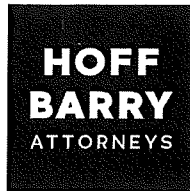


Received 7-6-21 AL



Interview @ 8:25pm
confirm sent 8.12.2021

Sarah Schwarzhoff | Of Counsel | 952.746.2713 | sswarzhoff@hoffbarry.com

July 1, 2021

City of Ramsey
Attn: Colleen Lasher, Administrative Services Director
7550 Sunwood Drive NW
Ramsey, MN 55303

RE: **City of Ramsey's Request For Proposals For City Attorney Legal Services**

Dear Ms. Lasher:

Please find enclosed nine paper copies of Hoff Barry, P.A.'s proposal to provide legal services for the City of Ramsey. In submitting this proposal, we commit to perform the work as requested and declare that this proposal is an irrevocable offer open for 90 days. We are fully capable of performing the scope of legal services requested by the City and have extensive experience representing municipal clients. We work to develop positive open communications with city staff and officials to facilitate good working relationships and to respond to the city's concerns in a timely fashion. We have found that when the relationship between city staff and city officials is dynamic and trusting, ultimately, the city council and city's residents are the beneficiaries. Our office strives to return all client communication within the same business day it is received. We are aware that our clients often have deadlines for meetings and we seek to ensure that our responses occur in a timely fashion that allows the city to meet those deadlines. We utilize the best qualities of each member of the firm to solve our municipal clients' legal needs.

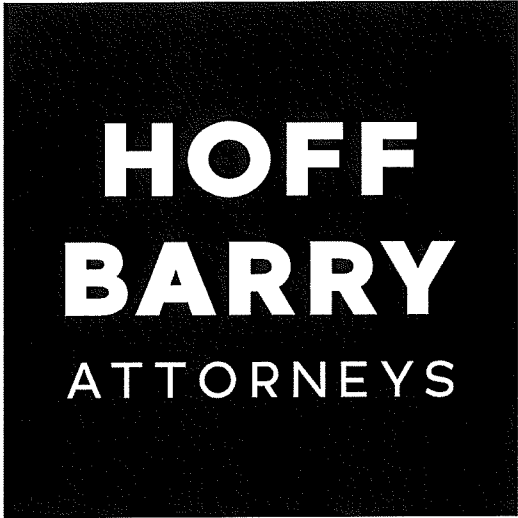
We focus on remaining current on legal issues that affect cities to ensure that our clients can take timely action on new and emerging issues. We continually keep up-to-date on all areas of municipal law by attending and presenting at relevant continuing legal education seminars. We often deal with issues for one client that are relevant to our other clients. We bring those issues and our experience to the attention of all of our clients.

Thank you for the opportunity to submit this response to your Request for Proposals.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Schwarzhoff", written over a horizontal line.

Sarah Schwarzhoff
HOFF BARRY, P.A.
Enclosure



**RESPONSE TO CITY OF RAMSEY'S REQUEST FOR
PROPOSALS FOR CITY ATTORNEY LEGAL SERVICES**

July 1, 2021

Submitted By:

HOFF BARRY, P.A.
100 Prairie Center Drive, Suite 200
Eden Prairie, MN 55344
(952) 746-2700

Contact Person/Lead Attorney

Sarah E. Schwarzhoff
Direct: (952) 746-2713
E-mail: sschwarzhoff@hoffbarry.com

TABLE OF CONTENTS

A. Firm Background3

B. Municipal Legal Services and Responsibilities6

C. Attorney Qualifications9

D. Firm’s Clients13

E. References For Sarah Schwarzhoff and Hoff Barry14

F. Fees15

G. Insurance Coverage16

A. FIRM BACKGROUND

Introduction/History

Hoff Barry, P.A. (the “Firm” or “Hoff Barry”) submits this proposal (“Proposal”) in response to the City of Ramsey’s (“City”) Request for Proposals for Professional Legal Services (“RFP”) in the area of municipal representation.

Hoff Barry concentrates its practice in the area of municipal law and attorneys in the Firm have extensive experience in both municipal representation and municipal litigation defense. Approximately 90 percent of the Firm’s billable hours are devoted to representing public sector clients. We have been named among “*Best Law Firms*” from 2012 through the present by *U.S. News & World Report* and “*Best Lawyers*” in the areas of Municipal Law and Municipal Litigation. These accolades signify both the depth of our experience and quality of representation we provide to our clients.

Approach to Representation and Timeliness

The primary goal of our municipal representation is to provide timely and legally sound advice to the City. In addition to assisting the City in making reasonable decisions on a routine basis, when necessary, we want City staff and Council to feel prepared to make difficult ones.

To provide prompt and effective municipal representation, we work collaboratively with City staff to identify the City’s objectives and time frame for the completion of projects. In order to accomplish that goal, we seek to develop relationships with City staff and engage as counselors. We strive to create positive open communication with City staff and officials. In other words, City staff should feel as if we are just down the hall. As a result, we are able to help identify and prioritize alternative approaches to issues and engage in a creative problem-solving process.

Part of developing trust and rapport with our city clients is simply being there. We take pride in prompt response times. If our attorneys receive a voicemail or e-mail, they typically respond within hours. Additionally, we work with City staff to develop appropriate expectations with respect to long-term projects and meet those agreed upon parameters. The Firm will typically provide updates on current projects and litigation matters by having continual contact with City staff and the City Council. In our experience, very few projects are outstanding for a period of time longer than a month. However, a monthly reporting system can be established after discussions regarding the City’s desires and needs.

In addition to establishing an effective working relationship with City staff, the significant number of local governments that Hoff Barry represents provides the Firm with a broad knowledge of current issues and topics that affect cities. The Firm represents a variety of cities, small and large, rural and urban. This diversity of experiences as it relates to municipal development and local priorities enables our attorneys to harness a wealth of internal perspectives as we address questions or problems that arise for our clients. The Firm’s team approach is an integral part of our practice that allows our client cities to reap the benefits of the skills and experiences of all our attorneys.

Office, Attorneys, Support Personnel

Hoff Barry is located at 100 Prairie Center Drive, Suite 200, Eden Prairie, Minnesota 55344. Telephone: (952) 746-2700. Facsimile: (952) 941-7968. The Firm’s website address is www.hoffbarry.com.

There are a total of 6 attorneys associated with the Firm:

Sarah E. Schwarzhoff, Of Counsel
Shelley M. Ryan, Partner
Justin L. Templin, Partner
Scott B. Landsman, Partner
George C. Hoff, Of Counsel
Thomas G. Barry, Jr., Of Counsel

The Firm employs a paralegal and an office manager:

Sarah Reinhart, Litigation and General Municipal Support Paralegal
Nancy Raley, Office Manager

Attorneys in the Firm are involved in the planning committee for the Minnesota Association of City Attorneys Conference and regularly present at both the annual conference and at other Continuing Legal Education programs sponsored by the League of Minnesota Cities. Our Firm's involvement and relationship with other practitioners assists in remaining current on all legal developments that affect cities and evaluating responses to legal issues facing cities.

The Firm has extensive experience in working with cities as city attorney and defense counsel. The Firm works in a collegial, team-centered environment. From time to time, the unique perspective or knowledge of all our attorneys may be utilized on behalf of a client.

Client Conflict

We do not presently represent, nor have we represented, clients who have been involved in, or benefited from, litigation with the City, or who are involved in development within the City. Further, we do not anticipate any conflicts between representing the City and our other municipal clients.

Real Estate Developers

We do not represent any real estate developers.

Jurisdiction

We do not represent any local units of government having jurisdiction within or contiguous to the City of Ramsey.

Conflict Checks

Prior to accepting retention of new matters and clients, the Firm conducts an electronic search of open and closed files for any matters that may present a conflict of interest. Additionally, all Firm attorneys meet on a regular basis to discuss and keep the Firm apprised of matters and clients currently represented.

Technology/Legal Research

Hoff Barry has complete online access to all federal and state statutes, cases, rules, and regulations allowing us to do necessary legal research from our office. Our utilization of online research and email allows the Firm to streamline legal services and provide cost savings to our clients. Our

attorneys and paralegals routinely interact with clients via e-mail and are able to share documents through e-mail, Dropbox, or ShareFile. Attorneys and paralegals use Microsoft Word for document drafting and editing as well as Adobe.

Ethics Complaints

In 2021 a complaint for prosecutorial misconduct was filed against Sarah Schwarzhoff. Ms. Schwarzhoff was not the prosecutor for the city in question and the Minnesota Board of Professional Responsibility dismissed the complaint without investigation, determining that prosecutorial misconduct did not occur. No other ethics complaints have been filed against the Firm or its attorneys in the last five years.

B. MUNICIPAL LEGAL SERVICES AND RESPONSIBILITIES

The Firm prides itself in providing timely and effective representation to its municipal clients. Our nationally recognized firm will provide the following legal services:

Ordinances and Resolutions. We have wide-ranging experience in drafting and reviewing ordinances and resolutions. We work with staff and the Council to ensure resolutions and ordinances reflect the objectives of the city and its residents.

Zoning and Subdivision. We have extensive experience with zoning and subdivision regulations from drafting codes to enforcing compliance. We regularly work with staff to interpret code and statute provisions in specific situations. We draft relevant documents including conditional and interim use permits, variance approvals or denials, and agreements with residents and applicants. We negotiate with developers and draft development agreements and PUD agreements which are recorded against the property to ensure future compliance.

Review of Council Agenda Items and Minutes. We regularly review the agenda items and minutes for our clients. We find that reviewing agenda items before the meetings allows us to identify any concerns and address those concerns prior to consideration by the Council.

Bidding and Contracts. We work with our clients on the purchasing and contracting process to ensure compliance with State statute. We assist in the drafting of requests for bid/proposals to guarantee that all information the city needs to make an informed decision is provided. We have a great deal of experience in drafting, reviewing and negotiating contracts. We review and revise contracts to ensure that the city is protected, and we negotiate with third parties to reach mutually agreeable solutions. We have drafted and negotiated numerous agreements for our clients including service and equipment contracts with private parties, Joint Powers Agreements with local cities and counties, and cooperative agreements with other parties such as the Shakopee Mdewakanton Sioux Community.

Meetings and Phone Conferences with Council, Manager and Staff. As described above, our municipal representation relies heavily on our relationship with the City Manager and staff. Our availability and close relationship ensures we are familiar with city operations and can often address issues before they arise.

Code Enforcement. We regularly advise our clients on drafting, updating and enforcement of the city code. We work with staff to ensure that the code reflects the views of the city and its residents. We focus on clarity and procedure to ensure that enforcement can be timely and cost effective. We have worked informally with residents to ensure code compliance but have also pursued litigation when necessary. We have experience with regulation relating to emerging and longstanding issues such as short-term rentals, right-of-way management, food trucks, digital signs and public nuisances.

Real Estate and Condemnation. We have extensive experience in real estate legal services, including drafting title and plat opinions, drafting and negotiating complex purchase agreements and real estate documents, and providing consultation and direction on a variety of municipal real estate issues and transactions. Further, we have experience in negotiation, preparation and acquisition of

easements for street, utility and other public purposes, and initiation and prosecution of eminent domain proceedings.

Public Projects. We provide legal consultation and direction on issues relating to public improvement projects. In Minn. Stat. Chap. 429 proceedings, we assist staff in drafting resolutions and special assessment agreements and recommending appraisers. We review the notices and process to ensure that requirements of the statute are met. In negotiating the resolution of assessment appeals, we maintain the city's position, ensuring that the city has not compromised itself for future assessment projects. If necessary, we represent cities in assessment appeals.

Legal Updates. We frequently provide our clients with updates related to legislation and court opinions. Our extensive municipal clientele means that we often have firsthand information on arising issues. We also attend regular updates sponsored by entities such as the League of Minnesota Cities to ensure we can keep our clients update on new legal matters.

Municipal Financing. We have assisted in negotiating and drafting TIF agreements. We have litigated lawsuits over TIF and taxing authority issues. We are familiar with and have worked with federal grants administered through USDA and state grants through DEED and MPCA on municipal projects.

Municipal Litigation. We regularly represent cities throughout Minnesota as defense counsel appointed through the League of Minnesota Cities Insurance Trust and as special counsel. We have handled a wide variety of cases, including but not limited to: land use litigation and development issues, including constitutional, Religious Land Use and Institutionalized Persons Act and historic preservation claims; zoning and licensing disputes; construction claims; contract claims; TIF claims; alleged open meeting law violations; public bidding; and other disputes questioning municipal authority. In addition to trial work at the district court level, we are experienced in appellate work and have argued over 90 cases in the Minnesota Court of Appeals, Minnesota Supreme Court and the federal Eighth Circuit Court of Appeals. We have handled over 400 civil litigation cases for the League of Minnesota Cities Insurance Trust in both State and Federal courts. In addition, we have been hired as special counsel by a number of cities where conflict situations exist in a variety of areas, including development and personnel. Our extensive litigation experience provides us with a unique ability to recognize potential liability and provide advice for our clients.

Personnel. We regularly work on personnel matters for our clients from hiring and updating personnel policies to discipline and termination. We have represented our clients in veterans' preference hearings and grievance hearings and we have negotiated and drafted settlement agreements for departing employees. We have been involved in labor negotiations and disputes including meetings, hearings, mediations, arbitrations and litigation.

Data Practices and Open Meeting. We have extensive experience in data practices and open meeting issues. We regularly review data practices requests and work with staff to provide appropriate and timely responses. We have drafted and updated data practices policies to ensure compliance with the ever-changing regulations. We also work with staff to reduce the costs of data requests by ensuring that the requests are appropriately narrowed and if necessary by providing a

phased response or requiring prepayment from the requestor. We also provide regular advice regarding the application of the open meeting law.

Comprehensive Plan and Metropolitan Council. With several clients in the metropolitan area we regularly work with the Metropolitan Council in connection with comprehensive plans, grant funding, sanitary sewer operations and transportation.

Federal and State Law. We regularly work with our clients to ensure that their practices comply with Federal and State law as well as with any existing City Code or City policy. Ensuring our clients are in compliance with existing applicable law is essential.

Annexation. We have worked with our clients to negotiate and enter into orderly annexation agreements. We have worked with the Office of Administrative Hearings relating to orderly annexation agreements, annexation by ordinance and contested cases. We have represented our clients in both contested cases and orderly annexation matters.

C. ATTORNEY QUALIFICATIONS

Sarah E. Schwarzhoff will serve as the Lead Attorney for the City with Justin L. Templin serving as secondary. Ms. Schwarzhoff will be responsible for undertaking the responsibilities detailed in this Proposal with Mr. Templin and other attorneys at the Firm providing assistance only as needed. Ms. Schwarzhoff will attend all City Council meetings and committee meetings as requested by the City Manager. We pride ourselves on our ability to treat all of our clients as our priority. With four full time attorneys with extensive experience in municipal law we are able to ensure excellent and timely responses on all City matters. If Ms. Schwarzhoff is ever unable to respond to a City concern in a timely manner, one of the other expert attorneys is always available to address the matter.

SARAH E. SCHWARZHOFF

sschwarzhoff@hoffbarry.com

- a. B.A., *magna cum laude*, Drake University, 2005; J.D., *magna cum laude*, University of Minnesota, 2008.
- b. Sarah Schwarzhoff joined the Firm, as of counsel, in 2018 after several years of practice at another highly ranked municipal law firm. Ms. Schwarzhoff has focused on municipal law since 2008 and has developed extensive experience. She has worked with clients on numerous land use, eminent domain and real estate issues. Ms. Schwarzhoff is the City Attorney for the City of Prior Lake and represents Delano Municipal Utilities and Dresbach Township. In her representation of Prior Lake, she has advised the City during its establishment of Technology Village, a business incubator, and worked with the City on an extensive review of the City's ordinances and bylaws. She has drafted numerous development agreements, planned unit development agreements and assessment agreements. She has worked on all manner of municipal contracts including energy contracts under Minn. Stat. §471.345 and cooperative agreements and grants involving cities, counties, the State and the Shakopee Mdewakanton Sioux Community. She has worked extensively with the Data Practices Act and Open Meeting Law, advising clients on general compliance and on solutions for specific issues. She has also worked with various clients to draft and review new and updated ordinances and resolutions. Ms. Schwarzhoff has worked with several of her clients on personnel and labor relations matters. Ms. Schwarzhoff also has experience working in annexation and detachment issues, road establishment, protection and vacation, and municipal contracting.
- c. Ms. Schwarzhoff is admitted to the Minnesota Bar.
- d. Ms. Schwarzhoff will serve as lead attorney.

Ms. Schwarzhoff will be assisted by the other attorneys at the Firm. A brief description of their qualifications and experiences follows:

JUSTIN L. TEMPLIN

jtemplin@hoffbarry.com

- a. B.A., Phi Beta Kappa, University of Minnesota, 1996; J.D., *cum laude*, University of Minnesota, 2000.
- b. Justin Templin joined the Firm in 2002. Mr. Templin's practice includes representing Minnesota cities, both in the metropolitan area and statewide, in the litigation and dispute resolution of complex land use and constitutional matters. Mr. Templin is the City Attorney for the City of Maple Grove, and advises City staff and officials on a range of matters including contracts, data practices, ordinance interpretation and enforcement, and land use and zoning issues. He has managed large procurement projects on behalf of City governments, and has significant experience in negotiating contracts. In addition to public sector representation, Mr. Templin has represented private entities and individuals in a variety of business matters, including drafting and revising operating agreements, employment matters, asset sales and acquisitions, and reorganizations.
- c. Mr. Templin is admitted to the Minnesota State Bar, the U.S. District Court for the District of Minnesota, and the U.S. Court of Appeals for the 8th Circuit.
- d. Mr. Templin will provide advice on data practices issues, general legal services, and general litigation support.

SHELLEY M. RYAN

sryan@hoffbarry.com

- a. B.S., University of Minnesota, 1999; J.D., *magna cum laude*, Hamline University School of Law, 2005.
- b. Mrs. Ryan currently serves as the City Attorney for the City of Circle Pines ("Circle Pines") and has served in that capacity since approximately June 2015. In her role with Circle Pines, Mrs. Ryan advises the City on general municipal law matters, including, but not limited to, data practices, municipal contracting law, the Open Meeting Law, development agreements, code enforcement (nuisance and zoning violations), hazardous building removal, and employment issues. Mrs. Ryan also serves as an assistant City Attorney for the City of Maple Grove ("Maple Grove"). In that role, Mrs. Ryan advises staff on issues relating to municipal contracting and code enforcement. Mrs. Ryan has extensive experience in working with property owners and license holders to ensure compliance with city code provisions, including, when necessary, representing Circle Pines and Maple Grove in legal proceedings to compel compliance.

- c. Mrs. Ryan is admitted to the Minnesota State Bar, the U.S. District Court for the District of Minnesota and the U.S. Court of Appeals for the 8th Circuit.
- d. Mrs. Ryan will provide advice on code enforcement, general legal services, and general litigation support as needed.

SCOTT B. LANDSMAN
slandsman@hoffbarry.com

- a. B.A., University of Minnesota-Duluth, 1994; J.D.; Hamline University School of Law, 1998.
- b. Scott Landsman has been with the Firm since 1999. He is extensively involved in the general municipal representation, real estate and improvement projects by, among other things, handling real estate transactions, negotiating and drafting developer's agreements and planned unit development agreements, attending city meetings, ordinance and code enforcement and drafting, negotiating and drafting municipal contracts, advice and assistance to representative cities in the bidding process, TIF financing, eminent domain, land use regulations, zoning and planning, and providing consultation and direction on a wide range of municipal issues. He has represented several municipalities as special counsel in the formation of joint powers entities and as development special counsel. Mr. Landsman is the current City Attorney for the cities of Maple Plain, Zumbro Falls, Hammond and Seaforth and the Board Attorney for the Joint Water Powers Board of St. Michael, Albertville and Hanover. He also serves as Assistant City Attorney for Maple Grove and Watertown, and Special Counsel for the cities of New Brighton, Waconia, Hamburg and Seaforth. Mr. Landsman has been recognized as an expert on shoreland regulation and land use, presenting frequently at continuing legal education seminars. Mr. Landsman is part of *The Law of the Great Outdoors Quick Answer Book*, published July, 2018 and August, 2020 by Minnesota CLE. He has been selected as one of Minnesota's "Rising Stars" in the legal profession as featured in the publication *Minnesota Law & Politics*.
- c. Mr. Landsman is admitted to the Minnesota State Bar, the U.S. District Court for the District of Minnesota and the U.S. Court of Appeals for the 8th Circuit.
- d. Mr. Landsman will provide advice on development issues, general legal services, and general litigation support as needed.

GEORGE C. HOFF

ghoff@hoffbarry.com

- a. B.A., University of Minnesota, 1970; J.D., *cum laude*, William Mitchell College of Law 1977.
- b. George Hoff has been with the Firm since 1977. Mr. Hoff has represented cities in Minnesota consistently since his entry into practice in 1977, as a city attorney, special counsel and defense counsel. Ninety-five percent of his current practice consists of municipal representation, including general representation and litigation involving cities and their elected officials. The remaining five percent of his practice is in the area of real estate and general civil litigation. Mr. Hoff has been involved in complex litigation for client cities and through the League of Minnesota Cities Insurance Trust since 1986, with a special emphasis on land use, redevelopment and civil rights claims. Further, Mr. Hoff has extensive experience in negotiating and drafting agreements related to development and redevelopment. Mr. Hoff is a frequent lecturer to municipal officials, and has lectured at Continuing Legal Education matters with respect to municipal issues. He was selected from 1994 through the present as one of the “Leading Lawyers” in Minnesota by the publication *Guidebook to Law and Leading Lawyers* and a “Super Lawyer” in the publication *Minnesota Law & Politics* since 2003 and was also selected in the Top 100 Lawyers in Minnesota from 2011 through 2013. From 2008 through the present he was selected for inclusion in *The Best Lawyers in America* in the specialty of Municipal Law. He has served as past President of the Minnesota City Attorney's Association. Mr. Hoff has extensive trial and appellate experience.
- c. Mr. Hoff is admitted to the Minnesota State Bar, the U.S. District Court for the District of Minnesota, the U.S. Court of Appeals for the 8th Circuit, and the United States Supreme Court.
- d. Mr. Hoff will provide support and advice on all matters affecting the City on as need basis.

SARAH R. REINHART

sreinhart@hoffbarry.com

- a. B.A., Criminal Justice, St. Cloud State University, St. Cloud, MN; M.S, Criminal Justice, St. Cloud State University, St. Cloud, MN.
- b. Ms. Reinhart is responsible for all paralegal duties at the firm, including overseeing day-to-day responsibilities for all of our litigation on behalf of municipalities. Ms. Reinhart performs legal and factual research to support our clients and is responsible for drafting and editing legal documents, including court pleadings, agreements, contracts, and legal memoranda.

D. FIRM'S CLIENTS

The Firm has not done any recent work for the City of Ramsey. Attorneys with the Firm currently serve as designated civil city attorney for the following governmental entities:

- City of Prior Lake (Sarah Schwarzhoff)
- City of Cannon Falls (Sarah Schwarzhoff)
- City of Circle Pines (Shelley Ryan)
- City of Maple Grove (Justin Templin)
- City of Maple Plain (Scott Landsman)
- City of Zumbro Falls (Scott Landsman)
- City of Hammond (Scott Landsman)
- City of Seaforth (Scott Landsman)
- Joint Water Powers Board of St. Michael, Albertville, and Hanover (Scott Landsman)
- Delano Municipal Utilities (Sarah Schwarzhoff)
- Dresbach Township (Sarah Schwarzhoff)

Attorneys with the Firm routinely represent the following governmental clients as special counsel:

- City of Minneapolis
- City of Elk River
- City of Orono
- City of St. Cloud
- City of Baxter
- City of Rochester
- City of Waconia
- City of LaPorte
- City of Hollandale
- City of Garrison
- City of Dayton
- City of New Brighton
- Lake Minnetonka Conservation District

Over the last two decades, attorneys with the Firm have represented hundreds of cities of various sizes throughout the state as litigation defense counsel through the League of Minnesota Cities Insurance Trust.

E. REFERENCES FOR SARAH SCHWARZHOFF AND HOFF BARRY

Neil Jensen
City Administrator
City of Cannon Falls
913 River Road
Cannon Falls, MN 55009
Telephone: (507) 263-9300
Email: njensen@cannonfallsmn.gov
Reference for: Sarah Schwarzhoff

Paul Twite
General Manager
Delano Municipal Utilities
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Delano, MN 55328
Phone: (763) 972-0557
Email: ptwite@delanomn.us
Reference for: Sarah Schwarzhoff

Kim Low
Town Clerk
Dresbach Township
46851 Riverview Drive
La Crescent, MN 55947
Phone: (608) 484-0700
Email: dresbachmn@gmail.com
Reference for: Sarah Schwarzhoff

Heidi Nelson
City Administrator
City of Maple Grove
12800 Arbor Lakes Parkway
P.O. Box 1180
Maple Grove, MN 55311
Telephone: (763) 494-6000
Email: hnelson@maplegrovern.gov
Reference for: Justin Templin and Hoff
Barry

Mark Rossow
Assist. Program Claims Manager
League of Minnesota Cities
145 University Avenue West
St. Paul, MN 55103
Telephone: (651) 281-1282
Email: mrossow@lmc.com
Reference for: Justin Templin and Hoff
Barry

F. FEES

General Legal Services

Hoff Barry proposes hourly fees as follows:

The fees for general legal services that are paid from the City's general fund are as follows:

- | | |
|--------------------------------|-------------------|
| 1. Partners/Of Counsel | \$165.00 per hour |
| 2. Associate Attorneys | \$155.00 per hour |
| 3. Paralegals | \$100.00 per hour |
| 4. Legal Assistants/Law Clerks | \$ 90.00 per hour |

The fees for litigation related matters that are paid from the City's general fund are as follows:

- | | |
|--------------------------------|-------------------|
| 1. Partners/Of Counsel | \$185.00 per hour |
| 2. Associate Attorneys | \$155.00 per hour |
| 3. Paralegals | \$100.00 per hour |
| 4. Legal Assistants/Law Clerks | \$ 90.00 per hour |

Legal matters that are reimbursed by a developer, other third-party or non-general fund are as follows:

- | | |
|--------------------------------|-------------------|
| 1. Partners/Of Counsel | \$240.00 per hour |
| 2. Associate Attorneys | \$225.00 per hour |
| 3. Paralegals | \$120.00 per hour |
| 4. Legal Assistants/Law Clerks | \$100.00 per hour |

The City will be billed at our cost for expenses such as postage, court filing fees, process server fees, courier or delivery charges, witness fees, document recording and closing fees, court reporter transcription fee, and off-site photocopies.

The Firm does not charge for on-site photocopying and access to Westlaw.

The fees for legal services will be billed at .25 hour increments.

Hoff Barry will send the City monthly billing statements for fees and costs incurred. The billing statements will indicate in detail the work completed, the matter number, the individual conducting the work, the amount of time spent, the hourly rate, and the total costs for the work.

G. INSURANCE COVERAGE

Malpractice Claims and Insurance Coverage

No malpractice claims have been filed against Hoff Barry or its attorneys in the last five years. The Firm's professional carrier is New York Marine and General Insurance Company. The insurance policy contains limits of liability of \$2,000,000 per claim and \$2,000,000 in the aggregate, which is consistent with maximum municipal tort liability under Minn. Stat. § 466.04.

Hoff Barry carries insurance with CNA Insurance. The Firm carries policies as follows: general liability insurance (\$2,000,000 per occurrence, \$4,000,000 aggregate); umbrella coverage (\$2,000,000 each incident, \$2,000,000 aggregate); commercial automobile (\$1,000,000 each incident); workers compensation (\$100,000 each accident). A copy of the Firm's insurance is available on request.