



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING PARTICIPATION IN THE NORTHERN CALIFORNIA WILDFIRES COORDINATED PROCEEDINGS, APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF NEVADA AND BARON & BUDD, P.C, ET AL. FOR LEGAL SERVICES RELATED TO THE OCTOBER 2017 WILDFIRES, AND AUTHORIZING THE COUNTY COUNSEL TO EXECUTE THE AGREEMENT AND RELATED DOCUMENTS

WHEREAS, several counties, cities, and special districts have filed litigation against PG&E and other defendants in connection with the Northern California wildfires in October 2017; and

WHEREAS, these actions have been consolidated into a state court coordinated proceeding in San Francisco (“Wildfires JCCP”); and

WHEREAS, the County has a unique opportunity to work with other fire-affected counties, cities and other public entities for the purposes of participating in the JCCP; and

WHEREAS, these counties and cities have selected the firm of Baron & Budd, P.C., and the consortium of private firms associated with Baron & Budd, to represent them in this JCCP action (collectively “Baron & Budd”); and

WHEREAS, Baron & Budd has specialized and unique experience representing public entities in large scale mass tort litigation, significant experience representing clients in both wildfire litigation and legislative regulatory proceedings related to the California wildfires, an established and well developed client support structure and a solid, sophisticated understanding of State-County relationships, and is very well qualified to represent the County’s interests in this litigation and any related regulatory proceedings; and

WHEREAS, the parties desire to enter into a Representation Agreement for said litigation services on a contingency fee basis, based on the findings, terms and conditions contained in said Agreement; and

WHEREAS, Baron & Budd has agreed to advance and cover all litigation costs and attorneys’ fees, and that its only right of recovery as to the County will be against any monies the County receives as a result of this litigation.

NOW, THEREFORE, BE IT RESOLVED by the Nevada County Board of Supervisors that the County Counsel, on behalf of the County of Nevada, is hereby authorized to participate in the Northern California Wildfires Coordinated Proceedings, to coordinate with the other fire-affected counties, cities and other public entities who are also represented by Baron & Budd in litigation against PG&E and any other defendants, and to execute all documents necessary to participate in this effort.

BE IT FURTHER RESOLVED that the Representation Agreement Between the County of Nevada and Baron & Budd, P.C., et al. for legal services related to the Wildfires JCCP, on a contingency fee basis, be and hereby is approved in the form attached hereto as Exhibit A, and that the County Counsel is hereby authorized to execute the Agreement in substantially the form attached hereto.