

EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

January 12, 2015

1. Approval of minutes of meeting held December 22, 2014
2. Outside Counsel – Page
TAB # 1
3. Emergency Allocations – Page 1
4. Payment of Cost Items – Page 1

2. **Outside Counsel**

A. The Department of Justice, Attorney General’s office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in Annette Henning v. Department of Transportation, State of Iowa and Second Injury Fund of Iowa a workers’ compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.

Attorney: Ryan Clark

505 5th Avenue

Suite 729

Des Moines, Iowa 50309

Rate: \$120.00 per hour

TAB # 1

3. **Emergency Allocations**

A. Department of Natural Resources is requesting an emergency allocation in the amount of \$139,609.50. On June 3, 2014 a storm caused damage at Wilson Island State Recreation Area. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends allocation, subject to audit of actual invoices.

B. Department of Human Services is requesting an emergency allocation and payment in the amount of \$34,211.03. On November 27, 2013 the tunnel collapsed at the Glenwood Resource Center due to weight of dirt and sidewalk repair work in the vicinity. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends allocation and payment.

4. **Payment of Cost Items**

A. Simmons Perrine Moyer Bergman PLC.....\$20,474.54

115 Third Street SE, Suite 1200

Cedar Rapids, IA 52402

Tobacco Settlement Authority

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the Tobacco Settlement Authority.

B. Barnes & Thornburg LLP..... \$1,710.00

One North Wacker Drive, Suite 4400

Chicago, IL 60606

Peregrine Financial Group (PFG) Bankruptcy

Jeffrey S. Thompson, Solicitor General, has reviewed invoices and recommends payment. Payment will be made by UNI.

EXECUTIVE COUNCIL

THOMAS J. MILLER
ATTORNEY GENERAL

2015 JAN -7 PM 2:02



JEFFREY S. THOMPSON
SOLICITOR GENERAL

Iowa Department of Justice

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January 8, 2015

GeorgAnna Madsen
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Retention of Outside Counsel

Dear GeorgAnna:

Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Annette Henning v. Dep't of Transportation, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5th Avenue, Suite 729, Des Moines, Iowa 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$120.00 per hour. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey S. Thompson", written over a horizontal line.

JEFFREY S. THOMPSON
Solicitor General

cc: Julie Burger