

December 16, 2020

**AUTHORIZE CONTINUED RETENTION OF THE LAW FIRM
NIELSEN, ZEHE & ANTAS, P.C.**

THE GENERAL COUNSEL REPORTS THE FOLLOWING DECISION:

Continued retention of the law firm Nielsen, Zehe & Antas, P.C.

DESCRIPTION: The General Counsel has continued retention of the law firm Nielsen, Zehe & Antas, P.C to represent the Board and/or its employees in ongoing legal matters pending in the Circuit Court of Cook County, County Department, Law Division, and to provide counseling, document review, witness preparation, investigation, research, negotiation and such other matters as deemed appropriate by the General Counsel. The General Counsel also seeks authority to enter a combined contingency fee/hourly engagement to prosecute claims on behalf of the Board as follows: \$165 per hour for attorneys, \$75 per hour for paralegals plus a 20% contingency of all sums recovered up to \$1 million (after payment of costs), or an 18% contingency for all additional sums recovered more than 60 days prior to scheduled trial and 28% of all sums recovered sixty (60) days or fewer day prior to or after a trial. Additional authorization is requested for the firm's hourly fees in the amount of \$250,000. As invoices are received, they will be reviewed by the General Counsel and, if satisfactory, processed for payment.

LSC REVIEW: LSC approval is not applicable to this report.

AFFIRMATIVE ACTION STATUS: None.

FINANCIAL: Charge \$250,000 to Law Department - Professional Services:
Budget Classification Fiscal Year 2021.....10210-115

GENERAL CONDITIONS:

Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board Members during the one year period following expiration or other termination of their terms of office.

Indebtedness - The Board's Indebtedness Policy adopted June 26, 1996, (96-0626-PO3), as amended from time to time, is hereby incorporated into and made a part of the agreement.

Ethics - The Board's Ethics Code adopted May 25, 2011, (11-0525-PO2), as amended from time to time, is hereby incorporated into and made a part of the agreement.

Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

APPROVED,

DocuSigned by:
Joseph T. Moriarty
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JOSEPH T. MORIARTY
General Counsel