

# **EXECUTIVE COUNCIL OF IOWA AGENDA**

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

**JULY 29, 2013**

1. Introduction of Attendees
2. Approval of minutes of meeting held July 22, 2013
3. Outside Counsel – Page 1  
TAB # 1
4. Emergency Allocations – Page 1
5. Payment of Cost Items – Pages 1 - 3

3. **Outside Counsel**

- A. The Department of Justice, Attorney General's office requests retention of special counsel pursuant to Iowa Code section 13.7 in Wong v. Neutraltus Pharmaceuticals, Inc., University of Iowa Pharmaceuticals, et. al., No. 00C-13-528962 a case filed in state court in California alleging personal injury.

Firm: Frandzel Robins Bloom & Csato, L. C.  
Attorney: Mr. Thomas Robins  
6500 Wilshire Boulevard, 17th Floor  
Los Angeles, CA 90048-4920  
Rate: \$500.00 per hour

**TAB # 1**

4. **Emergency Allocations**

- A. Department of Cultural Affairs is requesting an emergency allocation in the amount of \$3,017.46. On May 12, 2013 an attempted theft resulted in damage to a John Deer Gator at the Western Historic Trail Center in Council Bluffs.

The State Auditor's Office has reviewed this request and recommends allocation in the amount of **\$2,517.46**, subject to audit of actual invoices disallowing \$500.00 that was to cover a contingency amount.

5. **Payment of Cost Items**

- A. Huber, Book, Cortese & Lanz, P.L.L.C. ....\$60.65  
2700 Westown Parkway, Suite 170  
West Des Moines, IA 50266-1411  
Pam O'Brien v. Iowa Attorney General, State of Iowa and the Second Injury Fund

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment.

- B. Patterson Law Firm L.L.P..... \$311.50  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
K.C. Feldbauer v. Fort Dodge Correctional Facility and the Second Injury Fund of Iowa

- C. Patterson Law Firm L.L.P..... \$291.60  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Donald D. Bordwell, Jr. v. Fort Dodge Correctional Facility and the Second Injury
  
- D. Patterson Law Firm L.L.P..... \$168.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
David Boal v. University of Iowa, State of Iowa and the Second Injury Fund
  
- E. Patterson Law Firm L.L.P..... \$101.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
William Gehle v. Iowa State Penitentiary, State of Iowa and the Second Injury Fund
  
- F. Patterson Law Firm L.L.P..... \$48.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Nola Hampton v. Iowa State University, State of Iowa and the Second Injury Fund
  
- G. Patterson Law Firm L.L.P..... \$40.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Debbie Miller v. State of Iowa and Second Injury Fund
  
- H. Patterson Law Firm L.L.P..... \$401.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Sandra Anderson v. Iowa Department of Corrections, State of Iowa and the Second Injury Fund of Iowa

Julie Pottorff, Deputy Attorney General, has reviewed these invoices and recommends payment.

- I. Dow Lohnes PLLC.....\$742.03  
1200 New Hampshire Ave NW Suite 800  
Washington, DC 20036  
Iowa Public Television

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Iowa Public Television.

- J. Davis Brown Law Firm.....\$1,237.50  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Unclaimed Property Probate Matters & Employee Retirement Income Security Act (ERISA)

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.

- K. Finley Alt Smith Scharnberg Craig Hilmes & Gafney, P.C.....\$12,116.00  
699 Walnut Street  
1900 Hub Tower  
Des Moines, IA 50309  
Legal Advice to the Treasurer's Office on an Unclaimed Property Issue that involves the ERISA

Julie Pottorff, Deputy Attorney General, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.

- L. Nyemaster, Goode, West, Hansell & O'Brien, P.C.....\$2,290.50  
700 Walnut Street  
Suite 1600  
Des Moines, IA 50309  
Collections of Accounts in Court

Julie Pottorff, Deputy Attorney General, has reviewed these invoices and recommends payment. Payment will be made from the funds of the Department of Economic Development.



TAB # 1

EXECUTIVE COUNCIL

2013 JUL 24 PM 1:16  
Address Reply To:  
1305 E. Walnut Street  
Des Moines, Iowa 50319  
Telephone: 515/281-3349  
Fax: 515/281-4209  
Julie.Pottorff@iowa.gov

THOMAS J. MILLER  
ATTORNEY GENERAL

JULIE F. POTTORFF  
DEPUTY ATTORNEY GENERAL

## Iowa Department of Justice

July 24, 2013

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

Re: Retention of Special Counsel

Dear GeorgAnna:

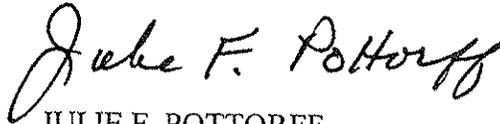
Our office requests appointment of special counsel pursuant to Iowa Code section 13.7 in *Wong v. Neuraltus Pharmaceuticals, Inc., University of Iowa Pharmaceuticals, et al.*, No. 00C-13-528962, a case filed in state court in California that alleges personal injury from opening a package containing vials of sodium chlorite, a clear solution similar to bleach. The sodium chlorite was manufactured by University of Iowa Pharmaceuticals for Neuraltus Pharmaceuticals, a California company, which is investigating the use of sodium chlorite for treatment of amyotrophic lateral sclerosis more commonly known as Lou Gehrig's Disease. According to the plaintiff, when she opened the package a mist or vapor came in contact with her eyes causing corneal abrasions. Because our office cannot represent the University of Iowa in litigation filed in California, we are requesting Executive Council approval to retain special counsel for this case.

Our office has contacted Mr. Thomas Robins, of Frandzel Robins Bloom & Csato, L.C., 6500 Wilshire Boulevard, 17th Floor, Los Angeles, California, 90048-4920, to represent the University of Iowa in this litigation. Mr. Robins is experienced in products liability litigation and is qualified to handle this matter. Mr. Robins has agreed to undertake the work at a rate of \$500 per hour. In order to keep attorney fees down Mr. Robbins will supervise this case, but will utilize associates with appropriate skills to the extent possible. The University of Iowa concurs in the selection of special counsel. All attorneys fees and costs will be paid from the funds of the University of Iowa and not from the General Fund.

GeorgAnna Madsen  
Executive Secretary  
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Accordingly, our office requests Executive Council approval to retain Frandzel Robins Bloom & Csato, L.C., as special counsel at the rate of \$500 per hour to represent the University of Iowa in the California court.

Sincerely,

A handwritten signature in black ink, reading "Julie F. Pottorff". The signature is written in a cursive style with a large initial "J".

JULIE F. POTTORFF  
Deputy Attorney General

cc: Jordan Esbrook, Assistant Attorney General