

EXECUTIVE COUNCIL OF IOWA AGENDA

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

MAY 2, 2016

1. Approval of minutes of meeting held April 25, 2016
2. Outside Counsel – Page 1
TAB # 1
3. Emergency Allocations – Page 1
4. Payment of Cost Items – Pages 1 - 2

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 Diana Mindham v. Iowa Correctional Facility for Women, State of Iowa, and Second Injury Fund 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 Human Services is requesting an emergency allocation in the amount of \$7,544.38. On March 29, 2016 a pipe burst at the powerhouse at the Glenwood Resource Center caused damage. Request is to cover repair costs.

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

B. Information Technology Enterprise (ITE) OCIO is requesting a supplemental emergency allocation and payment in the amount of \$75,269.20. On February 18, 2014 a fire in the Hoover Bldg. caused damage. Request is to cover repair costs.

The State Auditor’s Office has reviewed this request and recommends allocation and payment, \$9,567.42 will be reverted and this allocation closed.

4. Payment of Cost Items

A. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$126.00
The Davis Brown Tower
215 10th Street, Suite 1300
Des Moines, IA 50309-3993
Represent Iowa in copyright, trademark, and patent legal advice for various agencies

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

- B. Simmons Perrine Moyer Bergman PLC.....\$74,527.49
115 Third Street SE, Suite 1200
Cedar Rapids, IA 52402
Tobacco Settlement Authority

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

- C. McDowell, Rice, Smith & Buchanan.....\$3,566.25
605 West 47th Street, Suite 350
Kansas City, MO 64112
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.

- D. Hall Render Killian Health & Lyman P.C.\$61,160.37
Suite 2000, Box 82064
One American Square
Indianapolis, IN 46282
University of Iowa Hospitals and Clinics (UIHC)

Jeffrey S. Thompson, Solicitor General, has reviewed these invoices and recommends payment. Payment will be made from the funds of the University of Iowa.

- E. Hall Render Killian Health & Lyman P.C.\$4,053.71
Suite 2000, Box 82064
One American Square
Indianapolis, IN 46282
University of Iowa Hospitals and Clinics (UIHC)

Jeffrey S. Thompson, Solicitor General, has reviewed the billing and the Services Agreement and ratifies the payments which came from the funds of the University of Iowa and not the General Fund.

- F. LaMarca & Landry, P.C.....\$34,931.51
1820 N.W. 118th Street, Suite 200
Des Moines, IA 50325
Godfrey v. State of Iowa et al, civil rights complaint

Jeffrey S. Thompson, Solicitor General, has reviewed these invoices and recommends payment.

EXECUTIVE COUNCIL

2016 APR 28 AM 8:53

THOMAS J. MILLER
ATTORNEY GENERAL



JEFFREY S. THOMPSON
SOLICITOR GENERAL

Iowa Department of Justice

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Jeffrey.Thompson@iowa.gov

April 25, 2016

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 *Diana Mindham v. Iowa Correctional Facility for Women, State of Iowa and Second Injury Fund*, 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