

# **EXECUTIVE COUNCIL OF IOWA AGENDA**

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

**JANUARY 21, 2014**

1. Introduction of Attendees
  
2. Approval of minutes of Executive Council and Board of Canvass meetings held  
January 13, 2014
  
3. Outside Counsel – Page 1  
TAB # 1
  
4. Payment of Cost Items – Pages 1 – 2

3. **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 Terry Goehring v. Woodward Resource Center, State of Iowa and the Second Injury Fund, a workers' compensation case filed by a state employee.

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

Attorney: Ryan Clark  
505 5<sup>th</sup> Avenue  
Suite 729  
Des Moines, Iowa 50309

Rate: \$120.00 per hour

**TAB # 1**

4. **Payment of Cost Items**

- A. Department of Public Safety .....\$3,600.50  
Vehicle #235 that was damaged as a result of hitting a deer on Hwy 37 in Monona County on September 20, 2013.

The State Auditor has reviewed this request and recommends payment. This represents full and final payment and this allocation will be closed.

- B. Department of Public Safety .....\$3,343.68  
Vehicle #443 was damaged as a result of hitting a deer on Hwy 2EB three miles west of Decatur/Wayne County line on September 27, 2013.

The State Auditor has reviewed this request and recommends payment. This represents full and final payment and this allocation will be closed.

- C. Department of Public Safety .....\$2,040.20  
Vehicle #235 that was damaged by hail on October 4, 2013.

The State Auditor has reviewed this request and recommends payment. This represents full and final payment and this allocation will be closed.

- D. Patterson Law Firm L.L.P. .... \$447.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Jaqueline Salazar v. Fifth Judicial District Department of Correctional Services, State of Iowa and the Second Injury Fund of Iowa

E. Patterson Law Firm L.L.P..... \$275.50  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Diane Tournier v. University of Northern Iowa and the Second Injury Fund

F. Patterson Law Firm L.L.P..... \$240.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
David Ozolins v. University of Iowa and Second Injury Fund of Iowa

G. Patterson Law Firm L.L.P..... \$56.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Margaret Sedlacek v. University of Iowa Hospitals & Clinics, State of Iowa

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

H. Nyemaster, Goode, West, Hansell & O'Brien, P.C.....\$1,368.59  
700 Walnut Street  
Suite 1600  
Des Moines, IA 50309  
Collections of Accounts in Court

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



Iowa Department of Justice

THOMAS J. MILLER  
ATTORNEY GENERAL

2014 JAN 15 11:10:20

JEFFREY S. THOMPSON  
SOLICITOR GENERAL

ADDRESS REPLY TO:  
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Des Moines, IA 50319  
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Jeffrey.Thompson@iowa.gov

January 13, 2014

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 *Terry Goehring v. Woodward Resource Center, 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 5<sup>th</sup> 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,

JEFFREY S. THOMPSON  
Solicitor General

cc: Julie Burger