

**AMENDMENT NO. 5 TO PERSONAL SERVICES CONTRACT  
WITH PORTER SCOTT, A PROFESSIONAL CORPORATION  
(BFS15295)**

THIS AMENDMENT No. 5 is made and is effective as of June 27, 2017, by and between Porter Scott, A Professional Corporation (“Contractor”), and the County of Nevada (“County”). This Amendment No. 5 amends the Personal Services Contract between the parties for legal services, effective as of January 1, 2014 (“Agreement”).

WHEREAS, the parties entered into an agreement to provide County with legal representation of Nevada County and any Nevada County employees and officers that may be named as defendants in connection with claims filed by William and Yvonne Evans and related litigation, in the case of *Evans, et al. v. Nevada County Sheriff’s Department, et al.* (U.S. Dist. Court, E.D. Cal.), Case No. 2:13-cv-01775-TLN-DAD and the related state court action, with a Maximum Contract Amount of \$25,000; and,

WHEREAS, on July 8, 2014, the contract was amended pursuant to Resolution 14-338 to increase the Maximum Contract Amount to \$65,000; and,

WHEREAS, on June 23, 2015, the contract was amended pursuant to Resolution 15-295 to increase the Maximum Contract Amount to \$140,000, and extend the term of the Contract to June 30, 2016; and,

WHEREAS, on June 28, 2016, the contract was amended pursuant to Resolution 16-323 to extend the term of the Contract to June 30, 2017; and,

WHEREAS, on November 8, 2016, the contract was amended pursuant to Resolution 16-534 to increase the Maximum Contract Amount to \$240,000; and,

WHEREAS, the County desires that Contractor continue to provide legal services related to the continued defense and trial of the above-referenced claims and litigation, and Contractor is ready, willing and able to provide such services; and,

WHEREAS, the parties now desire to extend the term of the Contract to June 30, 2018.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the parties hereto agree as follows:

1. That Section 3, Contract Termination Date, is hereby extended to June 30, 2018.
2. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

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IN WITNESS WHEREOF, the parties have executed this Amendment No. 5 to Personal Services Contract between the County of Nevada and Porter Scott, a Professional Corporation, effective as of the date first written above.

COUNTY OF NEVADA

CONTRACTOR:

By: \_\_\_\_\_  
Hon. Hank Weston  
Chair, Board of Supervisors

By: \_\_\_\_\_  
Carl Fessenden, Shareholder  
Porter Scott, A Professional Corporation

ATTEST:

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Julie Patterson-Hunter  
Clerk of the Board

By: \_\_\_\_\_  
Alison A. Barratt-Green  
County Counsel