

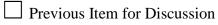
**Board of Public Works and Safety** 

Agenda Item

**Cover Sheet** 

## MEETING DATE: May 29, 2018

 $\boxtimes$  New Item for Discussion



] Miscellaneous

ITEM #: <u>4</u>

**INITIATED BY:** Steve Cooke

 $\square$  Information Attached

Bring Paperwork from Previous Meeting

U Verbal



□ No Paperwork at Time of Packets

# PLEWS SHADLEY RACHER & BRAUN LLP

GEORGE M. PLEWS<sup>1</sup> SUE A. SHADLEY (1951-2015) PETER M. RACHER CHRISTOPHER J. BRAUN 1,2 JEFFREY D. CLAFLIN FREDERICK D. EMHARDT<sup>1</sup> S. CURTIS DEVOE JEFFREY D. FEATHERSTUN JOHN M. KETCHAM 1,3 ALEXANDRA S. SYLVIA 4 BRETT E. NELSON 5 JOHN D. MORIARTY AMY E. ROMIG<sup>4</sup> GREGORY M. GOTWALD JONATHAN P. EMENHISER THAO T. NGUYEN TONYA J. BOND<sup>1</sup> TODD G. RELUE 8 THERESA M. WILLARD 1 SHELLEY M. JACKSON DANIEL P. CORY COLIN E. CONNOR SEAN M. HIRSCHTEN

Senior Counsel: John B. Bridge Jeffrey A. Townsend **ATTORNEYS AT LAW** 

1346 North Delaware Street Indianapolis, Indiana 46202-2415 Telephone (317) 637-0700 Facsimile (317) 637-0710

53732 GENERATIONS DRIVE SOUTH BEND, INDIANA 46635-1539 TELEPHONE (574) 273-1010 FACSIMILE (574) 271-2050

#### www.psrb.com

SENDER'S E-MAIL: asylvia@psrb.com

May 24, 2018

### **Confidential**

Via Email (scooke@noblesville.in.us)

The Honorable Steve Cooke Deputy Mayor of Noblesville 16 South 10<sup>th</sup> Street, Suite 275 Noblesville, Indiana 46060

Re: City of Noblesville – Environmental

Dear Deputy Mayor Cooke:

To follow-up our recent conversation, we are pleased to expand our current real estate representation of the City of Noblesville ("City") to include negotiations and discussions with the Indiana Department of Environmental Management ("IDEM"), the U.S. Environmental Protection Agency ("EPA") and the City's environmental consultant to help secure certain environmental protections arising from the environmental issues associated with Bridgestone America Tire Operations, LLC's ("Bridgestone") former manufacturing and industrial facilities located at 1700 Firestone Boulevard in Noblesville, Indiana ("Bridgestone Site").

In furtherance of this representation, the same team of lawyers at Plews Shadley Racher & Braun ("Firm") will be involved. I will be the lead lawyer in this matter and will be assisted by Chris Braun and Curt DeVoe. When applicable, we will use junior lawyers and paralegals in our office in order to reduce costs.

JOSH S. TATUM JUSTIN A. ALLEN ANDREA K. TOWNSEND JENNA M. SHIVES RYAN T. LEAGRE JOANNE R. SOMMERS STEVEN A. BALDWIN

OF COUNSEL: CHRISTINE C.H. PLEWS MARY ANN F. SAGGESE <sup>6</sup> F. RONALDS WALKER <sup>1,7</sup> ANGELA M. GREEN <sup>2</sup> JENNIFER A. GIROD

<sup>1</sup> REGISTERED MEDIATOR
<sup>2</sup> ALSO ADMITTED IN THE DISTRICT OF COLUMBIA
<sup>3</sup> ALSO ADMITTED IN MICHIGAN
<sup>4</sup> ALSO ADMITTED IN KENTUCKY
<sup>5</sup> REGISTERED TO PRACTICE BEFORE THE U.S. PATENT AND TRADEMARK OFFICE
<sup>6</sup> ALSO ADMITTED IN VIRGINIA
<sup>7</sup> ALSO ADMITTED IN NORTH CAROLINA
<sup>8</sup> ALSO ADMITTED IN CALIFORNIA May 24, 2018 Page 2 of 3

Due to our ongoing work with the City, we will once again agree to forego our customary hourly rates and instead agree to be compensated using flat rates of \$350 per hour for all partners and \$225 for all associates and \$125 for the paralegals who work on this matter. The City will be responsible for reasonable and necessary expenses incurred in the representation, including but not limited to travel expenses, copying expenses, and any other incidental expenses which the Firm may incur. Professional fees and expenses will be billed to you on a monthly basis.

The City may terminate our representation in this matter at any time. Termination by the City will not, however, relieve it of its responsibility for payment of professional fees and expenses incurred before notice is given to the Firm, or for those incurred in connection with the orderly transition of this matter to successor counsel or to the City.

If this fee agreement meets with your approval, we would appreciate your signing the letter and returning a copy to me at your earliest convenience. In the meantime, if you have any questions regarding this matter, do not hesitate to contact me. Otherwise, we greatly appreciate the opportunity to continue to represent the City of Noblesville with respect to the environmental issues associated with this exciting redevelopment opportunity.

Very truly yours,

Alufudus

Alexandra S. Sylvia

Enclosure cc: Mayor John Ditslear Mr. Christopher Braun May 24, 2018 Page 3 of 3

## ACKNOWLEDGED AND AGREED TO BY THE CITY OF NOBLESVILLE:

By: \_\_\_\_\_

Date:

All of which is approved by the Board of Public Works and Safety of the City of Noblesville this \_\_\_\_\_\_ day of \_\_\_\_\_\_ 2018.

JOHN DITSLEAR, MAYOR

LAWRENCE STORK, MEMBER

JACK MARTIN, MEMBER

ATTEST:

EVELYN L. LEES, CLERK CITY OF NOBLESVILLE, INDIANA