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June 28, 2018

Honorable Board of Supervisors
Eric Rood Administrative Center
950 Maidu Avenue
Nevada City, CA 95959

DATE OF MEETING: July 10, 2018

SUBJECT: Resolution Approving Personal Services Contract between the County of Nevada and Donahue Davies, LLP for Legal Services Related to the Case Entitled *Deanna Clark v. County of Nevada; Gold Country Stage*, in the Maximum Contract Amount of \$0, and Authorizing the Chair of the Board to Execute the Contract

RECOMMENDATION: Adopt the attached Resolution

FUNDING: Transit Services holds liability insurance with Bickmore Insurance, who contracts with York Insurance Services, with a \$25,000 self-insured retention. Claims services, including litigation are covered by this policy and administered by York Insurance Services. This Contract will be paid by York Insurance Services; therefore, there is no impact on the General Fund. No budget amendment is required.

BACKGROUND: On May 7, 2018, litigation was filed against the County of Nevada and Gold Country Stage in the case entitled *Clark vs. County of Nevada, et al.*, (Nevada County Superior Court, Case No. CU18-082918.) The Board authorized County Counsel to hire outside counsel for this litigation on June 12, 2018. The County is covered by Transit Services' insurance policy with Bickmore Insurance. The policy covers the claims handling process, including the costs of litigation. Bickmore Insurance, through York Insurance Services is responsible for assigning legal counsel, subject to approval by the County, and has retained the legal firm of Donahue Davies, LLP to represent the County in this litigation matter. This is a \$0 contract, as Bickmore Insurance will directly pay all invoices for legal services in this matter. The purpose of the contract is to establish an attorney-client relationship with Donahue Davies and non-monetary terms related to this representation.

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Donahue Davies, LLP is a well-qualified firm with significant experience and expertise in litigation defense on behalf of public agencies. I recommend that the Board approve the proposed Contract as submitted.

Respectfully submitted,



Alison A. Barratt-Green
County Counsel

Attachments: Resolution Approving Personal Services Contract
Personal Services Contract