



# *St. Bernard Parish Council*

8201 West Judge Perez Drive    Chalmette, Louisiana, 70043  
(504) 278-4228    Fax (504) 278-4209  
[www.sbpbg.net](http://www.sbpbg.net)

**#16**

**Kerri Callais**  
*Councilmember  
at Large*

**Richard "Richie" Lewis**  
*Councilmember  
at Large*

**Gillis McCloskey**  
*Councilmember  
District A*

**Nathan Gorbaty**  
*Councilmember  
District B*

**Howard Luna**  
*Councilmember  
District C*

**Wanda Alcon**  
*Councilmember  
District D*

**Manuel "Monty"  
Montelongo III**  
*Councilmember  
District E*

**Roxanne Adams**  
*Clerk of Council*

EXTRACT OF THE OFFICIAL PROCEEDINGS OF THE COUNCIL OF THE PARISH OF ST. BERNARD, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING HELD IN THE COUNCIL CHAMBERS OF THE ST. BERNARD PARISH GOVERNMENT COMPLEX, 8201 WEST JUDGE PEREZ DRIVE, CHALMETTE, LOUISIANA ON TUESDAY, AUGUST 7, 2018 AT SEVEN O'CLOCK P.M.

On motion of Mr. Montelongo, seconded by Mrs. Alcon, it was moved to adopt the following ordinance:

## **ORDINANCE SBPC #2083-08-18**

### **Summary No. 3614**

Introduced by: Administration on 7/17/18

Public Hearing held on 8/7/18

AN ORDINANCE TO AUTHORIZE THE RETENTION OF ALLEN J. KROUSE, III AND FRILLOT, LLC TO PROVIDE LEGAL REPRESENTATION IN RYAN FINK V. ST. BERNARD PARISH GOVERNMENT THROUGH ITS PARISH COUNCIL AND IN ANY MATTERS RELATED THERETO.

ST. BERNARD PARISH COUNCIL DOES HEREBY ORDAIN:

**SECTION 1.** the St. Bernard Parish Council, the governing authority, does hereby approve and authorize the employment of Allen J. Krouse, III and Frilot, LLC to provide representation in Ryan Fink v. St. Bernard Parish Government through its Parish Council, US E.D. LA #189-5447 and in any matters related thereto, all pursuant to the contract attached as Exhibit A.

**SECTION 2.** Compensation. The compensation shall be pursuant to the contract attached as Exhibit A.

**SECTION 3.** The Parish President is hereby authorized to enter into a contract for legal services as provided in the attached contract and in accordance with Section 4-02 (b) of the Home Rule Charter. Said contract is attached hereto as Exhibit A.

**SECTION 4.** Effective Date. This ordinance shall become effective immediately upon authorizing signature by the Parish President. In the event of a Presidential Veto this ordinance shall become effective upon a two-thirds favorable vote of the total membership of the Council pursuant to Sections 2-11 and 2-13 of the St. Bernard Parish Home Rule Charter.

**SECTION 5.** Severability. If any section, clause, paragraph, provision or portion of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, paragraph, provision or portion of this ordinance, the St. Bernard Parish Council hereby expresses and declares that it would have adopted the remaining portion of this ordinance with the invalid portions omitted.



# St. Bernard Parish Council

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**Kerri Callais**  
Councilmember  
at Large

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Extract #16 continued  
August 7, 2018

**Richard "Richie" Lewis**  
Councilmember  
at Large

The above and foregoing having been submitted to a vote, the vote thereupon resulted as follows:

**Gillis McCloskey**  
Councilmember  
District A

**YEAS:** McCloskey, Gorbaty, Alcon, Montelongo

**NAYS:** Luna

**Nathan Gorbaty**  
Councilmember  
District B

**ABSENT:** Lewis

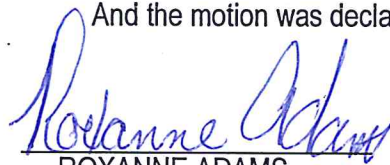
**Howard Luna**  
Councilmember  
District C

The Council Chair, Ms. Callais, cast her vote as YEA.

**Wanda Alcon**  
Councilmember  
District D

And the motion was declared **adopted** on the 7<sup>th</sup> day of August, 2018.

**Manuel "Monty" Montelongo III**  
Councilmember  
District E

  
ROXANNE ADAMS  
CLERK OF COUNCIL

  
KERRI CALLAIS  
COUNCIL CHAIR

**Roxanne Adams**  
Clerk of Council

Delivered to the Parish President 8/10/2018 2:15pm  
Date and Time


Received by

Margen Campo

Approved ✓

Vetoed \_\_\_\_\_

Parish President

  
Guy McInnis

Returned to Clerk of the Council

8/14/2018 9:32am  
Date and Time

Received by

Jennifer Lemoine



July 11, 2018

William M. McGoey  
Assistant District Attorney  
2010 Pakenham Drive  
Chalmette, Louisiana 70043

**Re: Engagement Letter – Retainer Agreement**  
*Ryan Fink v. St. Bernard Parish Government*, USDC E.D. 18-5447

Dear William:

This letter will confirm our discussions and the engagement of Frilot LLC to provide professional legal services and representation of the St. Bernard Parish Government in the lawsuit filed by Ryan Fink against St. Bernard Parish Government in the United States District Court, East District of Louisiana, Civil Action No. 18-5447 and in any matters related thereto.

It is contemplated that Frilot LLC will provide professional legal services to the St. Bernard Parish Government, in the above-captioned matter. It is understood that the work performed by Frilot LLC will be confidential, constituting attorney work product and is to be regarded as being covered by the attorney-client and attorney-work product privileges.

Frilot LLC has adopted Thomson Reuters' electronic discovery tool, eDiscovery Point. eDiscovery Point is a web-based platform built to handle ediscovery through its three main components of process, review, and production; we therefore have the capability to process large data sets in-house, without seeking assistance of costly third-party vendors often relied upon during the course of discovery. Modest costs are incurred on a per-case basis, based on the volume of data contained in each case's active review section. However, we are able to offer our clients and outside expert witnesses online access to case documents and coding at no additional charge. Online collaboration allows for significant savings during preparation for large document productions by reducing the time involved with delivery, download, unzipping, flagging for discussion, etc.

The fees in this action are based on an hourly rate plus expenses incurred and are not contingent on the outcome of the case. We will invoice you at the standard rates which are currently \$185.00 per hour for partners; \$135.00 per hour for associates; and \$60.00 per hour for paralegals. Unless otherwise agreed, we will submit our billings on a monthly basis with the

**FRILOT** | LLC  
ATTORNEYS AT LAW

William M. McGoeey  
July 11, 2018  
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understanding that they will be paid in full in 30 days. We reserve the right to defer rendering further services until payment on past due services is received. Our Federal Tax Identification Number is 72-1284229. See W-9 attached.

The obligations for payment of the attorneys' fees and expenses of Frilot LLC are the direct responsibility of the St. Bernard Parish Government.

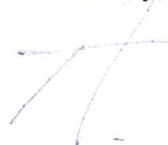
I also write to provide notice, as litigation has commenced, that you shall preserve all documents, including correspondence, account statements, emails, texts, images, ledgers, accounts, checks, deposits, agreements, contracts, photographs, videos and any electronically stored information, that has been stored in any paper or electronic format, related to this lawsuit.

By acknowledging acceptance of the terms of this engagement and retainer agreement, William McGoeey represents and warrants that he has the authority from the St. Bernard Parish Council to retain Frilot LLC on the terms and conditions set forth herein.

If this is in accordance with the understanding and meets with your approval, please sign and date this letter in the space provided. One copy should be retained for your files. Please scan and send a copy of the signed agreement to my attention at [akrousc@frilot.com](mailto:akrousc@frilot.com).

This letter shall serve to confirm also that Frilot LLC may provide professional legal services in the representation of the St. Bernard Parish Government in any lawsuit, trial, arbitration and/or mediation proceeding that may be in the future.

Sincerely,



Allen J. Krouse, III

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By: WILLIAM M. MCGOEY  
Assistant District Attorney  
2010 Packenham Drive  
Chalmette, Louisiana 70043  
Telephone: (504) 475-7070

July 13, 2018  
Date