorized and vested with the power to do so on behalf of their entity.
- c) **Beneficiaries.** This Contract shall inure solely to the benefit of Contractor and Customer, and shall create no rights in any other person or entity.
- d) **Comparable Treatment.** All of the prices, terms, warranties and benefits granted by Contractor herein are comparable to or better than the equivalent terms being offered by Contractor to any similar situated customer.
- e) **Exhibits, Plats, Riders and Addenda.** All plats, riders, exhibits or addenda, if any, affixed to the Contract are a part hereof.
- f) **Force Majeure.** Neither party shall be deemed in default for any delay or failure to have fulfilled its obligations under this Contract due to causes beyond its control.



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- g) **General Compliance with Laws.** Contractor is required to comply with all applicable federal and state laws and local ordinances and regulations.
- h) **Headings.** The headings for each paragraph of this Contract are for convenience and reference purposes only and in no way define, limit or describe the scope or intent of said paragraphs or of this Contract nor in any way affect this Contract.
- i) **Incorporation of Documents.** All documents referred to in this Contract are hereby incorporated by reference into the Contract.
- j) **Independent Contractor.** Contractor acknowledges that it is an independent Contractor; that it alone retains control of the manner of conducting its activities in furtherance of the Contract; that it as well as any persons or agents as it may employ are not employees of the Customer; and that neither this Contract, nor the administration thereof, shall operate to render or deem either party hereto the agent or employee of the other.
- k) **Retention of Records.** The Contractor and any Subcontractor shall keep and maintain all records related to the Contract as set forth in Section 3.2 of the Uniform Terms and Conditions.
- l) **Severability.** If any part of the Contract shall be adjudged by any court of competent jurisdiction to be invalid, such judgment will not affect or nullify the remainder of the Contract.
- m) **Survival.** Not as a waiver of any remedies either party may be entitled to under this Contract, the "Indemnification", "Retention of Records", and "Dispute Resolution" provisions will survive the termination of the Contract.
- n) **Time of Essence.** Under the authority of the Contract, both parties understand that time is of the essence.
- o) **Waiver.** Waiver of any of the terms of this Contract shall not be valid unless it is in writing and signed by all parties. The failure of either party to enforce the provisions of this Contract or require performance by opponent of any of the provisions shall not be construed as a waiver of such provisions or affect the right of either party to thereafter enforce the provisions of the Contract. Waiver of any breach of the Contract shall not be held to be a waiver of any other or subsequent breach of the Contract.
- p) **Governing Law.** This Contract shall be governed by and construed in accordance with the laws of the State of Arizona as further described in Section 5-1 and 5-2 of the Uniform General Terms and Conditions.



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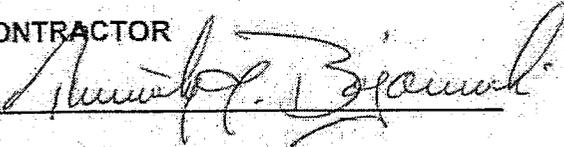
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MODIFICATIONS to this Contract shall be in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Contract for Professional Services as of the 1st day of June, 2016.

CONTRACTOR

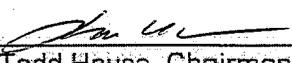


By: Timothy J. Bojanowski

Title: Partner

Date: 03/29/2016

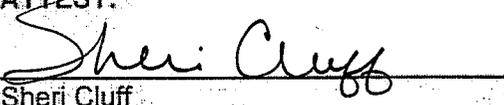
PINAL COUNTY



Todd House, Chairman
Board of Supervisors

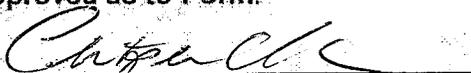
Date: 6/1/16

ATTEST:



Sheri Cluff
Clerk of the Board

Approved as to Form:



Chris Keller, Deputy County Attorney





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Specialty Legal Services

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SCHEDULE A: PRICING SUPPLEMENT

The hourly rate of \$ see below chart will be the rate for all authorized and approved Specialty Legal Services under this contract. This rate will include all costs associated with these services. (NOTE: Respondent may provide a table of costs based on expertise of employee i.e. Senior Partner, Partner, Senior Associate or Of Counsel, Associate, Paralegal, Administrative Support.)

THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

Struck Wieneke & Love, PLC			
Area of Practice	Partner	Associate	Paralegal
Appellate Practice	225	190	95
Construction Litigation	225	190	95
General Litigation	225	190	95
Labor law and employment	225	190	95
Property tax appeals, tax lien sales and foreclosures, Treasurer's matters	225	190	95
Road design, construction or maintenance liability	225	190	95
Section 1983 civil rights defense	225	190	95
Tort liability	225	190	95



STRUCK WIENEKE & LOVE

OFFER
Specialty Legal Services

ROQ-151721

ORIGINAL

Submitted to Pinal County
March 29, 2016

STRUCK WIENEKE & LOVE, PLC
3100 West Ray Road, Suite 300 | Chandler, AZ 85226
(480) 420-1600
www.swlfirm.com



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Finance Department
31 N. Pinal St.
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Florence, AZ 85132

OFFER AND ACCEPTANCE FORM

TO PINAL COUNTY:

The undersigned hereby offers and agrees to furnish the material, service, or construction in compliance with all terms, conditions, specifications, and amendments in the Solicitation.

Partner

Authorized Signature

Title

Timothy J. Bojanowski

03/29/2016

Printed Name

Date

Struck Wieneke & Love, PLC

480-420-1600

Company Name

Telephone

3100 W. Ray Road, Suite 300

Chandler, AZ 85226

Address

City, State, Zip

For clarification of this offer, contact:

Name: Kara Rosseaux Phone: 480-420-1622 Fax: 480-420-1699

Email: krosseaux@swlfirm.com

ACCEPTANCE OF OFFER (For Pinal County Use Only)

The offer is hereby accepted and the Responder is now bound to sell or provide the materials, services, or construction as indicated by the Purchase Order or Notice of Award and based upon the solicitation, including all terms, conditions, specifications, amendments, etc. and the Offer as accepted by Pinal County.

The contract is for: Specialty Legal Services

This contract shall henceforth be referenced to as Contract No. ROQ-151721. The Offeror is cautioned not to commence any billable work or to provide any material or service under this contract until Offeror receives an executed purchase order or notice to proceed.

Awarded this _____ day of _____ 2016.

Name (Print)

Title

Signature

Approved as to form:

Pinal County Attorney's Office



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OFFER AND ACCEPTANCE FORM – Page 2

By signing the previous page of the Offer and Acceptance Form, Responder certifies:

- A. The submission of the bid did not involve collusion or other anti-competitive practices.
- B. The Responder shall not discriminate against any employee or applicant for employment in violation of Federal Executive Order 11246.
- C. The Responder has not given, offered to give, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to a public servant in connection with the Submittal.
- D. The Responder certifies that it complies with Executive Order 12549 related to Federal Government Debarment and Suspension (see 4-7)
- E. The Responder certifies that the individual signing the bid is an authorized agent for the Responder and has the authority to bind them to the contract.

Struck Wieneke & Love, PLC

Firm

Authorized Signature



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Addendum Acknowledgement Form

Pinal County
Finance Department
31 N. Pinal St.
Bldg. A
P.O. Box 1348
Florence, AZ 85132

ADDENDUM ACKNOWLEDGEMENT FORM

Solicitation Addendums are posted on the Pinal County website at the following address:
<http://pinalcountyz.gov/Purchasing/Pages/CurrentSolicitations.aspx>. It is the responsibility of the Responder to periodically check this website for any Solicitation Addendum.

This page is used to acknowledge any and all addendums that might be issued. Any addendum issued within five days of the solicitation due date, will include a new due date to allow for addressing the addendum issues. Your signature indicates that you took the information provided in the addendums into consideration when providing your complete response.

Please sign and date:

ADDENDUM NO. 1 Acknowledgement


Signature

3/29/2016
Date

ADDENDUM NO. 2 Acknowledgement

Signature

Date

ADDENDUM NO. 3 Acknowledgement

Signature

Date

If no addendums were issued, indicate below, sign the form and return with your response.

Firm

Authorized Signature



Responder's Checklist

Pinal County
 Finance Department
 31 N. Pinal St.
 Bldg. A
 P.O. Box 1348
 Florence, AZ 85132

RESPONDERS CHECKLIST

	Yes/No
Did you sign your Offer sheet? <i>See Page 33 & 34 of this solicitation.</i>	Yes
Did you acknowledge all addendums, if any? <i>See page 30. Any addendums would be posted on the Pinal County website on the Bids/Proposals page of the Finance/Purchasing Department.</i>	Yes
Did you complete all required Response Forms? <i>Any Response forms would be posted on the Pinal County website on the Bids/Proposals page of the Finance/Purchasing Department.</i>	Yes
Did you include your W-9 Form? <i>See page 31 of this solicitation.</i>	Yes
Did you include any necessary attachments?	Yes
Is the outside of your sealed submittal marked with the Solicitation #, Due Date and Time? <i>See page 1 for this information.</i>	NA
Did you include one original and the required number of copies? <i>See page 1 for the quantity.</i>	NA
Did you follow the order for submissions of documents? <i>See Section 3.4 – Offer format in the Special Instructions of this solicitation.</i>	Yes
Did you include proof of insurance(s) if requested?	Yes



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Response Form 1
ROQ-151721
Specialty Legal Services

Pinal County
Finance Department
31 N. Pinal St.
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P.O. Box 1348
Florence, AZ 85132

Responder Name: *Responder Response*

Responders shall complete the following Response Form, indicating their responses in the spaces provided. Additional pages may be added so long as they are clearly referenced in the spaces provided.

Please note: Any exception to the terms and conditions of the ROQ will not be accepted. Compliance to Terms and Conditions has been identified as an evaluation criterion for this solicitation.

Acceptability of Responses

Offers that do not include fully completed copies of Response Forms 1 and 2 may cause the entire offer to be deemed unacceptable and therefore non-responsive. Forms with incomplete or unacceptable responses will also be considered non-responsive.

1 Responders Profile

- 1.1 Provide the name of the person who will be the primary Respondent and the address for the primary servicing office. Please also include a resume for major assistants or staff.

Firm Name: STRUCK WIENEKE & LOVE, PLC

Mailing Address: 3100 W. Ray Road, Ste. 300

City: Chandler State: AZ Zip Code: 85226

Representative Name: Timothy J. Bojanowski Title: Partner

Phone Number: 480-420-1600 Fax Number: 480-420-1699

Email Address: tbojanowski@swlfirm.com

- 1.2 Provide the number of years local servicing office has been working with County/State Agency Clients.

Five years

- 1.3 How many years of experience does the local Respondent have: 33 years

- 1.4 How many years of experience does the key employee have: 33 years

- 1.5 Will a Business Liaison be assigned to our account? Yes No

If yes, identify who: Kara Rosseaux

 <p>PINAL COUNTY <i>wide open opportunity</i></p>	<p>Response Form 1 ROQ-151721 Specialty Legal Services</p>	<p>Pinal County Finance Department 31 N. Pinal St. Bldg. A P.O. Box 1348 Florence, AZ 85132</p>
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Liaison Phone: _____ 480-420-1622 _____

Liaison Email Address: _____ krosseaux@swlfirm.com _____

How many years of experience does Liaison have handling public entity clients? _____ 5 _____ years

2 Areas of Practice

Respondent shall indicate the areas of practice they meet the mandatory requirements for (see Section 2.1 of Statement of Work).

Area of Practice	Check Yes or No	
	Yes	No
Appellate Practice	X	
Attorney conduct and professionalism		
Bond and disclosure counsel		
Collections and bankruptcy		
Commercial transactions and litigation		
Construction litigation	X	
Contractual liability defense		
Election and voter registration law		
Eminent domain and relocation		
Environmental law		
Federal and State taxation matters		
General governmental practice (open meetings, public records, etc.)		
General litigation	X	
Health care, including public health and managed care		
Housing		
Immigration law		



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Infrastructure design		
Insurance contracts		
Intellectual property		
Labor law and enforcement	X	
Land use		
Legislative matters		
Medical malpractice		
Mental Health		
Planning and zoning		
Probate litigation		
Property tax appeals, tax lien sales and foreclosures, Treasurer's matters	X	
Public contracts and procurement		
Public official liability		
Public fiduciary		
Real estate transactions		
Road design, construction or maintenance liability	X	
Section 1983 civil rights defense	X	
Special taxing district law		
Tort liability	X	



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**Response Form 1
ROQ-151721
Specialty Legal Services**

Pinal County
Finance Department
31 N. Pinal St.
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P.O. Box 1348
Florence, AZ 85132

3 References

Please list a MINIMUM of three (3), preferably five (5), clients for whom you have performed services similar to the Statement of Work in this solicitation.

1. Company Name: City of Phoenix
 Address: 200 W. Washington Street, Room 1300, Phoenix, AZ 85003-1611
 Contact Person: Sharon K. Haynes, Assistant Chief Counsel
 Phone: 602-262-6765 Email Address: Sharon.haynes@phoenix.gov
 Project Name: _____

2. Company Name: Maricopa County Risk Management
 Address: 222 N. Central Ave., Ste. 1110, Phoenix, AZ 85004
 Contact Person: Pauline Hecker, Director of Risk Management
 Phone: 602-506-7888 Email Address: heckerp@mail.maricopa.gov
 Project Name: _____

3. Company Name: City of Scottsdale
 Address: 3939 N. Drinkwater Blvd., Scottsdale, AZ 85251
 Contact Person: Bruce Washburn, City Attorney
 Phone: 480-312-2405 Email Address: bwashburn@scottsdaleaz.gov
 Project Name: _____

4. Company Name: City of Mesa
 Address: P.O. Box 1466, Mesa, AZ 85211
 Contact Person: Deborah Spinner, City Attorney
 Phone: 480-644-2343 Email Address: debbie.spinner@mesaaz.gov
 Project Name: _____

5. Company Name: Arizona Attorney General, Liability Management Section, Civil Division
 Address: 1275 W. Washington, Phoenix, AZ 85007
 Contact Person: Terrence E. (Terry) Harrison, Section Chief Counsel
 Phone: 602-542-7860 Email Address: terry.harrison@azag.gov
 Project Name: _____



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Specialty Legal Services

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4 Prior Experience

Please provide examples of projects previously conducted that are related to the work described in the ROQ. Description should include the client name, description of the type of work performed, approximate date the work was completed and the professional staff who participated. (Additional pages may be used if necessary)

See attached Exhibit A

5. Resumes

Please provide resumes for each professional who will assist in providing services or be a member of the project team. Resumes must include qualifications and experience of each professional. (Additional pages may be used if necessary)

See attached Exhibit B

End of Response Form 1 for ROQ - 151721 Specialty Legal Services

EXHIBIT A

EXHIBIT A

APPELLATE PRACTICE

Number of Attorneys in the Firm with relevant experience: 4

Attorney Name; Number of years of relevant experience; Position in the Firm:

Attorney Name	Years of relevant experience	Position in the Firm
Nicholas Acedo	7	Junior Partner
Amy Nguyen	3	Junior Partner
Kevin Nguyen	7	Junior Associate
Jacob Lee	3	Junior Associate

Partner/Senior Shareholder in charge of this area of practice: Daniel Struck

Name of Attorney	Nicholas Acedo, Junior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona; Maricopa County Sheriff Joseph Arpaio; Maricopa County Assessor; City of Phoenix; City of Mesa; League of Arizona Cities and Towns; Tucson Airport Authority; Bureau of Alcohol, Tobacco, Firearms, and Explosives; State of Alaska; State of Hawaii <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Marquez v. City of Phoenix</i>, 693 F.3d 1167 (9th Cir. 2012): In June 2008, the Plaintiffs sued the City and two police officers, alleging excessive force and wrongful death in violation of the Fourth Amendment and A.R.S. 12-611. Officers deployed their TASERS 22 times for a total of 123 seconds to subdue a man who had his three-year-old granddaughter in a choke hold (he was performing an exorcism). The man later died from excited delirium. In addition to the claims against the individual officers, the Plaintiffs alleged that the City’s policies and training also caused the death and sought damages in excess of \$20 million. Mr. Acedo drafted the City’s Motion for Summary Judgment, which argued that the officers were entitled to qualified and statutory immunity. The District Court granted the Motion and dismissed all claims. Mr. Acedo also drafted the appellate answering brief and argued the appeal before the Ninth Circuit Court of Appeals. The Ninth Circuit affirmed the dismissal in September 2012.</p> <p><i>Terry v. Newell</i>, No. CV-12-02659-PHX-DGC, 2013 WL 6048914 (D. Ariz.): In December 2012, Plaintiffs sued several ATF agents for their alleged roles in Operation Fast and Furious. They alleged that the agents’ failure to interdict firearms sold to a straw purchaser, which was then used to kill Border Patrol Agent Brian Terry, violated their Fifth Amendment rights to due process and familial association. Mr. Acedo drafted the ATF agents’ Motion to Dismiss, which argued that</p>

the Plaintiffs' *Bivens*' lawsuit was barred because alternative statutory remedies were available and, alternatively, the agents were entitled to qualified immunity. The District Court granted the Motion and dismissed the lawsuit. Mr. Acedo also assisted in drafting the appellate answering brief, which is still pending before the Ninth Circuit Court of Appeals. *See* No. 14-15284.

Arpaio v. Figueroa, 229 Ariz. 444 (App. 2012): The Plaintiffs sued Maricopa County Sheriff Joseph Arpaio, alleging that he was deliberately indifferent in failing to train and supervise detention officers that resulted in the death of a diabetic jail detainee on January 5, 2005, in violation of the Fourteenth Amendment. Prior to trial, the Superior Court ordered the Sheriff and his wife to produce financial statements listing their community and personal assets. The Plaintiffs had argued that the information was relevant to their claim for punitive damages. Mr. Acedo filed a Petition for Special Action in the Arizona Court of Appeals challenging that disclosure. The Court accepted jurisdiction and vacated the Superior Court's order. The case subsequently settled and the case was dismissed in January 2013.

Glazer v. State of Arizona, 234 Ariz. 305 (App. 2014). The Plaintiffs sued the State for negligence, alleging that its failure to install a median barrier on the I-10 was the cause of a fatal car accident. The State argued that it was entitled to qualified immunity under A.R.S. § 12-820.03 because the highway was designed in conformance with accepted engineering standards in effect at the time. The Superior Court ruled that qualified immunity was not available because the State should have improved the design (i.e. added a median barrier) in light of the change in circumstances after its construction (e.g., increased traffic, speed limit, accidents). A jury awarded Plaintiffs \$7,800,000.00 in damages. The Court of Appeals affirmed and the State filed a Petition for Review. Mr. Acedo drafted and filed an amicus brief in support of the Petition on behalf of the League of Arizona Cities and Towns, an association consisting of 91 incorporated cities and towns in the State. The Arizona Supreme Court granted the Petition for Review, and the appeal is still pending.

Arizona Water Co. v. City of Mesa, No. 1 CA-CV 10-0578, 2012 WL 75635 (Ariz. App. 2012): Pursuant to an agreement between the City and Arizona Water Company ("AWC"), which supplies public utility water to customers in eight Arizona counties, the City accepted delivery of AWC's allocation of Central Arizona Project water, transported it to a plant for treatment, and then returned it to AWC for distribution. A lease between the parties also allowed AWC to use City property for water distribution. In March 2009, AWC sued for breach of contract after the City informed that it would not be

	<p>renegotiating the agreement/lease at its expiration. The Superior Court dismissed the lawsuit because it was barred by the statute of limitations and denied AWC's request to amend the Complaint. Mr. Acedo argued the appeal in the Arizona Court of Appeals, and it was affirmed on appeal. Mr. Acedo also successfully defended against AWC's Motion for Reconsideration and recovered a fee award in excess of \$12,500.00.</p> <p><i>Perotti v. Corrections Corp. of Am.</i>, 290 P.3d 403 (Alaska 2012): The Plaintiff, an Alaskan inmate incarcerated in a private prison facility located in Arizona, alleged that the prison operator breached its agreement with the State of Alaska regarding segregation policies and sued for damages under a theory that he was a third-party beneficiary of that agreement. The Superior Court dismissed the Complaint. Mr. Acedo drafted the answering brief in the appeal, and the Alaska Supreme Court affirmed in December 2012.</p> <p><i>Baca v. Rodriguez</i>, No. 13–2022, 554 Fed.Appx. 676 (10th Cir. 2014): The Plaintiff, a female inmate, sued the prison alleging that her Eighth Amendment rights were violated when she engaged in consensual sex with a prison guard. The District Court dismissed her Complaint. Mr. Acedo drafted the answering brief on appeal and argued the appeal before the Tenth Circuit Court of Appeals. The Tenth Circuit affirmed the dismissal in January 2014.</p> <p>Mr. Acedo was an Arizona Assistant Attorney General in the Criminal Appeals Section for the first five years of his career and drafted approximately 100 (criminal) appellate briefs.</p>
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Name of Attorney	Kevin Nguyen, Junior Associate
Name of other government clients for whom you have been retained to provided services:	State of Hawaii (Department of Public Safety); Yavapai County
Nature and scope of specific projects/matters:	<i>Abordo & Ah Sing v. State of Hawaii Department of Public Safety</i> , No. CAAP-13-0005534 – Plaintiffs Abordo and Ah Sing are Hawaii inmates incarcerated at a private correctional facility in Arizona under contract with the State of Hawaii. On July 26, 2012, they sued the State of Hawaii DPS, challenging their placement in disciplinary segregation. Plaintiffs brought the claims as a habeas corpus petition in Hawaii court, which was converted to a civil rights complaint under state law. The case was removed to the federal district court, where the constitutional claims were dismissed and the state law claims were remanded to the Hawaii court. On November 14, 2013, Abordo filed a notice of appeal on behalf of himself and Ah Sing, arguing that the trial court erred in converting his habeas corpus petition to a civil

rights claim. We filed an Answering Brief, and the matter is pending review in the Hawaii Intermediate Court of Appeals.

Abordo v. State of Hawaii Department of Public Safety, et. al., No. 13-0001474 - On September 8, 2011, Plaintiff Abordo sued Hawaii DPS and an administrator alleging retaliation for filing grievances. The state court granted summary judgment in favor of the State, and Abordo appealed. An Answering Brief was filed, and the matter is pending in the Intermediate Court of Appeals.

Murauskas v. State of Hawaii Department of Public Service, No. CAAP-13-0003980 - Murauskas is a Hawaii inmate incarcerated at Saguaro Correctional Center. In February 2009, he brutally assaulted a female corrections officer, resulting in his placement in segregation. Some blood-soaked papers in his cell were discarded as biohazards. In June 2009, Murauskas sued the State of Hawaii, claiming violations of his property and constitutional rights for the destruction/confiscation of his legal property and denial of indigent supplies. The trial court granted summary judgment dismissing his claims, finding Hawaii is not directly or vicariously liable.

On October 14, 2013, Murauskas timely appealed. Murauskas moved for injunctive relief on appeal, raising similar allegations that he was denied meaningful access to the court and alleging new claims that he was denied indigent-legal copying services in retaliation for filing suit. He claimed these violations prevented him from preparing an Opening Brief in this case or other lawsuits. Murauskas filed two other motions raising constitutional violations and seeking to reserve the issue of vicarious liability for immediate appeal to the Hawaii Supreme Court. On May 27, 2014, the Court of Appeals denied his appellate motions. On August 28, 2014, the Court dismissed his appeal.

State of Arizona Court of Appeals - Drafted and edited hundreds of decisions and opinions for merits panel on Court of Appeals, Division One, as Law Clerk/Sr. Law Clerk to Judge Margaret H. Downie; Sr. Law Clerk to retired Judge Patrick Irvine; Sr. Law Clerk to Randall M. Howe.

Name of Attorney	Amy Nguyen, Junior Partner
Name of other government clients for whom you have been retained to provided services:	City of Phoenix; Maricopa County Sheriff's Office <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Rehkov v. City of Phoenix, et al.</i>, Case No. CV2008-020483 – Filed a Petition for Special Action after trial court denied summary judgment on Plaintiff's claims of malicious prosecution and false arrest, arguing that whether Plaintiff's criminal matter was "favorably terminated" and whether there was "probable cause" for his prosecution were purely issues of law.</p> <p>Outcome: The Arizona Court of Appeals accepted special action jurisdiction and reversed the lower court's denial of summary judgment, thereby dismissing all claims against the City and its employee.</p> <p><i>Braillard v. Maricopa County, et al.</i>, Case No. CV200601548 – Filed a Petition for Special Action after trial court ordered individually named defendants, including Sheriff Arpaio, to produce their personal financial records without there being a threshold finding that there was sufficient evidence to support a claim for punitive damages.</p> <p>Outcome: The Arizona Court of Appeals accepted special action jurisdiction and reversed the lower court's order, finding that there first needed to be sufficient evidence to support punitive damages before a defendant's personal financial records should be disclosed.</p>

Name of Attorney	Jacob B. Lee, Junior Associate
Name of other government clients for whom you have been retained to provided services	State of Arizona. <i>See list of references.</i>
Nature and scope of specific projects/matters:	<i>Donahue Schriber adv. Salinas</i> (State of Nevada) – Personal injury claim in Nevada state court against Papa John's Pizza, the Plaintiff's employer, Donahue Schriber, the owner of the shopping center where the Papa John's was located, and Malco Nevada, a company contracted to clean and maintain the shopping center. Plaintiff, 17 years old at the time of the accident, was awarded over \$1 million at trial for injuries sustained when she slipped in a puddle on a sidewalk while at work and landed on her tailbone, resulting in two-level lumbar fusion surgery. At trial, the court precluded the admission of the amount of workers' compensation payments received by the Plaintiff despite statutory law requiring its admission. The Nevada Supreme Court overruled the trial court's order and remanded for retrial on the issue of damages.

CONSTRUCTION LITIGATION

Number of Attorneys in the Firm with relevant experience: 1

Attorney name; number of years of relevant experience; position in the Firm:

Attorney Name	Years of relevant experience	Position in the Firm
Timothy Bojanowski	33	Senior Partner

Partner/Senior Shareholder in charge of this area of practice: Timothy Bojanowski

Name of Attorney	Timothy Bojanowski, Senior Partner
Name of other government clients for whom you have been retained to provided services:	State of Ohio
Nature and scope of specific projects/matters:	<p><i>Lowes v. Pacific Lock and Load</i>, U.S. District Court, AZ 2:09-cv-02481-PHX-SMM – Multimillion dollar construct defect claim involving failure of mechanically stabilized earth retaining wall at Lowes store in Prescott, Arizona. The MSE wall was composed of five tiers consisting of concrete facing panels, soil backfill, and geotextile grids. The wall was approximately 600 feet long with a maximum height of 63 feet. Lowes brought claims against all design professionals, contractors, subcontractors, and material suppliers for negligence, professional negligence, indemnity, breach of contract, breach of warranty, and product liability. Mr. Bojanowski was lead counsel for Pacific Lock & Load, a subcontractor and material supplier to the project. The case was ultimately settled after several years of litigation.</p> <p><i>Sterling Trust Co. v. Walgreen Arizona Drug Co.</i>, Navajo County, CV20080595 – Construction defect claim involving failure of a parking lot surrounding a Walgreens store. The parking lot failed due to improper subsurface drainage, expansive soils, and broken water lines. Case was settled by placement of new parking lot. Mr. Bojanowski was lead counsel defending the owner of the property against claims made by lessee. All pleadings, discovery, motions, depositions, and expert analyses were performed by Mr. Bojanowski.</p>

GENERAL LITIGATION/TORT LIABILITY

Number of Attorneys in the Firm with relevant experience: 13

Attorney Name; Number of years of relevant experience; Position in the Firm:

Attorney Name	Years of relevant experience	Position in the Firm
Daniel Struck	28	Senior Partner
Kathleen Wieneke	28	Senior Partner
Rachel Love	16	Senior Partner
Timothy Bojanowski	33	Senior Partner
Christina Retts	11	Junior Partner
Nicholas Acedo	12	Junior Partner
Amy Nguyen	5	Junior Partner
Mark Bracken	6	Senior Associate
Tara Zoellner	6	Junior Associate
Ashlee Fletcher	4	Junior Associate
Kevin Nguyen	3	Junior Associate
Anne Orcutt	3	Junior Associate
Jacob Lee	2	Junior Associate

Partner/Senior Shareholder in charge of this area of practice: Daniel Struck; Kathleen Wieneke

Name of Attorney	Daniel Struck, Senior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona; Maricopa County; Corrections Corporation of America (private correctional provider contracting with local and state governmental entities) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Brillard v. Maricopa County, et al.</i>, Case No. CV200601548 - Amended Complaint filed in December 2005 naming Maricopa County Correctional Health Services, Maricopa County Sheriff's Office, Sheriff Arpaio, Maricopa County Detention Officers, and Maricopa County Health Services employees in the Pinal County Superior Court.</p> <p>Defendants MCSO and Sheriff Arpaio were initially represented by Dennis Wilenchik of Wilenchik & Bartness; substitution of counsel was filed December 2010 naming Daniel Struck and Amy Nguyen as legal counsel.</p> <p>Plaintiff asserted state law claims for wrongful death, negligence, and gross negligence against all Defendants, as well as federal claims for deliberate indifference to Brillard's medical needs, claiming it was caused by Maricopa County and Arpaio's</p>

	<p>unconstitutional policies, customs, and failure to train. Plaintiff sought compensatory and punitive damages.</p> <p>Trial was originally set for October 2008. The Judge granted Defendants' Motion for Summary Judgment, dismissing Plaintiff's federal claims. Plaintiff appealed. In May 2010, the Court of Appeals held that the lower court erred in granting summary judgment. Defendants sought review of the Opinion by the Arizona and United States Supreme Court. Review was denied by both courts. Defendants filed a Petition for Review with the Arizona Supreme Court which was also denied. Defendants requested a stay of the Mandate in order to file a Petition for Certiorari to the U.S. Supreme Court. The request was denied and the case was returned to the Pinal County Superior Court. Trial began on Sept. 10, 2012 and was scheduled to last until October 5. The case settled following the 14th day of trial and prior to Defendants calling any witnesses. The parties entered into a Confidential Settlement Agreement on October 24, 2012.</p> <p><i>Nagy v. District of Columbia, et al.</i>, Case No. 11-cv-01446 – This case was filed by an inmate who alleged that she was beaten by correctional officers while incarcerated at a private prison in D.C. The Complaint alleged both federal claims and state law tort claims. Defendant Corrections Corporation of America's Motion for Summary Judgment was granted on August 14, 2014, with the federal claims dismissed for failure to state a claim and the state law claims dismissed for lack of jurisdiction.</p> <p>Other representative cases include:</p> <p><i>Spurlock, et al. v. Townes, et al.</i>, Case No. 9-cv-786 WJ/DJS (District New Mexico);</p> <p><i>Times v. Corrections Corporation of America</i>, CV97-2346-PHX-DKD</p>
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Name of Attorney	Kathleen Wieneke, Senior Partner
Name of other government clients for whom you have been retained to provided services:	City of Mesa; City of Phoenix; Maricopa County; Yavapai County <i>See list of references.</i>
Nature and scope of specific projects/matters:	<i>Moore v. Yavapai County</i> , Case No. CV2013-001018 – Plaintiff and his wife assert claims of negligence and loss of consortium against Yavapai County, seeking \$9 million in damages. Plaintiff was riding his bicycle on a county road when he struck a vehicle that was pulling out of a private drive and failed to yield the right of way. Plaintiffs

	allege that the County failed to trim bushes on the side of the road which severely limited the sight distance afforded to Plaintiff and the driver of the car. The County maintains that there was adequate sight distance and, in any case, the collision could have been avoided had the driver been paying attention and had the bicyclist been traveling the speed limit. This case is set for trial in State Court in October 2015.
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Name of Attorney	Christina Retts, Junior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona (Department of Public Safety); City of Mesa; City of Phoenix; City of Scottsdale; Maricopa County. <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Hogue v. City of Phoenix, et al.</i>, Case No. CV2010-092705 (consolidated) - Multiple lawsuits were filed by the surviving victim and family members of the Baseline Killer/Baseline Rapist (Mark Goudeau) claiming that the City of Phoenix had a duty to conduct DNA testing in a specified manner and that failure to do so resulted in Mark Goudeau remaining free to commit murders because the City did not arrest him sooner. The lawsuits were consolidated and involved notice of claim issues, as well as application of state law immunities from suit, complex intervening cause issues involving a convicted serial murderer, and questions of whether any duty applied. Ms. Retts was lead counsel on this case.</p> <p>Size: 20 Plaintiffs (11 adults and 9 minors), claiming over \$50 million in damages.</p> <p>Duration: Plaintiffs' notices of claim were served at varying times between 2009 and 2013. On February 17, 2014, Judge Anderson granted summary judgment finding that the City owed no duty to potential future victims of crime to prevent those crimes. The Plaintiffs filed a Motion for New Trial, which was denied on November 3, 2014.</p> <p><i>Rodriguez v. City of Phoenix</i>, Case No. CV2011-02001-FJM - This case involved representation of the City of Phoenix related to claims that it was liable for the damages sustained by the surviving family members of an individual shot and killed by an officer. The officer was subsequently criminally charged for the incident, found guilty by a jury on one count and pled guilty on a second count. The District Court granted the City's Motion for Judgment on the Pleadings on the basis of the felony immunity statute (A.R.S. § 12-820.05) and also ruled that Plaintiffs failed to state a claim for <i>Monell</i> violations. Plaintiffs filed an appeal, which was later voluntarily dismissed. Ms. Retts was lead counsel on this case.</p>

Name of Attorney	Nicholas Acedo, Junior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona; City of Phoenix; City of Scottsdale; Maricopa County. <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Marquez v. City of Phoenix</i>, 693 F.3d 1167 (9th Cir. 2012): In June 2008, the Plaintiffs sued the City and two police officers alleging excessive force and wrongful death in violation of the Fourth Amendment and A.R.S. 12-611. Officers deployed their TASERs 22 times for a total of 123 seconds to subdue a man who had his three-year-old granddaughter in a choke hold (he was performing an exorcism). The man later died from excited delirium. In addition to the claims against the individual officers, the Plaintiffs alleged that the City's policies and training also caused the death and sought damages in excess of \$20 million. Mr. Acedo drafted the City's Motion for Summary Judgment, which argued that the officers were entitled to qualified and statutory immunity. The District Court granted the Motion and dismissed all claims. Mr. Acedo also drafted the appellate answering brief and argued the appeal before the Ninth Circuit Court of Appeals. The Ninth Circuit affirmed the dismissal in September 2012.</p> <p><i>Glazer v. State of Arizona</i>, 234 Ariz. 305 (App. 2014). The Plaintiffs sued the State for negligence, alleging that its failure to install a median barrier on the I-10 was the cause of a fatal car accident. The State argued that it was entitled to qualified immunity under A.R.S. § 12-820.03 because the highway was designed in conformance with accepted engineering standards in effect at the time. The Superior Court ruled that qualified immunity was not available because the State should have improved the design (i.e. added a median barrier) in light of the change in circumstances after its construction (e.g., increased traffic, speed limit, accidents). A jury awarded Plaintiffs \$7,800,000.00 in damages. The Court of Appeals affirmed and the State filed a Petition for Review. Mr. Acedo drafted and filed an Amicus Brief in support of the Petition on behalf of the League of Arizona Cities and Towns, an association consisting of 91 incorporated cities and towns in the State. The Arizona Supreme Court granted the Petition for Review, and the appeal is still pending.</p> <p><i>Hogue v. Goudeau</i>, CV2010-092705 (Maricopa County Superior Court): The Plaintiffs are family members of the victims killed by the notorious Baseline Killer. They sued the City and two Phoenix Crime Lab employees, alleging that they were grossly negligent in testing DNA and failing to apprehend Mark Goudeau sooner than they did. Mr. Acedo drafted the Motion for Summary Judgment, arguing that the notice of claims were untimely and deficient and, alternatively,</p>

	<p>that there was no negligence because the City did not have a duty to protect unknown victims from an unknown suspect. The Superior Court dismissed the lawsuits, finding that there was no duty of care.</p> <p><i>Clark v. Spano</i>, CV2013–001476 (Maricopa County Superior Court): The Plaintiffs were injured when a drunk driver collided into the back of the pedicab they were riding in on Scottsdale Road. They sued the City, alleging that it was negligent in failing to enact ordinances limiting the use of pedicabs on certain roads. Mr. Acedo is responsible for drafting the dispositive motions in this case.</p> <p><i>Yanovskaya v. State of Arizona</i>, No. CV2008-051113 (Maricopa County Superior Court): The Plaintiff sued the State for injuries she alleged were caused by a faulty road design when her car went through a highway cable barrier. Mr. Acedo assisted in motion practice leading up to and during trial, including the propriety of a <i>Wiggs</i> instruction, which resulted in a defense verdict.</p> <p><i>Best Choice Fund, LLC v. Low & Childers, P.C.</i>, 228 Ariz. 502 (Ariz. App. 2011): The Plaintiffs sued the Defendant for professional negligence. The Superior Court dismissed the lawsuit on statute-of-limitations grounds. Mr. Acedo drafted the answering brief on appeal, which centered on the date of accrual, and the Arizona Court of Appeals affirmed.</p> <p><i>Ad Hoc Comm. of Parishioners of Our Lady of Sun Catholic Church, Inc. v. Reiss</i>, 223 Ariz. 505 (Ariz. App. 2010): The Plaintiffs sued their church and its Board of Directors for hiring, and then firing, its pastor, alleging breach of fiduciary duty and negligence. The Superior Court dismissed the lawsuit for lack of subject matter jurisdiction. Mr. Acedo drafted the answering brief on appeal, which addressed the ecclesiastical abstention doctrine, and the Arizona Court of Appeals affirmed.</p>
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Name of Attorney	Amy Nguyen, Junior Partner
Name of other government clients for whom you have been retained to provided services:	Mohave County; Yavapai County. <i>See list of references.</i>
Nature and scope of specific projects/matters:	<i>Armendariz/Arbogast v. Mohave County</i> , Case No. CV2013-00894 – Plaintiffs allege that Mohave County was negligent in failing to warn of intersection in rural, desert area through signage and failing to maintain brush that created a visual obstruction. The County maintains it had no duty to warn because one of the roads was a private, utility road that was not maintained by the County and, in any case, Plaintiff Arbogast could see the intersection and failed to yield

	<p>the right of way, as required by Arizona law.</p> <p><i>Moore v. Yavapai County</i>, Case No. CV2013-001018 – Plaintiff and his wife assert claims of negligence and loss of consortium against Yavapai County, seeking \$9 million in damages. Plaintiff was riding his bicycle on a county road when he struck a vehicle that was pulling out of a private drive and failed to yield the right of way. Plaintiffs allege that the County failed to trim bushes on the side of the road which severely limited the sight distance afforded to Plaintiff and the driver of the car. The County maintains that there was adequate sight distance and, in any case, the collision could have been avoided had the driver been paying attention and had the bicyclist been traveling the speed limit. This case is set for trial in State Court in October 2015.</p>
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Name of Attorney	Jacob Lee, Junior Associate
Name of other government clients for whom you have been retained to provided services:	Corrections Corporation of America (private correctional provider contracting with local and state governmental entities)
Nature and scope of specific projects/matters:	<p><i>Legacy Construction adv. Jensen</i> (State of Nevada) – Wrongful death claim by the surviving family members of a man who was crushed between a cement truck and a bulldozer while trying to extricate the cement truck from the mud using the bulldozer and an eight-foot tow chain. The trial court granted summary judgment, finding that, although Legacy employees were present, they did not contribute to the acts that led to the decedent’s death and that the decedent’s own actions, and those of the other defendants, were unforeseeable superseding intervening causes of the decedent’s death. Mr. Lee prepared pleadings, discovery, and motions in the case.</p> <p><i>Afandi Restaurant and Market adv. Sardaryan</i> (State of Nevada) – Personal injury claim against the employer of a driver that struck the Plaintiff, then 15 years old, while the Plaintiff was riding a dirt bike. The trial court granted summary judgment for the Defendant where the Plaintiff could not demonstrate that the driver was acting within the course and scope of his employment because the accident happened on the employee’s day off and while he was on his way home from the store after doing some personal shopping. Mr. Lee prepared pleadings, discovery, and motions in the case.</p> <p><i>Garza v. CCA</i>, 57th District Court Texas, Case No. 2013-CI-19613 – Personal injury claim against a driver employed by CCA that was involved in a minor collision with the Plaintiffs’ vehicle while transporting an inmate in a CCA vehicle. The matter remains pending. Mr. Lee prepared pleadings, discovery, and motions in the case.</p>

Name of Attorney	Kevin Nguyen, Junior Associate
Name of other government clients for whom you have been retained to provided services:	City of Phoenix. <i>See list of references</i>
Nature and scope of specific projects/matters:	<i>Hogue v. City of Phoenix</i> , Case No. CV2010-092705 (consolidated) - Obtained gag order for the City of Phoenix in consolidated lawsuits filed by the surviving victim and family members of the Baseline Killer/Baseline Rapist (Mark Goudeau), claiming that the City of Phoenix had a duty to conduct DNA testing in a specified manner and that failure to do so resulted in Mark Goudeau remaining free to commit murders because the City did not arrest him sooner. Defendant's Motion for Summary Judgment was granted. Mr. Nguyen prepared motions and responses.

Name of Attorney	Anne Orcutt, Junior Associate
Name of other government clients for whom you have been retained to provided services:	Corrections Corporation of America (private correctional provider contracting with local and state governmental entities)
Nature and scope of specific projects/matters:	<p><i>McKaney v. Central Arizona Detention Center, et al.</i>, Case No. 14-cv-00529 – This case involved an inmate at the Central Arizona Detention Center who alleged that employees of Corrections Corporation of America and its medical contractor failed to protect him from infectious disease and failed to provide him with adequate medical care. The District Court for the District of Arizona screened Plaintiff's Complaint, dismissed his federal claims for failure to state a claim, and remanded the case to Pinal County Superior Court where Defendants' Motion to Dismiss was granted, and Plaintiff's state law tort claims were dismissed.</p> <p><i>Felder v. Corrections Corporation of America</i>, Case No. 13-cv-00271 – This case involved an inmate in a private prison who alleged that she was provided inadequate medical treatment while incarcerated and fell from her bunk, causing injuries. Defendant CCA's Motion to Dismiss was granted, and Plaintiff's Complaint was dismissed on October 25, 2013 for failure to state a claim.</p> <p><i>Johnson, Paola v. Corrections Corporation of America</i>, 12-cv-01701 – This case involved an Immigrations & Customs Enforcement detainee at the Eloy Detention Center who alleged that she slipped and fell on a freshly mopped floor, causing a fractured patella. Plaintiff sought \$135,000 in damages. The parties settled for significantly less than Plaintiff's demand.</p>

LABOR LAW AND EMPLOYMENT

Attorney Name; Number of years of relevant experience; Position in the Firm: 3

Attorney Name	Years of relevant experience	Position in the Firm
Kathleen Wieneke	28	Senior Partner
Amy Nguyen	7	Junior Partner
Mark Bracken	6	Senior Associate

Partner/Senior Shareholder in charge of this area of practice: Rachel Love; Kathleen Wieneke

Name of Attorney	Kathleen Wieneke, Senior Partner
Name of other government clients for whom you have been retained to provided services:	City of Scottsdale; Corrections Corporation of America (private correctional provider contracting with local and state governmental entities) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Atiba-Davies v. Corrections Corporation of America</i>, Case No. 2:10-cv-01683-NVW – Represented Defendant CCA. Case settled and Order dismissing case was filed on 07/01/2011.</p> <p><i>Haizlip, et al. v. City of Scottsdale, et al.</i>, Case No. CV2008-016623 –</p> <p><i>McDonald v. Corrections Corporation of America</i>, Case No. CV09-781-PHX-JAT – Represented Defendant CCA. CCA’s Motion for Summary Judgment was granted and judgment was entered on 01/12/2011.</p> <p><i>Haydee A. Neff f/k/a Haydee A. Guerra v. Corrections Corporation of America</i>, Case No. CV11-01766-PHX-SRB – Represented Defendant CCA. Case settled and Order dismissing case was filed on 09/06/2012.</p>

Name of Attorney	Amy Nguyen, Junior Partner
Name of other government clients for whom you have been retained to provided services:	City of Phoenix; Corrections Corporation of America (private correctional provider contracting with local and state governmental entities) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<i>Hill v. City of Phoenix</i> – Plaintiff was a police officer and brought suit against the City claiming she was subjected to retaliation, sexual discrimination, and a hostile work environment when she was not promoted for various positions, allegedly due to her reporting misconduct of other employees. The matter was settled for nuisance

	<p>value.</p> <p><i>Neff v. CCA</i>, Case No. CV11-01766-PHX-SRB – Plaintiff alleged wrongful termination and FMLA violations after she was terminated shortly after returning from maternity leave because her unrelated medical condition prevented her from performing the duties required of the job, despite the fact that accommodations were made for several years. This case settled for a low amount.</p>
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Name of Attorney	Mark Bracken, Senior Associate
Name of other government clients for whom you have been retained to provided services:	State of Arizona (Arizona Medical Board); Corrections Corporation of America (private correctional provider contracting with local and state governmental entities) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Blancarte v. Arizona Department of Transportation</i>, Case No. LC2010-00509 – Represented employee in appeal of State Personnel Board’s decision to uphold termination. The Superior Court vacated the Board’s decision and ordered employer to reinstate employee and pay all back wages owed. The Court of Appeals reversed the Superior Court’s decision.</p> <p><i>Cameron v. Arizona Board of Regents</i>, Case No. LC2008-00628 – Represented tenured professor in appeal of University President’s decision to terminate tenured professor for allegedly plagiarizing course syllabi. Although the Committee on Academic Freedom and Tenure (CAFT) found in favor of the professor, the University President rejected the CAFT’s recommendation, and the Superior Court and Court of Appeals upheld the tenured professor’s termination.</p> <p><i>Collinge v. IntelliQuick Delivery, Inc.</i> – Represented former employee before the National Labor Relations Board (NLRB) in claim that employer unlawfully interfered with right to engage in protected concerted activity and to self-organize or join a labor organization, under Section 7 and 8(a)(1) of National Labor Relations Act. On the day of the administrative hearing, the employer agreed to pay former employee’s back wages.</p> <p><i>McAndries v. Arizona Department of Transportation</i>, Case No. LC2010-00568 – Represented employee in appeal of State Personnel Board’s decision to uphold termination. The Superior Court vacated the Board’s decision and ordered employer to reinstate employee and pay all back wages owed.</p>

Dees v. Corrections Corporation of America (CCA), et al., Case No. CV2013-02377 – A former employee of a government contractor (CCA) asserted wrongful termination and tortious interference claims against his employer, CCA, and former supervisors. Plaintiff argued that he was retaliated against for reporting his supervisors’ alleged fraudulent reports of his insubordinate conduct. Defendant moved to dismiss Plaintiff’s claims because he failed to establish a whistleblower retaliation claim under the Arizona Employment Protection Act and because supervisors, as a matter of law, cannot interfere with the employment relationship when acting within the course and scope of their employment. Mr. Bracken prepared pleadings, discovery, and motions in the case.

Outcome: On August 27, 2014, the Pinal County Superior Court granted Defendant’s motion to dismiss all claims and awarded taxable costs. Plaintiff agreed not to appeal

Lamptey v. Corrections Corporation of America (CCA), Case No. CV-13-02156-PHX-NVW – Two employees of a government contractor (CCA) asserted sexual harassment, racially hostile work environment, and retaliation claims against their current employer. Immediately after Plaintiffs reported the alleged harassment, Defendant promptly investigated the claims and terminated the alleged harassers. The Equal Employment Opportunity Commission found reasonable cause to support the employees’ sexual harassment claim. The District Court denied Defendant’s Motion to Dismiss, after allowing Plaintiffs an opportunity to amend their Complaint, but later noted at the Case Management Conference that the decision was a “close call.” Defendant argued that the alleged harassment was not severe and pervasive and asserted a *Faragher/Ellerth* defense because it took prompt remedial action to correct all known harassment in the workplace. Mr. Bracken prepared pleadings, discovery, and motions in the case. He also participated in the settlement conference.

Outcome: On October 14, 2014, the parties participated in a settlement conference and entered into a confidential settlement agreement. The settlement avoided further litigation expenses and was negotiated prior to engaging in extensive discovery. Settlement was substantially less than the demand.

Scorzo v. Wynn, et al., Case No. CV2013-054862 – A former employee of the Arizona Medical Board asserted tortious interference with employment contract claims against former Director and Assistant Director based upon her termination. Defendant moved to dismiss because Plaintiff failed to comply with the one-year statute of limitations and failed to timely serve the summons and complaint.

	<p>Defendant also argued that Plaintiff's tortious interference claim fails because supervisors cannot interfere with the employment relationship when acting within the course and scope of their employment. Mr. Bracken prepared pleadings, discovery, and motions in the case.</p> <p>Outcome: On July 22, 2014, the Maricopa County Superior Court granted Defendant's motion to dismiss all claims and awarded taxable costs. The Court also denied Plaintiff's Motion to Set Aside Judgment on November 4, 2014.</p>
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PROPERTY TAX APPEALS, TAX LIEN SALES AND FORECLOSURES, TREASURER’S MATTERS

Number of Attorneys in the Firm with relevant experience: 1

Attorney Name; Number of years of relevant experience; Position in the Firm:

Attorney Name	Years of relevant experience	Position in the Firm
Timothy Bojanowski	18	Senior Partner

Partner/Senior Shareholder in charge of this area of practice: Timothy Bojanowski

Name of Attorney	Timothy Bojanowski, Senior Partner
Name of other government clients for whom you have been retained to provided services:	Maricopa County <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>LifeTime Fitness Centers</i>, Case No. TX 2005-050182, tax valuation case involving all LifeTime Fitness Centers within Maricopa County. Each building was assessed at a value of 14-15 million dollars based on location. The case involved commercial income generating property. Plaintiff’s expert sought a reduction in value between 52-60%, based upon undefined depreciation, utilizing a cost approach. The County sought an increase in valuation adding another \$2,000,000 based upon a cost approach validated with an income approach using a direct capitalization calculation. Overall market calculation concluded a value at \$19,750,000.00 per building. The matter was tried in tax court with the court entering an order reducing value of facilities. No appeal was taken. Valuations were adjusted for the following year and new values were assessed based upon an arm’s length sales transaction.</p> <p><i>City of Youngstown v. Corrections Corporation of America</i>, Mahoning County Court of Common Pleas, Ohio, 12-CV-3049 – Defense of municipal assessment of occupational tax upon business operations of prison facility within City of Youngstown. Motion for Summary Judgment was filed by the City and Cross-Motion was filed by Defendant CCA. The City’s Motion was granted and an appeal taken. The case was reversed on appeal due to the City’s violation of Charter prohibiting occupational taxes upon business operations. Mr. Bojanowski was lead counsel at trial and on appeal.</p> <p><i>CNL Hotels and Resorts, Inc. v. Maricopa County</i>, Case No. CV-11-0072-PR – Ad Valorem tax rate dispute was raised by CNL Hotels and Resorts, Inc. and Marriott Desert Ridge Resort, LLC against Maricopa</p>

	<p>County disputing Class One general commercial property rate designation by County Assessor. Mr. Bojanowski represented 12 county assessors from the State of Arizona opposing Plaintiffs' claims that the property should be classified as Class Nine and subject to a one percent (1%) tax rate. Mr. Bojanowski represented the 12 assessors as amicus curiae in the Arizona Supreme Court. The assessors argued that the property should be classified as Class One since the lease provisions that grant a reversionary interest in the improvements to the State upon lease termination were void as violative of Article 10 § 10 of the Arizona Constitution and Section 28 of the New Mexico – Arizona Enabling Act of 1910. The Supreme Court vacated and remanded the decision of the Court of Appeals, which had upheld the position of CNL.</p>
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ROAD DESIGN, CONSTRUCTION OR MAINTENANCE LIABILITY

Number of Attorneys in the Firm with relevant experience: 5

Attorney Name; Number of years of relevant experience; Position in the Firm:

Attorney Name	Years of relevant experience	Position in the Firm
Kathleen Wieneke	28	Senior Partner
Christina Retts	11	Junior Partner
Nicholas Acedo	4	Junior Partner
Amy Nguyen	5	Junior Partner
Kevin Nguyen	3	Junior Associate

Partner/Senior Shareholder in charge of this area of practice: Kathleen Wieneke

Name of Attorney	Kathleen Wieneke, Senior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona; City of Phoenix; City of Scottsdale <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Bolton v. State of Arizona</i>, Case No. CV2007-019321 – Plaintiff filed suit against the State of Arizona alleging that it improperly designed, equipped, and maintained the 101 near Bell Road after he drove off the freeway at a high rate of speed, collided with, but did not cross, the median cable barrier, drove over a culvert, and was launched into a sign pole. Plaintiff suffered severe burn injuries and had both legs amputated. Plaintiff’s blood-alcohol level at the time of the accident was above .20%. After losing several attempts to prevent the blood-alcohol evidence from being introduced at trial, Plaintiff voluntarily dismissed his claims one day before trial. Ms. Wieneke was lead counsel on the case.</p> <p><i>Clark, et al. v. Spano, et al</i>, Case No. CV2013–001476 - Plaintiffs filed an Amended Complaint naming the City of Scottsdale on 12/18/13 in Maricopa County Superior Court seeking combined damages of over \$25,000,000. Plaintiffs sued the impaired driver, the establishment that served the impaired driver, the impaired driver’s employer, and the City of Scottsdale for damages arising out of a motor vehicle/pedicab accident that occurred on January 4, 2013, in which two Plaintiffs sustained severe injuries in the accident. Plaintiffs seek compensatory damages from the City for not passing ordinances regulating the use of pedicabs on City streets before the crash and allege that the City was negligent in failing to adopt an ordinance regulating pedicabs. This matter is currently in expert discovery, and dispositive motions are in March 2015. Ms. Wieneke</p>

	<p>is lead counsel on the case.</p> <p><i>Yanovskaya v. State of Arizona</i>, No. CV2008-051113 – Plaintiff sued the State of Arizona in Superior Court for injuries she alleged were caused by faulty road design (her car went through the cable barrier at Milepost 43 on Loop 101). Struck Wieneke & Love, PLC defended the State in dispositive motion for judgment on the pleadings and motions in limine. After an 11-day trial, the jury entered a defense verdict. Plaintiff moved for a new trial, alleging only that the Court failed to provide a <i>Wiggs</i> instruction stating that the State’s duty to provide reasonably safe roads was not delegable. On July 10, 2013, the Court denied the motion for new trial. Ms. Wieneke was lead counsel on the case.</p>
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Name of Attorney	Christina Retts, Junior Partner
Name of other government clients for whom you have been retained to provided services:	City of Phoenix; State of Arizona. <i>See list of references.</i>
Nature and scope of specific projects/matters:	<i>Shaw v. State of Arizona</i> , Case No. CV2003-005300, <i>Gendus v. State of Arizona</i> , Case No. CV2005-000627, <i>Sharpe v. State of Arizona</i> , Case No. CV2003-021918 - Defense of the cable barrier system as it relates to claims of negligent roadway design after crossover accidents. Ms. Retts prepared pleadings, discovery, and motions and conducted depositions in these cases.

Name of Attorney	Nicholas Acedo, Junior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona; League of Arizona Cities and Towns; Pinal County <i>See list of references.</i>
Nature and scope of specific projects/matters:	<i>Glazer v. State of Arizona</i> , 234 Ariz. 305 (App. 2014). The Plaintiffs sued the State for negligence, alleging that its failure to install a median barrier on the I-10 was the cause of a fatal car accident. The State argued that it was entitled to qualified immunity under A.R.S. § 12–820.03 because the highway was designed in conformance with accepted engineering standards in effect at the time. The Superior Court ruled that qualified immunity was not available because the State should have improved the design (i.e. added a median barrier) in light of the change in circumstances after its construction (e.g., increased traffic, speed limit, accidents). A jury awarded Plaintiffs \$7,800,000.00 in damages. The Court of Appeals affirmed, and the State filed a Petition for Review. Mr. Acedo drafted and filed an amicus brief in support of the Petition on behalf of the League of Arizona Cities and Towns, an association consisting of 91 incorporated cities and towns in the State. The Arizona Supreme

	<p>Court granted the Petition for Review, and the appeal is still pending.</p> <p><i>Yanovskaya v. State of Arizona</i>, No. CV2008-051113 (Maricopa County Superior Court): The Plaintiff sued the State for injuries she alleged were caused by a faulty road design when her car went through a highway cable barrier. Mr. Acedo assisted in motion practice leading up to and during trial, including the propriety of a <i>Wiggs</i> instruction, which resulted in a defense verdict.</p>
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Name of Attorney	Amy Nguyen, Junior Partner
Name of other government clients for whom you have been retained to provided services:	<p>State of Arizona; Pinal County; Yavapai County</p> <p><i>See list of references.</i></p>
Nature and scope of specific projects/matters:	<p><i>Bolton v. State of Arizona</i>, Case No. CV2007-019321 – Plaintiff filed suit against the State of Arizona alleging that it improperly designed, equipped, and maintained the 101 near Bell Road after he drove off the freeway at a high rate of speed, collided with, but did not cross, the median cable barrier, drove over a culvert, and was launched into a sign pole. Plaintiff suffered severe burn injuries and had both legs amputated. Plaintiff’s blood-alcohol level at the time of the accident was above .20%.</p> <p>Outcome: After losing several attempts to prevent the blood-alcohol evidence from being introduced at trial, Plaintiff voluntarily dismissed his claims one day before trial.</p> <p><i>Ackert v. Pinal County, et al.</i>, Case No. CV201300878 - Plaintiffs filed suit against Pinal County and several others alleging that it negligently designed and maintained Ironwood Road. Plaintiffs are seeking \$165 million in damages. The minor Plaintiffs were severely injured – one rendered a quadriplegic - while riding as passengers in a vehicle that collided into the back of a truck/horse trailer that was attempting to make a left turn across an open median. The vehicle they were traveling in was going 20 mph over the speed limit and made no attempt to avoid the collision. Plaintiffs allege the left turn should have been prohibited or only allowed through use of a designated left turn lane.</p> <p>Outcome: Pending.</p>

Name of Attorney	Kevin Nguyen, Junior Associate
Name of other government clients for whom you have been retained to provided services:	State of Arizona. <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Bolton v. State of Arizona</i>, Case No. 2:10-cv-02385-SRB – On October 19, 2007, Plaintiff sued the State of Arizona alleging that its faulty road design, including use of a 3-strand cable barrier and sign bridge in the median of Milepost 13.9 of State Route 51, caused him to suffer serious burns and other injuries. Struck Wieneke & Love, PLC defended the State in extensive summary judgment briefing, motions in limine, and other pretrial motions. Plaintiff voluntarily withdrew all claims on the eve of trial. On November 5, 2013, the Court entered an order dismissing all claims with prejudice.</p> <p><i>Yanovskaya v. State of Arizona</i>, No. CV2008-051113 – Plaintiff sued the State of Arizona in Superior Court for injuries she alleged were caused by faulty road design (her car went through the cable barrier at Milepost 43 on Loop 101). Struck Wieneke & Love, PLC defended the State in dispositive motion for judgment on the pleadings and motions in limine. After an 11-day trial, the jury entered a defense verdict. Plaintiff moved for a new trial, alleging only that the Court failed to provide a <i>Wiggs</i> instruction stating that the State’s duty to provide reasonably safe roads was not delegable. On July 10, 2013, the Court denied the motion for new trial.</p>

SECTION 1983 CIVIL RIGHTS DEFENSE

Number of Attorneys in the Firm with relevant experience: 13

Attorney Name; Number of years of relevant experience; Position in the Firm:

Attorney Name	Years of relevant experience	Position in the Firm
Daniel Struck	28	Senior Partner
Kathleen Wieneke	28	Senior Partner
Rachel Love	16	Senior Partner
Timothy Bojanowski	33	Senior Partner
Christina Retts	11	Junior Partner
Nicholas Acedo	12	Junior Partner
Amy Nguyen	5	Junior Partner
Mark Bracken	6	Senior Associate
Tara Zoellner	6	Junior Associate
Ashlee Fletcher	4	Junior Associate
Kevin Nguyen	3	Junior Associate
Anne Orcutt	3	Junior Associate
Jacob Lee	2	Junior Associate

Partner/Senior Shareholder in charge of this area of practice: Daniel Struck; Kathleen Wieneke

Name of Attorney	Daniel Struck, Senior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona; Maricopa County; City of Phoenix <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Braillard v. Maricopa County, et al.</i>, Case No. CV200601548 - Amended Complaint filed in December 2005 naming Maricopa County Correctional Health Services, Maricopa County Sheriff's Office, Sheriff Arpaio, Maricopa County Detention Officers, and Maricopa County Health Services employees in the Pinal County Superior Court.</p> <p>Defendants MCSO and Sheriff Arpaio were initially represented by Dennis Wilenchik of Wilenchik & Bartness; substitution of counsel was filed December 2010 naming Daniel Struck and Amy Nguyen as legal counsel.</p> <p>Plaintiff asserted state law claims for wrongful death, negligence, and gross negligence against all Defendants, as well as federal claims for deliberate indifference to Braillard's medical needs, claiming it was caused by Maricopa County and Arpaio's unconstitutional policies,</p>

	<p>customs, and failure to train. Plaintiff sought compensatory, punitive, and pain and suffering.</p> <p>Trial was originally set for October 2008. The Judge granted Defendants' Motion for Summary Judgment, dismissing Plaintiff's federal claims. Plaintiff appealed. In May 2010, the Court of Appeals held that the lower court erred in granting summary judgment. Defendants sought review of the Opinion by the Arizona and United States Supreme Court. Review was denied by both courts. Defendants filed a Petition for Review with the Arizona Supreme Court which was also denied. Defendants requested a stay of the Mandate in order to file a Petition for Certiorari to the US Supreme Court. The request was denied and the case was returned to the Pinal County Superior Court. Trial began on Sept. 10, 2012 and was scheduled to last until October 5. The case settled following the 14th day of trial and prior to Defendants calling any witnesses. The parties entered into a Confidential Settlement Agreement on October 24, 2012.</p> <p><i>Parsons, et al. v. Ryan, et al.</i> – Case No. CV-12-00601-DKD - Certified class action lawsuit filed on behalf of all State of Arizona ADC inmates alleging Eighth Amendment violations alleging constitutionally deficient system wide delivery of health care, mental health care, dental care along with claims of cruel and unusual conditions of confinement for segregated inmates. Plaintiffs asserted claims against Arizona Department of Corrections for unconstitutional policies, procedures, and conditions of confinement. Class action damages claim for injunctive relief.</p> <p>Outcome: Proposed settlement pending Court approval. Petition for rehearing regarding class certification order pending before the Ninth Circuit.</p> <p>Additional representative cases include:</p> <p><i>Lewis v. Casey</i>, 516 U.S. 804 (1996); 116 S.Ct. 2174 (1996); <i>Mauro v. Arpaio</i>, 147 F.3d 1137 (1998); 188 F.3d 1054 (9th Cir. 1999) (en banc); <i>Wagner v. County of Maricopa</i>, 673 F.3d 977 (9th Cir. 2012); <i>Wagner v. County of Maricopa</i>, 706 F.3d 942 (9th Cir. 2013); <i>Wilson v. Maricopa County</i>, 484 F.Supp.2d 1015 (D. Ariz. 2006)</p>
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Name of Attorney	Kathleen Wieneke, Senior Partner
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<p>Name of other government clients for whom you have been retained to provided services:</p>	<p>State of Arizona; City of Chandler; City of Phoenix <i>See list of references.</i></p>
<p>Nature and scope of specific projects/matters:</p>	<p><i>Parsons, et al. v. Ryan, et al.</i> – Case No. CV-12-00601-DKD - Certified class action lawsuit filed on behalf of all State of Arizona ADC inmates alleging Eighth Amendment violations alleging constitutionally deficient system wide delivery of health care, mental health care, dental care along with claims of cruel and unusual conditions of confinement for segregated inmates. Plaintiffs asserted claims against Arizona Department of Corrections for unconstitutional policies, procedures, and conditions of confinement. Class action damages claim for injunctive relief.</p> <p>Outcome: Proposed settlement pending Court approval. Petition for rehearing regarding class certification order pending before the Ninth Circuit.</p> <p><i>Remato v. City of Phoenix</i>, Case No. CV09-02027-PHX-FJM - Plaintiff filed a Complaint against an Officer and the City of Phoenix on 09/28/09 seeking \$4,500,000 in damages. In this case , the police officer perceived a potentially life threatening situation. The decedent was attempting to flee the scene in his car after being involved in a shoplifting incident. The decedent drove his car in the direction of the officer. The officer attempted to get out of the way, but his path was blocked by his own patrol vehicle. Fearing for his life, he fired two shots at the decedent. Plaintiff, the personal representative of the decedent’s estate, asserted claims for excessive/improper force and aggravated assault with a deadly weapon against the Officer and brought claims for negligent supervision/training against the City of Phoenix. The case was tried before a jury. On 09/30/11, judgment was entered in favor of Defendants and against Plaintiff.</p> <p><i>Stadler v. State of Arizona</i>, Case No. 2:10-cv-01072-SRB - The decedent was an emotionally disturbed person who called a crisis line threatening to commit suicide while a child was with her and while intoxicated. DPS officers were sent to locate her vehicle when her cell phone pinged to the US 60. After the officer located her vehicle, a pursuit was initiated shortly after she refused to stop when he activated his lights and sirens. The driver of the vehicle called 911 and relayed that the officer should stop chasing her or she would kill herself. The 911 dispatcher was not able to convey this message before the decedent pulled into a Circle K and committed suicide. Plaintiffs asserted various claims against the officer and 911 dispatchers, including constitutional, state law, and Title II of the ADA.</p>

	<p>Outcome: The Court granted summary judgment on December 10, 2012, holding that a police officer has no duty to “capitulate to the demands of a suicidal individual” and rejecting Plaintiffs’ state created danger theory.</p> <p><i>Smith v. City of Chandler, et al.</i>, Case No. 12-cv-02391 - While high on drugs, Plaintiff held a knife to his throat threatening to kill himself. Plaintiff refused orders by Chandler Police to drop the knife. Plaintiff was shot with a bean bag gun and then proceeded to stab himself in the neck. Plaintiff was then tasered by an officer. Plaintiff suffered extensive wounds as a result of the self-inflicted stab wound. Plaintiff brought claims against the City of Chandler and the individual officers for excessive force and a claim against the City for failure to train. Specifically, Plaintiff alleged the Defendant officer(s) failed to follow TACT and formulate a plan prior to entering the residence.</p> <p>Plaintiffs filed suit against the City of Chandler on 11/08/12 seeking over \$3,750,000 in damages. On April 16, 2014, Judge Martone granted summary judgment finding the officer’s use of force was justified.</p>
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Name of Attorney	Rachel Love, Senior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona (Arizona Department of Corrections); State of Hawaii (Department of Public Safety); State of California (California Department of Corrections and Rehabilitation); Maricopa County; Pinal County; Corrections Corporation of America (private correctional provider contracting with local and state governmental entities) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Parsons, et al. v. Ryan, et al.</i> – Case No. CV-12-00601-DKD - Certified class action lawsuit filed on behalf of all State of Arizona ADC inmates alleging Eighth Amendment violations alleging constitutionally deficient system wide delivery of health care, mental health care, dental care along with claims of cruel and unusual conditions of confinement for segregated inmates. Plaintiffs asserted claims against Arizona Department of Corrections for unconstitutional policies, procedures, and conditions of confinement. Class action damages claim for injunctive relief.</p> <p>Outcome: Proposed settlement pending Court approval. Petition for rehearing regarding class certification order pending before the Ninth Circuit.</p> <p><i>Davis et al. v. Corrections Corporation of America, Governor Abercrombie and Director Sakai</i>, Case No. 11-00144-LEK-BMK – Class action certified lawsuit filed on behalf of State of Hawaii DPS</p>

	<p>inmates practicing the Native Hawaiian religion at a CCA facility located in Arizona. Plaintiffs assert RLUIPA, First Amendment, Equal Protection, retaliation and Hawaii state constitutional claims alleging unconstitutional denial of access to sacred items, spiritual advisor, daily outdoor sunrise services, outdoor altar, outdoor sacred space and demand for more extensive Makahiki celebrations. Plaintiffs seek injunctive and monetary relief.</p> <p>The Hawaii District Court granted partial summary judgment regarding access to several sacred items, access to spiritual advisor for general population inmates, demand for outdoor altar, demand for outdoor sacred space and demand for more extensive Makahiki celebrations. The Court granted Defendants' motion for judgment on the pleadings as to all claims asserted against Governor Abercrombie. The Court limited class recovery of monetary damages to nominal damages only. Case proceeds to trial in 2015 on remaining claims.</p> <p><i>Adkins et. al. v. State of Hawaii et al.</i>, Case No. 10-1-2646-12 (GWBC) – This multiparty lawsuit alleges Eighth Amendment excessive force and conditions of confinement claims (retaliatory lockdown and conditions of confinement), along with Arizona tort claims for assault/battery and negligent/intentional infliction of emotional distress against State of Hawaii DPS and CCA officials arising out of the response and investigation of an inmate disturbance involving Hawaii DPS inmates at a CCA facility located in Arizona. Plaintiffs are twenty-two inmates segregated after participating in a STG (gang) fight and assault upon the facility's STG lieutenant. The State Court stayed this case in February 2013 due to a similar case brought by the Plaintiff in the United States District Court for the District of Arizona.</p> <p>In the Arizona District Court case, <i>Adkins, et al. v. Corrections Corporation of America</i>, CV-12-1615-PHX-SMM, the Court granted summary judgment in favor of CCA Defendants on Eighth Amendment conditions of confinement claims. Remaining claims proceed to trial in 2015.</p>
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Name of Attorney	Timothy Bojanowski, Senior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona; State of Ohio <i>See list of references.</i>
Nature and scope of specific projects/matters:	<i>Parsons, et al. v. Ryan, et al.</i> – Case No. CV-12-00601-DKD - Certified class action lawsuit filed on behalf of all State of Arizona ADC inmates alleging Eighth Amendment violations alleging constitutionally deficient system wide delivery of health care, mental

	<p>health care, dental care along with claims of cruel and unusual conditions of confinement for segregated inmates. Plaintiffs asserted claims against Arizona Department of Corrections for unconstitutional policies, procedures, and conditions of confinement. Class action damages claim for injunctive relief.</p> <p>Outcome: Proposed settlement pending Court approval. Petition for rehearing regarding class certification order pending before the Ninth Circuit.</p>
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Name of Attorney	Christina Retts, Junior Partner
Name of other government clients for whom you have been retained to provided services:	<p>State of Arizona (Department of Public Safety); City of Mesa, City of Phoenix; City of Scottsdale; City of Williams; Maricopa County.</p> <p><i>See list of references.</i></p>
Nature and scope of specific projects/matters:	<p><i>Marquez v. City of Phoenix</i>, Case No. CV08-1132-PHX-NVW - Claim of excessive force against two police officers who Tased a suspect (multiple times) after he was reported to be performing an exorcism on his granddaughter and was observed to be holding her in a chokehold. The daughter was also present in the room, naked and bloody. The TASER download showed 22 trigger pulls of the TASER for a total of 122 seconds. The suspect died of a cardiac event at the scene as a result of Excited Delirium. Plaintiffs asserted a <i>Monell</i> claim against the City of Phoenix for unconstitutional policies, procedures, and training. Plaintiffs claimed that their damages exceeded \$20 million. Ms. Retts was lead attorney on the case preparing all pleadings, discovery, and motions, as well as conducting depositions and hearings.</p> <p>Outcome: The District Court granted summary judgment in favor of Defendant and dismissed all claims on August 25, 2010. The Ninth Circuit upheld the decision on appeal.</p> <p><i>Jensen v. Burnside</i>s, Case No. CV06-2356-PCT-JAT - This is a case where an officer engaged in hand to hand combat with a violent arrestee who was in handcuffs and shot and killed the arrestee after he repeatedly reached for the officer's TASER. The Plaintiffs sued the shooting officer for excessive force and the City of Williams for <i>Monell</i> violations. On October 23, 2008, the District Court granted Defendant's Motion for Summary Judgment on the excessive force and <i>Monell</i> claims, remanding the remaining state law claims to state court. The Ninth Circuit affirmed the District Court's rulings. A Motion to Dismiss based upon law of the case and res judicata was filed and granted to resolve the state law claims.</p> <p><i>Stadler v. State of Arizona</i>, Case No. 2:10-cv-01072-SRB - The</p>

decedent was an emotionally disturbed person who called a crisis line threatening to commit suicide while a child was with her and while intoxicated. DPS officers were sent to locate her vehicle when her cell phone pinged to the US 60. After the officer located her vehicle, a pursuit was initiated shortly after she refused to stop when he activated his lights and sirens. The driver of the vehicle called 911 and relayed that the officer should stop chasing her or she would kill herself. The 911 dispatcher was not able to convey this message before the decedent pulled into a Circle K and committed suicide. Plaintiffs asserted various claims against the officer and 911 dispatchers, including constitutional, state law, and Title II of the ADA. Ms. Retts was lead attorney on the case.

Outcome: The Court granted summary judgment on December 10, 2012, holding that a police officer has no duty to “capitulate to the demands of a suicidal individual” and rejecting Plaintiffs’ state created danger theory.

Herrera v. City of Phoenix, Case No. 2:13-cv-01507-GMS-MEA - Plaintiff, a known affiliate of the Mexican Mafia, filed suit on July 5, 2013, for injuries he allegedly sustained during an arrest in which he fled from members of the Gang Enforcement Unit who were attempting to arrest him for gang activities surrounding threatening and intimidating a witness. A Motion to Dismiss was filed. The Court converted the Motion to Dismiss to a request for screening, relied upon the arguments, and dismissed the Complaint. Ms. Retts was lead attorney on the case.

Barnes v. City of Phoenix (no suit filed), *Pataky v. City of Phoenix*, Case No. CV09-534-PHX-HRH, and *Lavan v. City of Phoenix*, Case No. CV2010-009101 - Three separate lawsuits involving the same investigation, but different executions of search warrants at separate residences. The investigation involved individuals who were suspected to have been harassing various members of the police department, including homicide detectives. The Plaintiffs separately sued for unlawful search and seizure and violations of the Fifth and Sixth Amendments. Three separate Motions to Dismiss were filed and each was granted on the basis that the search warrants conclusively established probable cause, occupants of a residence can be detained while a search is being performed, and the Fifth and Sixth Amendments are not implicated during a search warrant where the occupant is not placed under arrest. Ms. Retts was lead attorney on these cases.

Corrales v. City of Phoenix, Case No. CV11-00287-PHX-ROS - This

	<p>was an officer involved shooting where an undercover officer fired six shots at an unarmed teenager who simulated a weapon during an undercover drug deal. The teenager was hit in the back with one of the shots sustaining incomplete paralysis. The officer fired after fearing for his life when the simulated weapon was pointed at him. The Plaintiffs voluntarily dismissed their <i>Monell</i> claims against the City for alleged unconstitutional policies, procedures, and training before summary judgment. On March 12, 2013, the District Court granted the Motion for Summary Judgment ruling that the shooting was constitutional and justified under Arizona law.</p>
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Name of Attorney	Nicholas Acedo, Junior Partner
Name of other government clients for whom you have been retained to provided services:	State of Arizona; City of Phoenix; Maricopa County Sheriff Joseph Arpaio. <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Marquez v. City of Phoenix</i>, 693 F.3d 1167 (9th Cir. 2012): In June 2008, the Plaintiffs sued the City and two police officers, alleging excessive force and wrongful death in violation of the Fourth Amendment and A.R.S. 12-611. Officers deployed their TASERS 22 times for a total of 123 seconds to subdue a man who had his three-year-old granddaughter in a choke hold (he was performing an exorcism). The man later died from excited delirium. In addition to the claims against the individual officers, the Plaintiffs alleged that the City's policies and training also caused the death and sought damages in excess of \$20 million. Mr. Acedo drafted the City's Motion for Summary Judgment, which argued that the officers were entitled to qualified and statutory immunity. The District Court granted the Motion and dismissed all claims. Mr. Acedo also drafted the appellate answering brief and argued the appeal before the Ninth Circuit Court of Appeals. The Ninth Circuit affirmed the dismissal in September 2012.</p> <p><i>Terry v. Newell</i>, No. CV-12-02659-PHX-DGC, 2013 WL 6048914 (D. Ariz.): In December 2012, Plaintiffs sued several ATF agents for their alleged roles in Operation Fast and Furious. They alleged that the agents' failure to interdict firearms sold to a straw purchaser, which was then used to kill Border Patrol Agent Brian Terry, violated their Fifth Amendment rights to due process and familial association. Mr. Acedo drafted the ATF agents' Motion to Dismiss, which argued that the Plaintiffs' <i>Bivens</i>' lawsuit was barred because alternative statutory remedies were available and, alternatively, the agents were entitled to qualified immunity. The District Court granted the Motion and dismissed the lawsuit. Mr. Acedo also assisted in drafting the appellate answering brief, which is still pending before the Ninth Circuit Court of Appeals. <i>See</i> No. 14-15284.</p>

	<p><i>Baca v. Rodriguez</i>, No. 13–2022, 554 Fed.Appx. 676 (10th Cir. 2014): The Plaintiff, a female inmate, sued the prison alleging that her Eighth Amendment rights were violated when she engaged in consensual sex with a prison guard. The District Court dismissed her Complaint. Mr. Acedo drafted the answering brief on appeal and argued the appeal before the Tenth Circuit Court of Appeals. The Tenth Circuit affirmed the dismissal in January 2014.</p> <p><i>Parsons v. Ryan</i>, No. 2:12-cv-00601-NVW (D. Ariz.): This is a class action lawsuit challenging the healthcare and conditions of confinement at the Arizona Department of Corrections. The inmates alleged that they were denied adequate medical, dental, and mental health care, and that the conditions in maximum custody expose them to a substantial risk of harm in violation of the Eighth Amendment. This lawsuit was filed in March 2012 and, over the course of 2 ½ years, Mr. Acedo was primarily responsible for the motion writing, including motions to dismiss and summary judgment, opposition to class certification, and a multitude of discovery issues. There are approximately 1,200 entries on the District Court docket. The Plaintiffs were represented by more than 25 lawyers from the ACLU, Prison Law Office, Arizona Center for Disability Law, and two national law firms. Mr. Acedo also drafted the petition to appeal the class certification ruling in the Ninth Circuit Court of Appeals, which was granted, drafted the opening and reply briefs, argued the appeal, and drafted the Petition for Rehearing En Banc. The appeal is still pending.</p> <p>Mr. Acedo was an Arizona Assistant Attorney General in the Criminal Appeals Section for the first five years of his career and drafted approximately 100 appellate briefs, most of which involved constitutional (criminal) issues.</p>
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Name of Attorney	Amy Nguyen, Junior Partner
Name of other government clients for whom you have been retained to provided services:	Maricopa County; City of Flagstaff; City of Mesa; City of Phoenix; Pinal County; Corrections Corporation of America (private correctional provider contracting with local and state governmental entities) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<i>Braillard v. Maricopa County, et al.</i> , Case No. CV200601548 – Plaintiff brought claims of deliberate indifference, violations of custom/policy, and state negligence claims on behalf of herself and her deceased mother. Decedent was detained in a Maricopa County jail on drug charges, but failed to inform medical staff and detention officers that she was an insulin-dependent diabetic so she could spend her time in a hospital rather than jail. Decedent began exhibiting signs

of illness, but the detention officers did not know she was diabetic and assumed she was going through drug withdrawal. Decedent eventually went into a diabetic coma and died at the hospital. This case settled in the middle of a four-week trial.

Adkins, et al. v. Corrections Corporation of America, et al., Case No. CV-12-1615-PHX-SMM – This case consists of excessive force and various state law claims brought by 24 separate plaintiffs against various corrections officers. Plaintiffs allege that, after a large-scale fight between inmates who are members of a rival gang, which resulted in a severe assault upon a lieutenant, various officers and administrative staff retaliated against the inmates by assaulting them on several occasions. None of the plaintiffs sought medical or mental health treatment for their alleged injuries and there is no independent evidence to corroborate their claims. This case is scheduled for trial in Federal Court in February 2015.

Remato v. City of Phoenix, et al., Case No. CV09-02027-PHX-FJM – Complaint was filed against Officer and City of Phoenix asserting claims of excessive force, aggravated assault, and wrongful death, and seeking \$4.5 million in damages. The decedent was attempting to flee in his car after being involved in a shoplifting incident when he drove his vehicle in the direction of the officer. The officer attempted to get out of the way, but his path was blocked by his own patrol vehicle, forcing him to shoot in self-defense.

Outcome: Jury verdict in favor of the defense.

Heinze v. City of Mesa, et al., Case No. CV10-02385-PHX-SRB – Plaintiffs brought suit on behalf of their deceased son asserting ADA violations, excessive force, and wrongful death, and sought \$9 million in damages. Plaintiffs alleged that their son was mentally ill and, when officers arrived at his residence to serve a protective order, he begged them for help, but the officers refused to help him and escalated the situation. Plaintiffs further alleged that when decedent pulled out a knife from seven feet away, the officers used excessive force by shooting him twice, despite decedent ignoring commands to drop the weapon and instead yelling, “suicide by cop.” Defendants alleged that the officers acted reasonably under the circumstances, and the shooting officer reasonably perceived imminent danger to his life and that of his partner when decedent yielded a knife and refused commands to drop it.

Outcome – Settled

Longoria v. Pinal County, et al. (Notice of Claim filed to date) -

	<p>Plaintiffs are bringing suit against the County and its Deputy alleging claims of excessive force and wrongful death. Specifically, they allege that the Deputy used excessive force by shooting decedent twice following an hour chase in a stolen vehicle, and after decedent stepped out of the vehicle with his hands in the shooting position as though he were pointing a gun, Plaintiffs claim decedent was shot in the back when he had his hands in the air which, although true, is explained by the officer's perception/reaction/decision to shoot time.</p> <p>Outcome – pending.</p>
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Name of Attorney	Mark Bracken, Senior Associate
Name of other government clients for whom you have been retained to provided services:	State of Arizona (Arizona Department of Corrections); City of Prescott. <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Parsons, et al. v. Ryan, et al.</i>, Case No. CV-12-00601-DKD – Defended Director Charles Ryan and Richard Pratt (Arizona Department of Corrections) in a class action suit by inmates regarding claims that Defendants were deliberately indifferent to Plaintiffs' medical, dental, and mental health care. Mr. Bracken prepared responses to discovery, pleadings, motions, and case analyses.</p> <p><i>Riley v. City of Prescott</i>, Case No. CV-11-08123-PCT-JAT – Represented a citizen who was wrongfully terminated from her position with a government contractor after participating in a public protest against city officials. Plaintiff asserted tortious interference with employment and First Amendment claims against the City and Mayor. Plaintiff also asserted a wrongful termination claim against her employer, which was settled early on in the litigation.</p> <p>During discovery, a review of electronically stored information discovered evidence that the Mayor and Councilmembers communicated with the Plaintiff's employer immediately before she was placed on administrative leave and ultimately terminated. The District Court denied Defendants' Motion to Dismiss and Motion for Summary Judgment. The Court granted Plaintiff's request for spoliation instruction at trial and awarded Plaintiff's attorneys' fees based upon evidence that Defendants intentionally destroyed communications with Plaintiff's employer. <i>See Riley v. City of Prescott, Ariz., 2014 WL 641632, at *1 (D. Ariz. Feb. 19, 2014)</i> The case is currently pending before the Ninth Circuit on an interlocutory appeal.</p>

Name of Attorney	Tara Zoellner, Junior Associate
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Name of other government clients for whom you have been retained to provided services:	City of Phoenix; State of Hawaii (Department of Public Safety) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Valencia v. City of Phoenix</i>, Case No. 2:10-cv-02194-PHX-JRG – Claim of excessive force against police officers who removed suspect from vehicle after high speed chase. The case was settled.</p> <p><i>Martinez v. City of Phoenix</i>, Case No. 2:10-cv-02722-PHX-SRB – Claim of excessive force against police officers who tackled suspect after foot chase through neighborhood. The case was settled.</p> <p><i>Grundemann v. City of Phoenix</i>, Case No. CV-11-01899-PHX-NVW – Autistic minor teen student claimed excessive force against off-duty, uniformed, security officer who physically subdued her on two occasions and arrested her on one occasion after the student physically assaulted the officer, during school hours. The case was settled with a Motion for Summary Judgment pending.</p>

Name of Attorney	Ashlee Fletcher, Junior Associate
Name of other government clients for whom you have been retained to provided services:	Graham County; Maricopa County; Pinal County; Arizona Department of Corrections; Arizona Department of Public Safety; City of Eloy; City of Chandler; Corrections Corporation of America (private correctional provider contracting with local and state governmental entities) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Parsons, et al. v. Ryan, et al.</i>, Case No. CV-12-00601-DKD - On March 22, 2012, the ACLU and Prison Law Office (along with multiple private law firms) filed a class action complaint against Director Charles Ryan and Richard Pratt (Arizona Department of Corrections) pursuant to § 1983, alleging the Department of Corrections was providing unconstitutional mental, dental, and medical care. Contentious litigation ensued for the next two and a half years wherein countless issues were briefed and brought before the Court – over 1190 docket entries were made. Defendants filed a lengthy Motion for Summary Judgment covering ten facilities, 13 named Plaintiffs, and over 33,000 class members. The parties reached a favorable settlement in October 2014. Ms. Fletcher prepared various motions, responses, and requests for discovery. She also assisted in the preparation of expert reports and participated in expert inspections.</p> <p><i>Smith v. City of Chandler, et al</i>, Case No. 12-cv-02391 - This case involved the Taser and bean bag shooting of Plaintiff Smith – a transient with a prior history of substance abuse and mental instability. Shortly after arriving at his father’s house on December 28, 2011, he grabbed a knife and refused to surrender it. His stepmother called the</p>

police. An officer arrived at the home and found Plaintiff in the backyard cradling a knife. After he refused to obey the officer's command to "drop the knife," Plaintiff was shot with a bean bag gun. Plaintiff then proceeded to stab himself in the neck with the knife at which time the officers deployed a Taser. Plaintiff suffered extensive injuries as a result and was hospitalized for approximately three months. During litigation, it was discovered Plaintiff suffered from persecutory delusions and was convinced officers showed up to take him to a "torture chamber." On November 8, 2012, Plaintiff filed a § 1983 lawsuit against the City of Chandler and several officers, claiming the officers and City were negligent and deprived him of his Fourth Amendment rights. Specifically, Plaintiff alleged the Defendant officers failed to follow TACT and formulate a plan prior to entering the residence. On April 16, 2014, Judge Martone granted summary judgment finding the officers' use of force was justified. Ms. Fletcher prepared pleadings, discovery, and motions in this case.

Wozniak v. City of Glendale, et al, Case No. CV2009-029090 - During the night of September 10, 2008, Plaintiff entered the front yard of Detective Siewert and Officer Bauman. He carried a blow torch and began to investigate the utility box located on the Officer Homeowners' property. Although it was later discovered that Plaintiff was a cable guy, Plaintiff had no identification, no uniform, and his truck had no markings of a company vehicle. To the Officer Homeowners, he appeared to be a thief attempting to steal copper from the utility box in their front yard – a prominent and well-known crime tactic throughout the Valley. Plaintiff repeatedly refused to identify himself – and continuously yelled obscenities – despite several commands by Officer Homeowners to identify himself and drop his weapon. Plaintiff then pointed his blow torch at them and Officer Bauman deployed her Taser in dart mode. Detective Siewert handcuffed Plaintiff until a Maricopa County Sheriff arrived. On September 9, 2009, Plaintiff and his wife sued DPS and the City of Glendale for negligent infliction of emotional distress, assault and battery, false imprisonment, and loss of consortium. The case settled on December 5, 2012. Ms. Fletcher prepared pleadings, discovery, and motions in this case.

Name of Attorney	Kevin Nguyen, Junior Associate
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Name of other government clients for whom you have been retained to provided services:	State of Arizona (Arizona Department of Corrections); City of Avondale Police Department; City of Mesa Police Department; City of Phoenix Police Department. <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Parsons v. State of Arizona</i>, Case No. CV-12-00601-DKD – Defense of Director Charles Ryan and Richard Pratt (Arizona Department of Corrections) regarding pretrial motions and discovery issues in a class action lawsuit by inmates challenging the constitutionality of facility conditions at all of the state’s prisons.</p> <p><i>M.K., et. al. v. Tolleson Union High School District No. 242</i>, Case No. No. 2-14-cv-01625-MEA - Plaintiffs are E.K., a high school minor, and his parents. On July 18, 2014, they filed a civil rights action against E.K.’s former high school and the Avondale Police Department, alleging violations of due process and the right to free speech and association relating to his suspension from school for threatening to shoot it up. Defendant moved to dismiss Avondale Police Department as a non-jural entity and because Plaintiffs failed to plead sufficient facts to state a claim for relief against the Department. Mr. Nguyen prepared pleadings, discovery, and motions in this case.</p> <p>On October 17, 2014, the District Court entered judgment dismissing Avondale Police Department. Plaintiff did not appeal.</p> <p><i>Heinze v. City of Mesa</i>, Case No. CV10-02385-PHX-SRB – On November 4, 2010, Plaintiffs sued the City of Mesa for the death of their son, alleging various constitutional violations arising from a shooting incident involving two Mesa Police Department officers who responded to a domestic violence call. The police officers shot and killed the Plaintiff when he threatened the officers with a butterfly knife and repeatedly yelled, “Suicide by Cop!” Struck Wieneke & Love, PLC defended the City in pretrial briefing of evidentiary and dispositive motions. The parties settled the case. On November 12, 2013, the court entered an order dismissing the case. Mr. Nguyen prepared pleadings, discovery, and motions in this case.</p>

Name of Attorney	Anne Orcutt, Junior Associate
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Name of other government clients for whom you have been retained to provided services:	State of Arizona (Arizona Department of Corrections); District of Columbia; Corrections Corporation of America (private correctional provider contracting with local and state governmental entities) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Parsons, et al. v. Ryan, et al.</i>, Case No. CV-12-00601-DKD – This case was a class action lawsuit filed by Arizona inmates alleging inadequate medical, mental health, and dental care, and unconstitutional conditions of confinement within the Arizona Department of Corrections in violation of the Eighth Amendment. The parties reached a favorable settlement in October 2014.</p> <p><i>Oladokun v. Correctional Treatment Facility, et al.</i>, Case No. 13-cv-00358 – This case was filed by an inmate who alleged that he was not provided adequate medical treatment while incarcerated at a private prison in the District of Columbia in violation of the Eighth Amendment. The case was dismissed on October 28, 2014 for failure to prosecute.</p> <p><i>Nagy v. District of Columbia, et al.</i>, Case No. 11-cv-01446 – This case was filed by an inmate who alleged that she was beaten by correctional officers while incarcerated at a private prison in D.C. The Complaint alleged both federal claims and state law tort claims. Defendant Corrections Corporation of America’s Motion for Summary Judgment was granted on August 14, 2014, with the federal claims dismissed for failure to state a claim and the state law claims dismissed for lack of jurisdiction.</p> <p><i>Boatwright v. D.C. Department of Corrections, et al.</i>, Case No. 14-cv-00260 – This case involved allegations by a former inmate, who was a practicing Muslim, that he was discriminated against and terminated from a substance abuse treatment program in retaliation for his exercise of his First Amendment right to freedom of speech and on account of his religion. Plaintiff voluntarily dismissed his claims against Defendant CCA.</p> <p><i>Lee v. Corrections Corporation of America</i>, Case No. 14-cv-00772 - In his Amended Complaint, Plaintiff, an amputee, alleged that Defendant Corrections Corporation of America violated the Americans with Disabilities Act, Rehabilitation Act, and the Eighth Amendment by placing him in a general population housing unit with stairs. Plaintiff voluntarily dismissed his constitutional claim against Defendant. On August 1, 2014, Defendant’s Motion to Dismiss was granted as to Plaintiff’s ADA and RA claims for failure to state a claim.</p>

Name of Attorney	Jacob Lee, Junior Associate
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Name of other government clients for whom you have been retained to provided services:	State of Arizona (Arizona Department of Corrections); Corrections Corporation of America (private correctional provider contracting with local and state governmental entities) <i>See list of references.</i>
Nature and scope of specific projects/matters:	<p><i>Parsons, et al. v. Ryan</i>, Case No. CV-12-00601-DKD – Class action lawsuit against Director Charles Ryan and Richard Pratt (Arizona Department of Corrections) seeking injunctive relief for alleged constitutional violations in the provision of healthcare (including dental care, medical care, and mental health care) and conditions of confinement in segregation. The matter settled shortly before trial, with terms favorable to the Arizona Department of Corrections. Mr. Lee assisted with preparing responses to discovery and motions.</p> <p><i>Tunoa v. CCA</i>, Case No. 2:12-cv-02359-ROS-BSB – Defense of a pro se inmate’s claim seeking damages pursuant to 42 U.S.C. 1983 for alleged use of excessive force by correctional officers during a calculated cell extraction necessitated by the Plaintiff and his cellmate’s refusal to uncover their cell window. Defendants’ summary judgment motion is pending. Mr. Lee prepared all pleadings, discovery, and motions in the case.</p> <p><i>Marroquin v. CCA</i>, Case No. 2:13-cv-01761-DGC-JZB – Defense of a pro se inmate’s claim seeking damages pursuant to 42 U.S.C. 1983 for alleged denial of access to the courts when library staff refused to copy the Plaintiff’s legal documents, resulting in the dismissal of several lawsuits. Defendants’ summary judgment motion for failure to exhaust administrative remedies is pending. Mr. Lee prepared all pleadings, discovery, and motions in the case.</p>

EXHIBIT B

EXHIBIT B

NICHOLAS ACEDO

Biography

Nick is a 14-year appellate lawyer, and has handled more than 100 appeals at every level of the state and federal appellate courts. In addition to appellate matters, Nick assists in developing trial-level case strategies, and is called upon to draft complex and high-stakes dispositive motions. His practice currently focuses on government liability and prisoner litigation defense.

Nick began his career as an Assistant Attorney General for the State of Arizona in the Criminal Appeals Section. In 2007, he was recognized as an Emerging Star in the Criminal Division, and in 2008, he was selected to represent (second-chair) the State of Arizona in *Arizona v. Gant* before the United States Supreme Court. After five years in the criminal appeals arena, Nick shifted his practice to civil appeals and joined the law firm of Jones, Skelton & Hochuli, where his practice included a wide variety of appellate and trial litigation, including government liability, insurance defense, medical and professional malpractice, class actions, wrongful death, prisoner litigation, contract disputes, workers' compensation, constitutional law, and personal injury. In 2011, Nick left Jones, Skelton & Hochuli to lead the appellate litigation department at Struck, Wieneke & Love.

Education

Creighton University School of Law
J.D., cum laude, 2002

University of Arizona
Bachelor of Science, 1999

Employment

Struck Wieneke & Love
Associate, 2011 to present

Jones, Skelton & Hochuli
Associate, 2008 to 2011

Office of the Arizona Attorney General, Criminal Appeals Section
Assistant Attorney General, 2003 to 2008

Bar Admissions

Arizona
U.S. District Court, District of Arizona
U.S. Court of Appeals, Sixth Circuit
U.S. Court of Appeals, Ninth Circuit
U.S. Court of Appeals, Tenth Circuit
U.S. Court of Appeals, District of Columbia
U.S. Supreme Court

Significant Cases

Parsons v. Ryan et al., CV 12-00601-PHX-NVW

Labatad v. Corr. Corp. of Am., 2013 WL 1811273 (9th Cir. April 12, 2013)

State v. Henderson, 210 Ariz. 561, 115 P.3d 601 (2005)

Best Choice Fund, LLC v. Low & Childers, P.C., 228 Ariz. 502, 269 P.3d 678 (App. 2011)

State v. Far West Water & Sewer, Inc., 224 Ariz. 173, 228 P.3d 909 (App. 2010)

Schmuki v. Our Lady of the Sun Catholic Church, Inc., 223 Ariz. 505, 224 P.3d 1002 (App. 2010)

Gamboa v. Metzler, 223 Ariz. 399, 224 P.3d 215 (App. 2010)

State v. Gay, 214 Ariz. 214, 150 P.3d 787 (App. 2007)

State v. Nelson, 214 Ariz. 196, 150 P.3d 769 (App. 2007)

State v. Kuck, 212 Ariz. 232, 129 P.3d 954 (App. 2005)

Professional and Community Activities

Member, Arizona State Bar's Appellate Practice Section

Member, Federal Bar Association

Member, East Valley Bar Association

Appellate Practice Section, Executive Council, Member at Large

TIMOTHY J. BOJANOWSKI

Biography

Tim has over 30 years of experience representing insurance carriers and governmental entities. He has extensive experience in commercial and construction litigation. From 2003 through 2011, Tim was with the Law Firm of Jones, Skelton & Hochuli and became a partner in 2009. While at Jones, Skelton & Hochuli, Tim represented numerous clients in personal injury, property damage, wrongful death, commercial, and construction cases.

Tim previously practiced in the State of Ohio and was with the Office of the Ohio Attorney General for six and one half years. While with the Attorney General, Tim concentrated his practice in multi-million dollar construction litigation involving state buildings, hospitals, and university facilities. Tim led a team of attorneys representing the Department of Administrative Services and Ohio State University in the defense of multiple lawsuits arising from the construction of the Arthur G. James Cancer Research Hospital. The hospital structure is 13 floors comprising 268,000 square feet with 26 research laboratories and 160 beds. Substantial delay and defect claims were defended to a successful conclusion culminating with the payment of three million dollars to the University upon asserted counterclaims.

In addition to litigation defense, Tim assisted various governmental entities in mechanic's lien, disappointed bidder, architectural malpractice, prevailing wage, multi-prime coordinating, construction management, performance bonds, payment bonds, and tax abatement issues. He has practiced in both state and federal courts, representing local, as well as state entities in construction and public contract matters. Tim has also represented numerous private contractors in construction injury, defect, and lien issues in both the residential and commercial context. In the private sector, he has represented contractors and material suppliers in defective asphalt claims, retaining wall failures, concrete failures, plumbing claims, and expansive soils cases.

Taxation

Tim has represented Maricopa County in commercial property tax valuation matters for the past seven years. He was instrumental in the preparation and defense of Maricopa County in a property tax valuation case involving Phoenix area Lifetime Fitness Centers. Tim defended over ten other commercial property tax valuation matters for the County and was instrumental in obtaining the dismissal of several matters. Tim's solid experience in this area provides governmental entities with quality representation in the unique field of commercial property tax valuation.

Education

The University of Toledo College of Law
Juris Doctor, 1983

The University of Toledo
Bachelor of Science, 1980

Employment

Struck Wieneke & Love

Partner, June 2011 to present

Jones, Skelton & Hochuli

October 2003 to June 2011 (Partner 2009)

Bar Admissions

Arizona

District of Columbia

Georgia

Ohio

U.S. District Court, District of Arizona

U.S. District Court, Northern District of Ohio

U.S. District Court, Northern District of Illinois

U.S. Court of Appeals, Sixth Circuit

Significant Cases

Corr. Corp. of Am., v. City of Youngstown, 991 N.E.2d 1187 (2013)

Curtis v. TransCor Am., LLC, No. 10 C 4570, 2012 WL 1080116 (N.D. Ill. March 29, 2012)

CNL Hotels and Resorts, Inc. v. Maricopa County, 230 Ariz. 21,279 P.3d 1183 (2012) (en banc)

Lowe's HIW, Inc. v. Thomas James Civil Design Grp., Inc., No. CV09-02481-PHX-MHM, 2010 WL 2721903 (D. Ariz. July 7, 2010)

Hardy v. District of Columbia, 601 F.Supp.2d 182 (D.D.C. 2009)

Jackson v. Corr. Corp. of Am., 564 F.Supp.2d 22 (D.D.C. 2008)

Malik v. District of Columbia, 538 F.Supp.2d 50 (D.D.C. 2008)

In re H.W., 2007-Ohio-2879, 114 Ohio St.3d 65, 868 N.E.2d 261 (Ohio 2007)

Wilson v. Maricopa County, 484 F.Supp.2d 1015 (D. Ariz. 2006)

In Re Anthony, 2003-Ohio-5712, OHCA 12, No. 2002-A-0096, 2003 WL 22429035 (Ohio Ct.App. 2003)

In re Judicial Campaign Complaint Against Per Due, 2003-Ohio-2032, 98 Ohio St.3d 1548, 787 N.E.2d 10 (Ohio 2003)

Wallace v. Turner, 2001-Ohio-3456, 112901 OHCA7, No. 00 CA 84, 2001 WL 1538004 (Nov. 29, 2001)

Valentine Concrete Inc. v. Ohio Dep't of Admin. Servs., 62 Ohio Misc.2d 591, 609 N.E.2d 623 (1991)

McDonald v. Toledo Mental Health Ctr., 67 Ohio App.3d 428 (1990)

Professional Associations & Memberships

Arizona State Bar Association

Georgia State Bar Association

Ohio State Bar Association

Bar Disciplinary Counsel, Ashtabula County Bar Association, 2000 to 2003

Ohio State Bar Committee on Unauthorized Practice of Law, 2002 to 2003

MARK BRACKEN

Biography

Mark focuses his practice on employment litigation and counseling, corrections defense, governmental liability, and civil rights litigation.

Prior joining Struck Wieneke & Love, Mark practiced primarily in the area of labor and employment law, representing clients at the EEOC, NLRB and other administrative hearings. He also litigated FLSA wage and hour, discrimination, retaliation and wrongful termination cases through trial and appeal.

Education

Pennsylvania State University, Dickinson School of Law
Juris Doctor, 2008

Brigham Young University
Bachelor of Arts, 2005

Employment

Struck Wieneke & Love
Associate, 2014 to present

Martin & Bonnett
Associate, Labor & Employment, 2010 - 2014

U.S. District Court, District of Arizona, Hon. Earl H. Carroll
Law Clerk, 2008-2010

Bar Admissions

Arizona
California
Texas
U.S. District Court, District of Arizona

Professional and Community Activities

Member, State Bar of Arizona
ABA Section of Labor & Employment Law
Member, Federal Bar Association

ASHLEE FLETCHER

Biography

Ashlee concentrates her practice on corrections and law enforcement defense, along with government liability defense, including defense of 42 U.S.C. § 1983 and *Bivens* claims. She defends various law enforcement agencies, corrections departments, government agencies, and other public and private entities in Arizona and across the nation. Her practice also includes defense of corrections medical personnel in complex medical negligence, state-law negligence, medical malpractice, and Eighth Amendment deliberate indifference claims.

Ashlee routinely litigates cases involving Security Threat Groups, First Amendment claims (retaliation, religious rights, and access to courts), wrongful death, jail/prison mail, and conditions of confinement for county, state, and private corrections facilities. She has defended law enforcement officers in excessive force claims, including those involving emotionally disturbed persons.

For three years, Ashlee defended the Department of Corrections in a complex constitutional class action brought on behalf of 34,000 inmates, and helped achieve a favorable settlement for the Department. Ashlee continues to defend state agencies in class action claims.

Education

California Western School of Law
Juris Doctor, 2011

University of Nevada
Bachelor of Arts, 2008

Employment

Struck Wieneke & Love
Associate, 2011 to present

The Honorable Lawrence F. Winthrop, Chief Judge
Arizona Court of Appeals
Judicial Extern, Spring 2011

Canepa Riedy Rubino, Las Vegas, NV
Law Clerk, Summer 2009

Bar Admissions

Arizona
Nevada
U.S. District Court, District of Arizona
U.S. District Court, District of Nevada

Professional and Community Activities

Member, State Bar of Arizona

Member, State Bar of Nevada

Member, Federal Bar Association

Board Member, Echelon

Board Member, California Western School of Law Alumni Club

JACOB LEE

Biography

Jacob focuses his practice on defense of 42 U.S.C. § 1983 and Bivens actions, government/municipal liability and corrections/law enforcement defense.

Prior to joining Struck Wieneke & Love, Jacob began his career in Las Vegas, Nevada, where he practiced primarily in the areas of commercial litigation and insurance defense. There, Jacob protected his clients against a wide variety of claims, including tort liability, premises liability, wrongful death, commercial disputes, and professional malpractice.

Education

University of Arizona, James E. Rogers College of Law
J.D., *summa cum laude*, 2011

Arizona State University
Bachelor of Arts, *summa cum laude*, 2006

Employment

Struck Wieneke & Love
Associate, 2014 to present

Hall Jaffe & Clayton
Associate, 2011-2014

Arizona Attorney General's Office, Criminal Prosecutions Division
Supreme Court rule 38(d) Intern, May, 2010 – December 2010

Bar Admissions

Arizona

Nevada

U.S. District Court, District of Arizona

U.S. District Court, District of Nevada

U.S. District Court, District of New Mexico

U.S. District Court, District of Colorado

Professional and Community Activities

Member, State Bar of Arizona

Member, State Bar of Nevada

Member, Federal Bar Association

RACHEL LOVE

Biography

Struck Wieneke & Love founding partner Rachel is an accomplished trial attorney who successfully and aggressively defends government entities, government partners, corporations, and individual defendants in complicated and high stakes litigation. Rachel focuses her practice on defense of America's largest partnership corrections provider, state departments of corrections, and jail systems in civil rights litigation, including defense of 42 U.S.C. § 1983, *Bivens* and tort actions, class actions, and complex multi-party litigation matters.

Rachel is respected throughout Arizona and across the nation for specialized defense of corrections and jail systems, and their employees, in excessive force, inmate assault/homicide, employee/inmate sexual assault, inmate suicide, inmate disturbance response, STG/gang management, maximum custody management, classification, conditions of confinement, deliberate indifference to medical needs, retaliation, catastrophic injury, and wrongful death claims filed by inmates and inmate advocacy groups. She also specializes in forward-thinking defense of RLUIPA and First Amendment claims filed by inmates and inmate advocacy groups that challenge the provision of religious accommodations and programming in the prison environment, as well as First Amendment claims challenging prison publication policies.

Rachel provides her clients with an uncommon level of experience, skill, and understanding of security/operational needs and challenges faced by prison and jail officials. In an era when shrinking numbers of attorneys actually try cases to a verdict, she presents complicated cases to juries with successful results.

Rachel is committed to guiding corrections departments, jail systems, their officials and officers, defending challenging litigation and legal issues to successful outcomes – while always upholding the principle that those whose mission it is to protect public, personnel and inmate safety, deserve the highest of public respect and the best legal representation and defense. She has also defended law enforcement agencies in excessive force, false arrest, unlawful search, and in-custody suicide claims; public and private employers in employment discrimination claims; and public school districts in IDEA and Section 504 special education discrimination matters.

Education

Arizona State University College of Law
Juris Doctor, *cum laude*, 1999

Arizona State University
Bachelor of Arts, *magna cum laude*, 1996

Employment

Struck Wieneke & Love
Partner, 2011 to present

Jones, Skelton & Hochuli
1999 to 2011 (Partner 2006)

Bar Admissions

Arizona

Hawaii

U.S. District Court, District of Arizona

U.S. District Court, District of Colorado

U.S. District Court, District of Hawaii

U.S. Court of Appeals, 9th Circuit

Significant Cases

Inmate Claims

Adkins, et al. v. Corrections Corporation of America, et al. CV12-1615-PHX-SMM (D. Ariz. February 26, 2015)

Allred v. Corrections Corporation of America, CV-03-2343-PHX-DGC (D. Ariz. 2006)

Blaisdell v. Griego, 472 Fed.App. 481 (9th Cir. 2011)

Blaisdell v. Corrections Corporation of America, 426 Fed.Appx. 550 (9th Cir. 2011)

Captain v. City of Phoenix, 2:02-cv-00024-SRB (D. Ariz. 2004)

Frank v. City of Phoenix, 2:00-cv-00273-ROS (D. Ariz. 2003)

Rodenhurst v. Bauman, 509 Fed.Appx. 643 (9th Cir. 2013)

Lonoaea v. Corrections Corporation of America, 665 F.Supp.2d 677 (N.D. Miss. 2009)

Class Actions

Parsons v. Ryan, CV 12-00601-PHX-NVW (D. Ariz. 2013)

Schilling v. TransCor, C 08-941 SI, 2012 WL 3257659 (N.D. Cal. Aug. 8, 2012)

Woods v. Myers, 07-cv-01078-DMS-PCL (S.D. Cal. 2010)

Kiniti v. Myers, 05-cv-1013-DMS-PCL (S.D. Cal. 2008)

Discrimination Claims

R.P. e rel. C.P. v. Prescott Unified School District, 631 F.3d 1117

Alvarado v. Cajun Operating Co., 588 F.3d 1261 (9th Cir. 2009)

Cooke v. Lake Havasu City, CV-10-8044 PCT-DCG, 2010 WL 2671750 (D. Ariz. July 2, 2010)

Kelley v. City of Lake Havasu, CV-07-8135-PCT-GMS, 2009 WL 4508523 (D. Ariz. Dec. 1, 2009)

Professional Associations & Memberships

Board of Directors, Federal Bar Association, Phoenix Chapter

Member, Arizona and Hawaii State Bar

Member, American Correctional Association

Member, AZGIA

Member, DRI - The Voice of the Defense Bar

Member, Arizona Association of Defense Counsel

Member, Arizona Women Lawyers Association

AMY NGUYEN

Biography

Amy has 12 years of litigation and trial experience and focuses her practice on representing governmental entities, law enforcement officers and corrections personnel in civil litigation across the country. This includes 42 U.S.C. § 1983 and *Bivens*, employment and disability discrimination claims, and state law tort claims.

Although her practice includes an array of claims, Amy specializes in defending claims of excessive force, illegal search and seizure, false arrest, failure to arrest, failure to protect, malicious prosecution and conditions of confinement. She also defends governmental entities against state law claims of negligence, medical malpractice, catastrophic personal injury and wrongful death, often involving allegations of negligent road design and maintenance.

Education

Arizona State University, Sandra Day O'Connor College of Law
Juris Doctor, *cum laude* 2004

Arizona State University
Bachelor of Science, *summa cum laude*, 1999

Employment

Struck Wieneke & Love
Associate, 2011 to present

Jones, Skelton & Hochuli
Associate, 2010 to 2011

Kimerer & Derrick, P.L.C.
Associate, December 2004 to 2010

Bar Admissions

Arizona
U.S. District Court, District of Arizona
U.S. Court of Appeals, Ninth Circuit

Professional and Community Activities

Member, State Bar of Arizona
Member, State Bar of Hawaii
Member, Arizona Association of Defense Counsel
Member, Arizona Women Lawyers Association
Member, Maricopa County Bar Association
Member, Federal Bar Association

KEVIN NGUYEN

Biography

Kevin joined the appellate litigation department in January 2013. In addition to drafting appellate briefs and motions in state and federal court, He assists at trial by drafting dispositive motions and developing case strategies. Kevin's practice focuses on government liability and prisoner litigation defense, including 42 U.S.C. § 1983 and *Bivens* claims.

Education

University of Arizona, James E. Rogers College of Law
Juris Doctor, 2008

Dartmouth College
Bachelor of Arts, 1998

Employment

Struck Wieneke & Love
Associate, 2013 to present

Arizona Court of Appeals, Division One
Senior Law Clerk to the Honorable Randall M. Howe, Judge, Summer 2012 to Fall 2013
Interim Law Clerk to the Honorable Lawrence F. Winthrop, Chief Judge, Spring 2012
Senior Law Clerk to the Honorable Patrick Irvine, Vice-Chief Judge (retired), Summer 2010 to Fall 2011
Law Clerk to the Honorable Margaret H. Downie, Judge, Fall 2008 to Summer 2010

Department of Justice, Executive Office of Immigration Review, Eloy & Tucson, AZ
Extern to the Honorable Sean Keenan, Immigration Judge, Spring 2008

Immigration Law Clinic, Tucson, AZ
Student Attorney, Spring 2007

Oriental Bio Company, LTD, Tokyo, Japan
IT Department Manager/Systems Engineer, 1998 to 2003

Bar Admissions

Arizona

Federal Court Admissions

Arizona District Court
Ninth Circuit Court of Appeals
Sixth Circuit Court of Appeals
District of Columbia Court of Appeals

Professional and Community Activities

Member, State Bar of Arizona

Member, Arizona Asian-American Bar Association

Member, Young Lawyers Division of the State Bar of Arizona

Member, Federal Bar Association

ANNE ORCUTT

Biography

Anne concentrates her practice on government liability and corrections defense, including defense of 42 U.S.C. § 1983 and *Bivens* claims.

Education

Arizona State University, Sandra Day O'Connor College of Law
Juris Doctor, *cum laude*, 2011

University of Maryland College Park
Master of Arts, 2004

Claremont McKenna College
Bachelor of Arts, *cum laude*, 2000

Employment

Struck Wieneke & Love
Associate, 2012 to present

Arizona Court of Appeals
Honorable Michael J. Brown
Law Clerk, 2011 to 2012

Bar Admissions

Arizona
U.S. District Court, District of Arizona

Publications

Cessante Ratione Legis Cessat Ipsa Lex: Arguing for a Narrow Application of the Invited Error Doctrine in Arizona, 42 Arizona State Law Journal 491 (2010).

Professional and Community Activities

Member, Arizona State Bar
Member, Federal Bar Association

CHRISTINA G. RETTS

Biography

Tina focuses her practice in governmental liability and general litigation. She defends police officers and departments in excessive use of force, shooting, TASER, and pursuit cases. This includes the defense of the Department of Public Safety officers and dispatchers in the *Stadler v. State of Arizona* lawsuit. She has also had past involvement in defending the State of Arizona in personal injury litigation involving the cable barrier systems in the *Shaw*, *Gendus*, *Sharpe*, and *DeVries* actions. She also defends correctional personnel in civil rights and medical malpractice litigation.

Education

Arizona State University College of Law
Juris Doctor, *cum laude*, 2004
Law, Science, and Technology Certificate

Arizona State University
Bachelor of Arts, *summa cum laude*, 2004
Bachelor of Fine Arts, *summa cum laude*, 2004

Employment

Struck Wieneke & Love
Partner, 2011 to present (Partner 2013)

Jones, Skelton & Hochuli,
Associate, 2005 to 2011 (Summer Law Clerk, 2004)

Arizona Attorney General Office, Licensing and Enforcement Division
Extern, Fall 2004

Hon. John Gemmill, Arizona Court of Appeals Division One
Extern, Spring 2004

Bar Admissions

Arizona
New Mexico
U.S. District Court, District of Arizona
U.S. District Court, District of Colorado

Professional Associations & Memberships

State Bar of Arizona
State Bar of New Mexico
Federal Bar Association
American Bar Association
Arizona Association of Defense Counsel
Defense Research Institute

DANIEL P. STRUCK

Biography

Dan has over 25 years of experience defending governmental entities. He practices in the areas of civil rights litigation, corrections defense, employment law and municipal liability. Dan has been a frequent speaker at National Association of Attorneys General Conference, National College of District Attorneys, and Arizona County Insurance Pool Seminar. Dan previously represented the State of Arizona in numerous cases, including *Casey v. Lewis*, a class action lawsuit against the State of Arizona with respect to inmate medical, mental health, and dental care as well as regarding access to courts. The access to the courts issue made it to the U.S. Supreme Court, and resulted in sweeping changes with respect to the manner in which states are required to provide access to the courts for inmates. Dan also was counsel on the following significant cases involving governmental or civil rights liability: *Parsons v. Ryan et al.*, CV 12-00601-PHX-NVW; *Oscher v. Funk*, 2010 WL 3761102 (Ariz. App. 2010); *Lewis v. Casey*, 116 S.Ct. 2174 (1996) (Counsel of Record); *Agyeman v. Gerber*, 390 F.3d 1101 (9th Cir. 2004); *Demery v. Arpaio*, 378 F.3d 1020 (9th Cir. 2004); *Monroe v. City of Phoenix*, 248 F.3d 851 (9th Cir. 2001); *Mauro v. Arpaio*, 188 F.3d 1054 (9th Cir. 1999) (*en banc*).

Dan has extensive trial experience, having tried complex class action, wrongful death, serious brain injury and employment cases, as well as cases involving sexual assault. Dan has handled cases in multiple jurisdictions, including Alaska, Arizona, California, Colorado, District of Columbia, Hawaii, Idaho, Illinois, Kentucky, Maryland, Mississippi, Nevada, New Mexico, Ohio, Tennessee, Texas, and Washington.

Civil rights cases include defense of numerous Arizona police agencies (e.g., Arizona Department of Corrections, Phoenix Police Department, and Maricopa County Sheriff's Office) in deadly force, false arrest, and employment litigation. Insurance practice includes defense of tort claims against businesses and individuals, advising carriers on coverage issues and bad faith litigation. Dan has received the Director's Award for Outstanding Legal Representation, Arizona Department of Corrections, and from Arizona Attorney magazine for having one of the top ten defense verdicts in 2009 (*Wilson v. Maricopa County*).

Education

Arizona State University, Sandra Day O'Connor College of Law
Juris Doctor, 1988

University of Iowa
Bachelor of Arts, 1984

Employment

Struck Wieneke & Love
Partner, 2011 to present

Jones, Skelton & Hochuli
1987 to 2011, (1996, Partner)

Bar Admissions

Arizona

U.S. District Court, District of Arizona
U.S. District Court, District of Colorado
U.S. District Court, District of Columbia
U.S. Court of Appeals, 9th Circuit
U.S. Court of Appeals, 10th Circuit
U.S. Court of Appeals, District of Columbia Circuit
U.S. Supreme Court

Significant Cases

Parsons v. Ryan et al., CV 12-00601-PHX-NVW
Ochser v. Funk, 2010 WL 3761102 (Ariz. App. 2010)
Lewis v. Casey, 116 S.Ct. 2174 (1996) (Counsel of Record)
Agyeman v. Gerber, 390 F.3d 1101 (9th Cir. 2004)
Demery v. Arpaio, 378 F.3d 1020 (9th Cir. 2004)
Monroe v. City of Phoenix, 248 F.3d 851 (9th Cir. 2001)
Mauro v. Arpaio, 188 F.3d 1054 (9th Cir. 1999) (En Banc)
Nahom v. Blue Cross Blue Shield, 885 P.2d 1113 (Ariz. App. 1994)
Casey v. Lewis, 4 F.3d 1516 (9th Cir. 1993)

Professional Associations & Memberships

Arizona State Bar, Member, Government Liability and Employment Law sections
Arizona Association of Defense Counsel
Arizona Insurance Claims Association
American Correctional Association
Federal Bar Association
Defense Research Institute, Governmental Liability Committee

Teaching Experience

Adjunct Professor, Arizona State University College of Law, 1989-90; Presenter, National Association of Attorneys General Conference, 1995-96; Presenter, Pro Se Law Clerk Conference, 2001; Presenter, Arizona County Attorneys; Presenter, 9th Circuit Panel Attorneys; Instructor, National College of District Attorneys, 2002, 2004, 2007

Honors & Awards

Arizona Super Lawyers
Martindale-Hubbell AV® Rating

KATHLEEN L. WIENEKE

Biography

In her 30 years of practice, Kathy has concentrated her practice on representing governmental entities, with a specialty in road design, police liability, and corrections law. She has obtained defense verdicts in jury trials defending the State of Arizona in cases involving the cable median barriers on the State's freeways. She also successfully defended the City of Phoenix in the only lawsuit ever tried arising out of the design of the Squaw Peak Parkway and the absence of median barriers. She has handled other road design cases for public entities, including a defense verdict for the City of Yuma in a traffic signalization case, and has defended crosswalk, clear zone and guardrail cases. In *Kohl v. City of Phoenix*, an Arizona Supreme Court decision, Kathy obtained immunity arising out of the entity's decision not to install a traffic signal. Kathy also was counsel to the State of Arizona in *Parsons v. Ryan et al.*, CV 12-00601-PHX-NVW.

Kathy has extensive experience in defending law enforcement agencies and their employees in claims of excessive force, unlawful search and seizure, police pursuits, *Bivens* and civil rights actions. Kathy has tried to defense verdict several police shooting ceases, including the most recent defense verdict in a police shooting involving a moving vehicle. *Remato v. City of Phoenix, et al.*, United States District Court, District of Arizona, Cause No. CIV-09-2027-FJM.

In addition to defending law enforcement claims, Kathy also defends corrections officers and their employers, including a private corrections company and the State of Arizona. Kathy was lead trial counsel in *Lewis v Casey*, an Arizona prisoner class action case that was tied to the court and ultimately was decided by the United States Supreme Court.

Kathy has advised both public and private employers on employment policies and procedures, and has defended against claims alleging wrongful discharge, discrimination and sexual harassment in both state and federal court.

Education

University of Arizona
Juris Doctor, *with high distinction*, 1986

Arizona State University
Bachelor of Arts, *summa cum laude*, 1983

Employment

Struck Wieneke & Love
Partner, 2011 to present

Jones, Skelton & Hochuli
1986 to 2011 (1993, Partner)

Bar Admissions

Arizona

U.S. District Court District of Arizona

U.S. Court of Appeals, 9th Circuit

U.S. Supreme Court

Significant Cases

Parsons v. Ryan et al., CV 12-00601-PHX-NVW

Fallone v. City of Chandler, Maricopa County Superior Court, CV2008-020520

Arizona Water Co. v. City of Mesa, 2012 WL 75635, Ariz.App. Div. 1, 2012

Remato v. City of Phoenix, et al., U.S. District Court, District of Arizona, CV09-2027-PHX-FJM

Marquez v. City of Phoenix, Slip Copy, 2010 WL 3342000 (D. Ariz. 2010)

McDonald v. CCA, U.S. District Court, District of Arizona, CV09-00781-PHX-JAT

Robinson v. City of Phoenix, Slip Copy, 2010 WL 4054167, (D. Ariz. 2010)

Lacy v. City of Phoenix, 631 F.Supp.2d 1183 (D. Ariz. 2008)

Kohl v. City of Phoenix, 160 P.3d 170, 215 Ariz. 291 (Ariz., 2007)

August v. City of Phoenix, U.S. District Court, District of Arizona, CV03-01892-PHX-ROS

Kapanak v. City of Phoenix, Maricopa County Superior Court, CV2001-012136

Forrester v. City of Mesa, Maricopa County Superior Court, CV1998-013239

Shaw v. State of Arizona, et al., Maricopa County Superior Court, CV2003-005300

Professional Associations & Memberships

American Board of Trial Advocates

American Bar Association

State Bar of Arizona (Executive Council, Trial Practice Section)

Judge Pro Tem Maricopa County Superior Court

Judge Pro Tem Yavapai County Superior Court

Arizona Association of Defense Counsel

Arizona Women Lawyers Association

Federation of Defense & Corporate Counsel

Federal Bar Association

Defense Research Institute

Civic/Community Associations

Faculty, Arizona Trial College

Boy Scouts of America

Corpus Christi Catholic Church

Honors & Awards

Arizona's Finest Lawyers

TARA ZOELLNER

Biography

Tara practices in the areas of governmental liability and corrections defense, with focus on civil rights litigation, including defense of 42 U.S.C. 1983 and *Bivens* actions. Prior to entering private practice, she spent one year clerking for the Honorable Lawrence F. Winthrop at the Arizona Court of Appeals, Division One. While at the Court of Appeals, Ms. Zoellner worked on special actions, criminal and civil appeals, primarily drafting memorandum decisions and opinions. In addition to mental health, family law, and dependency appeals, of note was her involvement in preparing opinions interpreting Arizona's notice of claim statute, interpreting Arizona's statute governing service by publication in the context of tax lien foreclosures, and addressing a contract dispute between an Arizona county and private contractor.

Education

University of Arizona College of Law
Juris Doctor, *cum laude*, 2009

Trinity University
Bachelor of Arts, *cum laude*, 2001

Employment

Struck Wieneke & Love
Associate, 2011 to present

Jones, Skelton & Hochuli
Associate, 2010 to 2011

Arizona Court of Appeals Division One
Law Clerk for Hon. Lawrence F. Winthrop, 2009 to 2010

Perkins Coie Brown & Bain
Summer Associate, 2008

Admissions

Arizona
Texas
U.S. District Court, District of Arizona
United States Court of Appeals, Ninth Circuit

Professional and Community Activities

Member, State Bar of Arizona
Member, State Bar of Texas
Member, Arizona Women Lawyers Association
Associate, Horace Rumpole Inn of Court
President, Trinity University Alumni Association Arizona Chapter
Board Member, Arizona Animal Rescue Mission



**ROQ – 151721
Specialty Legal Services**

Pinal County
Finance Department
31 N. Pinal St.
Bldg. A
P.O. Box 1348
Florence, AZ 85132

PROFESSIONAL SERVICES CONTRACT

This Contract for Professional Services (the "Contract") is made as of the latest date beneath the executions appearing at the end of the Contract, by and between:

("Contractor"), with its principal place of business at (address)

AND

Pinal County ("County"), with its principal place of business at 31 North Pinal Street, Florence, AZ 85132.

SECTION 1. PURPOSE AND SCOPE

1. Contractor will furnish to the Customer by this Contract Professional Service(s) listed in the Statement of Work of the ROQ.
2. All pricing quoted in Schedule A: Pricing Supplement is valid for the term of the Contract.

SECTION 2. TERM

This Contract is effective from the date on which it is executed and will remain in effect for one year with four automatic one year renewal periods unless earlier terminated by mutual Contract of the parties.

SECTION 3. PRICING AND PAYMENT TERMS

All pricing and terms associated with this professional service requested are specified on Schedule A of the Supplement.

SECTION 4. INSURANCE

Without limiting any of the Contractor's liabilities or other obligations, Contractor shall provide and maintain the insurance coverage listed in Section 7 of the Special Terms and Conditions, as well as the coverage listed below. Such coverage shall remain in full force and effect until obligations under this Contract are satisfied. At a minimum the professional liability insurance shall be kept in force at least two years after final payment to Contractor.

1. Professional Liability insurance covering errors and omissions arising out of the work or services performed by Contractor or any such person employed by him with a minimum limit of not less than One Million Dollars each claim.

All insurance shall be maintained with responsible insurance carriers qualified to do business within the State of Arizona.



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Pinal County
Finance Department
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Florence, AZ 85132

Excepting the worker's compensation coverage, insurance certificates shall endorse Contractor as insured and Customer, its officials, employees and agents as additional insured and shall stipulate that the insurance afforded Contractor shall be primary insurance and that any insurance carried by Customer, its officials, employees or agents shall be excess and not contributory insurance to that provided by Contractor.

Certificates of insurance acceptable to Customer shall be issued to Customer prior to commencement of the Project as evidence that policies providing the required coverages, conditions and limits are in full force and effect. Such certificates shall contain provisions that coverage afforded under the policies will not be canceled, terminated or materially altered until at least thirty (30) days prior written notice is given to the Customer.

SECTION 5. SUBCONTRACTOR INSURANCE

In addition to insurance coverage required of Contractor, as set forth above, Contractor shall require insurance coverage in the same amounts from its Subcontractors on behalf of the Customer and Subcontractor shall comply with the paragraph entitled "Insurance" above, except certificates of insurance shall be issued and delivered to Customer prior to Subcontractor's performance under this contract.

SECTION 6. INDEMNIFICATION

In addition to the requirements in Section 6.2 of the Uniform Terms and Conditions, Contractor shall indemnify, defend, save and hold harmless Customer, its officials, employees and agents, from any and all claims, demands, suits, actions, proceedings, loss, costs and damages of every kind and description, including attorney's fees, litigation expenses and/or arbitration expenses, which may be brought or made against or incurred by Customer on account of loss of or damage to any property or for injuries to or death of any person, caused by, arising out of, or contributed to, by reason of any omission, professional error, fault, mistake or negligent act, whether active or passive, of Contractor, its employees, agents or representatives or Subcontractor, their employees, agents or representatives in connection with or incident to the performance of Contractor's employees and/or its Subcontractor's employees, or claims under similar such laws or obligations. Such indemnity shall not be limited by reason of remuneration of any insurance coverage herein provided. Such indemnity shall be required by Contractor from its Subcontractors on behalf of the Customer. Every provision of this indemnification paragraph shall survive the termination of this Contract.

SECTION 7. NOTICE OF CLAIM

Contractor is required to notify Customer of any claim filed against Contractor or Contractor's insurance company arising from services performed under this Contract within thirty (30) days of such filing.

SECTION 8. CLAIMS/LIMITATION OF ACTION

No action shall be maintained by Contractor, its successors or assigns, against Customer on any claim based upon or arising out of this Contract or out of anything done in connection with



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ROQ – 151721 Specialty Legal Services

Pinal County
Finance Department
31 N. Pinal St.
Bldg. A
P.O. Box 1348
Florence, AZ 85132

this Contract unless such action shall be commenced within one year of the termination of this Contract.

SECTION 9. CANCELLATION OR TERMINATION OF CONTRACT

The County may cancel or terminate this Contract as set forth in Sections 3.6, 3.15, 4.5 and 9 of the Uniform Terms and Conditions.

SECTION 10. INCORPORATION OF UNIFORM GENERAL TERMS AND CONDITIONS

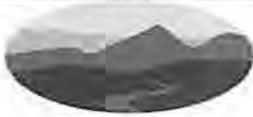
The Contractor agrees that the county's Uniform General Terms and Conditions for this ROQ are incorporated herein as if they were recited in full. If the Contractor takes exception to any such Terms and Conditions, such exception is fully explained on Response Form 1 and is subject to acceptance in writing by the County.

SECTION 11. DISPUTE RESOLUTION

Any disputes between the Customer and Contractor shall be resolved under the Pinal County Purchasing Code's Contract Dispute Process. In the event of litigation over the performance of this Contract, the prevailing party shall be entitled to attorney's fees and costs incurred during the course of litigation. This Contract shall be governed by the laws of the State of Arizona. In the event of a suit filed by either Contractor or the Customer under this Contract, the venue of such suit shall be the Superior Court of the State of Arizona in and for the County of Pinal, Florence, Arizona.

SECTION 12. MISCELLANEOUS

- a) **Assignability.** This contract is non-assignable in whole or in part by either party without the written consent of both parties.
- b) **Authority of Signatory.** The individuals signing this Contract and any supplements, warrant that they have been duly authorized and vested with the power to do so on behalf of their entity.
- c) **Beneficiaries.** This Contract shall inure solely to the benefit of Contractor and Customer, and shall create no rights in any other person or entity.
- d) **Comparable Treatment.** All of the prices, terms, warranties and benefits granted by Contractor herein are comparable to or better than the equivalent terms being offered by Contractor to any similar situated customer.
- e) **Exhibits, Plats, Riders and Addenda.** All plats, riders, exhibits or addenda, if any, affixed to the Contract are a part hereof.
- f) **Force Majeure.** Neither party shall be deemed in default for any delay or failure to have fulfilled its obligations under this Contract due to causes beyond its control.



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ROQ – 151721
Specialty Legal Services

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Florence, AZ 85132

- g) **General Compliance with Laws.** Contractor is required to comply with all applicable federal and state laws and local ordinances and regulations.
- h) **Headings.** The headings for each paragraph of this Contract are for convenience and reference purposes only and in no way define, limit or describe the scope or intent of said paragraphs or of this Contract nor in any way affect this Contract.
- i) **Incorporation of Documents.** All documents referred to in this Contract are hereby incorporated by reference into the Contract.
- j) **Independent Contractor.** Contractor acknowledges that it is an independent Contractor; that it alone retains control of the manner of conducting its activities in furtherance of the Contract; that it as well as any persons or agents as it may employ are not employees of the Customer; and that neither this Contract, nor the administration thereof, shall operate to render or deem either party hereto the agent or employee of the other.
- k) **Retention of Records.** The Contractor and any Subcontractor shall keep and maintain all records related to the Contract as set forth in Section 3.2 of the Uniform Terms and Conditions.
- l) **Severability.** If any part of the Contract shall be adjudged by any court of competent jurisdiction to be invalid, such judgment will not affect or nullify the remainder of the Contract.
- m) **Survival.** Not as a waiver of any remedies either party may be entitled to under this Contract, the "Indemnification", "Retention of Records", and "Dispute Resolution" provisions will survive the termination of the Contract.
- n) **Time of Essence.** Under the authority of the Contract, both parties understand that time is of the essence.
- o) **Waiver.** Waiver of any of the terms of this Contract shall not be valid unless it is in writing and signed by all parties. The failure of either party to enforce the provisions of this Contract or require performance by opponent of any of the provisions shall not be construed as a waiver of such provisions or affect the right of either party to thereafter enforce the provisions of the Contract. Waiver of any breach of the Contract shall not be held to be a waiver of any other or subsequent breach of the Contract.
- p) **Governing Law.** This Contract shall be governed by and construed in accordance with the laws of the State of Arizona as further described in Section 5-1 and 5-2 of the Uniform General Terms and Conditions.



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ROQ – 151721
Specialty Legal Services

Pinal County
Finance Department
31 N. Pinal St.
Bldg. A
P.O. Box 1348
Florence, AZ 85132

MODIFICATIONS to this Contract shall be in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Contract for Professional Services as of the _____ day of _____, 2016.

CONTRACTOR

By: Timothy J. Bojanowski

Title: Partner

Date: 03/29/2016

PINAL COUNTY

Todd House, Chairman
Board of Supervisors

Date: _____

ATTEST:

Sheri Cluff
Clerk of the Board

Approved as to Form:

Chris Keller, Deputy County Attorney

 <p>PINAL • COUNTY <i>wide open opportunity</i></p>	<p>ROQ – 151721 Specialty Legal Services</p>	<p>Pinal County Finance Department 31 N. Pinal St. Bldg. A P.O. Box 1348 Florence, AZ 85132</p>
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SCHEDULE A: PRICING SUPPLEMENT

The hourly rate of \$ see below chart will be the rate for all authorized and approved Specialty Legal Services under this contract. This rate will include all costs associated with these services. (NOTE: Respondent may provide a table of costs based on expertise of employee i.e. Senior Partner, Partner, Senior Associate or Of Counsel, Associate, Paralegal, Administrative Support.)

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Struck Wieneke & Love, PLC			
Area of Practice	Partner	Associate	Paralegal
Appellate Practice	225	190	95
Construction Litigation	225	190	95
General Litigation	225	190	95
Labor law and employment	225	190	95
Property tax appeals, tax lien sales and foreclosures, Treasurer's matters	225	190	95
Road design, construction or maintenance liability	225	190	95
Section 1983 civil rights defense	225	190	95
Tort liability	225	190	95

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**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

3/17/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER 855-491-0974 Small Business 733 Marquette Ave, 13th Floor Minneapolis, MN 55402	CONTACT NAME: Shila Youdelman PHONE (A/C, No, Ext): 623-499-3187 E-MAIL ADDRESS: Shila.Youdelman@wellsfargo.com	FAX (A/C, No): 866-359-4390																				
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COVERAGES**CERTIFICATE NUMBER:** 10255302**REVISION NUMBER:** See below

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			B 4024557587	3/14/2016	3/14/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			B 4024557587	3/14/2016	3/14/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			4024561073	3/14/2016	3/14/2017	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000 \$
D	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	41 WEC CC6875	3/14/2016	3/14/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Proof of insurance

CERTIFICATE HOLDER**CANCELLATION**

Pinal County Finance Department
 31 N. Pinal St.Bldg. A
 P.O. Box 1348
 Florence, AZ 85132

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE