



CENTRALBIDDING
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**SOQ 24-16-Provide Various Professional Legal Services for Jefferson
Parish**
Jefferson Parish Government

Project documents obtained from www.CentralBidding.com

05-Jun-2024 11:49:51 AM

Professional Legal Services Questionnaire Instructions

- The Professional Legal Services Questionnaire shall be used for outside legal services.
- **The Professional Legal Services Questionnaire should be completely filled out. Complete and attach ALL sections. Insert “N/A” or “None” if a section does not apply or if there is no information to provide.**
- Questionnaire must be signed by an authorized representative of the Firm. Failure to sign the questionnaire shall result in disqualification of proposer pursuant to J.P. Code of Ordinances Sec. 2-928.
- All subcontractors must be listed in the appropriate section of the Questionnaire. Each subcontractor must provide a complete copy of the Professional Legal Services Questionnaire, applicable licenses, and any other information required by the advertisement. Failure to provide the subcontractors' complete questionnaire(s), applicable licenses, and any other information required by the advertisement shall result in disqualification of proposer pursuant to J.P. Code of Ordinances Sec. 2-928.
- If additional pages are needed, attach them to the questionnaire and include all applicable information that is required by the questionnaire.

Professional Legal Services Questionnaire

A. Person or Firm Name & Principal Address:

Aaron & Gianna, PLC
 201 St. Charles Avenue - Suite 3800
 New Orleans, Louisiana 70170
 (504) 569-1800
 www.aarongianna.com

B. Name, Title, & contact information of Firm Representative, as defined in Section 2-926 of the Jefferson Parish Code of Ordinances, who is licensed to practice law in the State of Louisiana with a minimum of five (5) years' experience:

William D. Aaron, Jr., Esq.
 Managing Shareholder (Chairman, President, CEO)
 (504) 569-1807
 waaron@aarongianna.com

C. Location of the principal:

Aaron & Gianna, PLC
 201 St. Charles Avenue - Suite 3800
 New Orleans, Louisiana 70170

D. Please check the legal field or fields in which Firm is qualified to perform services for Jefferson Parish and include the number of years of experience in that particular field.

- | | |
|---|---|
| <p><input type="checkbox"/> Bond Services (Years: _____)</p> <p><input type="checkbox"/> Elections (Years: _____)</p> <p><input checked="" type="checkbox"/> Administrative & Regulatory (Years: <u>26</u>)</p> <p><input type="checkbox"/> Antitrust Law (Years: _____)</p> <p><input checked="" type="checkbox"/> Business Law (Years: <u>26</u>)</p> <p><input type="checkbox"/> Criminal Justice (Years: _____)</p> <p><input checked="" type="checkbox"/> Dispute Resolution (Years: <u>26</u>)</p> <p><input type="checkbox"/> Environmental, Energy & Resources (Years: _____)</p> <p><input checked="" type="checkbox"/> Health Law (Years: <u>26</u>)</p> <p><input type="checkbox"/> Intellectual Property (Years: _____)</p> <p><input type="checkbox"/> International Law (Years: _____)</p> <p><input checked="" type="checkbox"/> Labor & Employment Law (Years: <u>26</u>)</p> <p><input checked="" type="checkbox"/> Public Contract Law (Years: <u>26</u>)</p> | <p><input type="checkbox"/> Science & Technology Law (Years: _____)</p> <p><input checked="" type="checkbox"/> State & Local Government Law (Years: <u>26</u>)</p> <p><input type="checkbox"/> Taxation (Years: _____)</p> <p><input checked="" type="checkbox"/> Tort Trial & Insurance Practices (Years: <u>26</u>)</p> <p><input checked="" type="checkbox"/> Complex Litigation (including asbestos litigation) (Years: <u>26</u>)</p> <p><input type="checkbox"/> Securities (Years: _____)</p> <p><input checked="" type="checkbox"/> Ethics Law (Years: <u>26</u>)</p> <p><input checked="" type="checkbox"/> Civil Service Matters (Years: <u>26</u>)</p> <p><input checked="" type="checkbox"/> Civil Rights & the Constitution (Years: <u>26</u>)</p> <p><input checked="" type="checkbox"/> Municipal Representation (including liability & intergovernmental conflicts) (Years: <u>26</u>)</p> <p><input type="checkbox"/> Code Enforcement Matters (Years: _____)</p> |
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Professional Legal Services Questionnaire

<input checked="" type="checkbox"/> Public Utilities Law (Years: <u>26</u>) <input checked="" type="checkbox"/> Communications Law (Years: <u>26</u>) <input type="checkbox"/> Transportation Law (Years: _____) <input checked="" type="checkbox"/> Property (Years: <u>26</u>) <input checked="" type="checkbox"/> Trust & Estate Law (Years: <u>26</u>) <input type="checkbox"/> Other/specific project as required by the advertisement (Years: _____)	<input type="checkbox"/> Oil Spill Litigation (Years: _____) <input type="checkbox"/> Public Finance (Years: _____) <input checked="" type="checkbox"/> Land Use, Planning & Zoning Law (Years: <u>26</u>) <input checked="" type="checkbox"/> Economic Development (Years: <u>26</u>) <input checked="" type="checkbox"/> Construction Law (Years: <u>26</u>)
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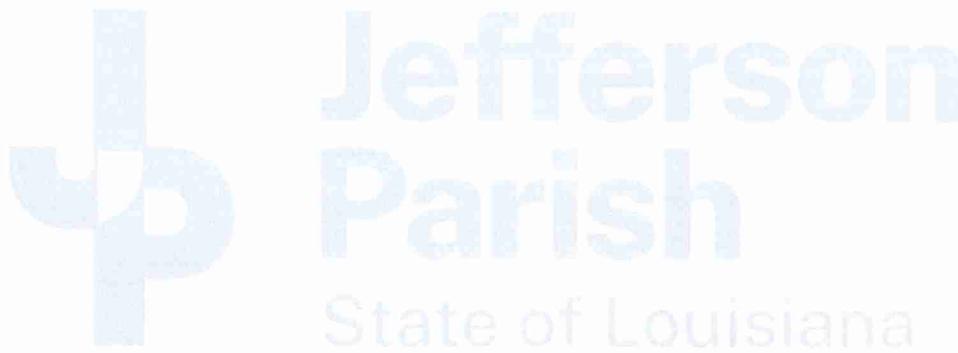
E. List all subcontractors anticipated for this Project. Please note that all subcontractors must submit a fully completed copy of this questionnaire, applicable licenses, and any other information required by the advertisement. See Jefferson Parish Code of Ordinances, Sec. 2-928(a)(3). Please attach additional pages if necessary.

Name & Address:	Specialty:	Worked with Firm Before (Yes or No):
1. N/A		
2.		
3.		
4.		

Professional Legal Services Questionnaire

F. Professional Training and experience in relation to the type of work required for the outside legal services.

Please see Attachment "A"



G. Size of Firm and capacity for timely completion of newly assigned work considering the number of professional and support personnel required to perform the type of outside legal services tasks and the Firm's current unfinished workload.

Aaron & Gianna, PLC's professional team consists of six (6) attorneys, all of whom are licensed in the State of Louisiana. Our support staff consists of experienced paralegals, legal assistants, and clerical support. All attorneys and three (3) support staff (one paralegal and two legal assistants) will be made available to provide services to the Parish. Our firm has a demonstrated track record of timely performance. We have the capacity for expeditious and efficient completion of newly assigned work considering the factors of: type of legal services; current unfinished workload; and available professional and support personnel. We have attached a copy of the bios of the attorneys who may be assigned to provide legal services to the Parish as Attachment "B."

Professional Legal Services Questionnaire

<p>i. Please specify the total number of support staff that may assist in the completion of a matter for each area of the law selected above: <u> 3 </u></p>		
<p>ii. List any attorneys that may assist in the completion of a matter for each area of the law selected above. If necessary, please attach additional documentation that demonstrates the employment history and experience of the Firm's attorneys that may assist in the completion of this Project (i.e. resume). Please attach additional pages if necessary.</p>		
Name:	Legal Field:	Years of Experience in Legal Field:
1. William D. Aaron, Jr., Esq.	Please see Attachment "C"	45 See Attachment "B"
2. Dominic Gianna, Esq.	Please see Attachment "C"	45 See Attachment "B"
3. John Person, Esq.	Please see Attachment "C"	38 See Attachment "B"
4. DeWayne L. Williams, Esq.	Please see Attachment "C"	21 See Attachment "B"
5. Alan Weinberger, Esq.	Please see Attachment "C"	21 See Attachment "B"

See Attachment "C" for additional attorneys

Professional Legal Services Questionnaire

H. Past performance by person or Firm on Parish contracts. Please attach additional pages if necessary.

Previous work performed by Aaron & Gianna, PLC on Parish contracts include the following:

- (1) Service as a consultant to the Jefferson Parish Charter Advisory Board (2012-2013; 2021-2022);
- (2) Service as legal counsel to JEDCO on public records matters, including litigation (2012-2014); and
- (3) Service as trial counsel to Councilman Christopher Roberts in the matter entitled "Buisson Creative Strategies, LLC, et al. v. Christopher L. Roberts, et al." - USDC EDLA No. 2:15-cv-0672.

- I. Adversarial legal proceedings between the Parish and the person or Firm performing professional services, in which the Parish prevailed, and excluding those instances or cases where the person or Firm was added as an indispensable party, or where the person or Firm participated in or assisted the public entity in prosecution of its claim. In the event that the person or Firm fails to provide accurate and detailed information regarding legal proceedings with the Parish, including the absence of legal proceedings, the person or firm shall be deemed unresponsive with regard to this category, and zero (0) points shall be awarded. Please attach additional pages if necessary.**

N/A

Professional Legal Services Questionnaire

<p>J. Prior successful completion of projects of the type and nature of legal services, as defined, for which Firm has provided verifiable references. (List no more than 10 projects.)</p>
<p>1.</p> <p>"Buisson Creative Strategies, LLC, et al. v. Christopher L. Roberts, et al." - USDC EDLA No. 2:15-cv-0672 -- all claims against Councilman Roberts, including 1983 complaint, were dismissed.</p>
<p>2.</p> <p>"EEOC v. E.I. DuPont de Nemours & Co.", 480 F.3d 724 (5th Cir. 2007) -- Obtained reversal by U.S. 5th Circuit Court of Appeals of six figure front pay judgment in favor of former employee of Fortune 100 chemical company in employment action brought pursuant to the Americans With Disabilities Act.</p>
<p>3.</p> <p>See "Brand X Internet Services v. FCC", 345 F.3d 120 (9th Cir. 2003), reversed, 125 S. Ct. 2688 (2005); see also "City of Arlington v. FCC", 668 F.3d 229 (5th Cir. 2012); (certiorari granted "Cable, Telecomms. & Tech. Comm. v. FCC", 2012 U.S. Lexis 7805); (affirmed "City of Arlington v. FCC", 133 S. Ct. 1863 (2013) -- Aaron & Gianna, PLC has represented the New Orleans City Council in appeals of decisions of the Federal Communications Commission to the United States Courts of Appeal for the 5th and 9th Circuits, as well as Petitions for Certiorari to the United States Supreme Court.</p>
<p>4.</p> <p>"U.S. ex rel Garibaldi, et al. v. Orleans Parish School Board", 387 F.3d 334 (5th Cir. 2005) -- Aaron & Gianna, PLC has obtained a reversal by the United States Fifth Circuit Court of Appeals of a \$22.8 Million federal judgment obtained by whistle-blowers in a False Claims Act suit brought against the Orleans Parish School Board.</p>
<p>5.</p> <p>"Whitney National Bank v. Goldsmith", 2004-0707 (La.App. 4th Cir. 06/22/05) 913 So.2d 124, writ denied, 2006 WL 1128742 (La) -- Aaron & Gianna, PLC obtained a reversal of a state court judge's dismissal of a local bank's multi-million dollar collection suit.</p>

Professional Legal Services Questionnaire

6.

"Sherry Waters, et al. v. Department of Social Services, et al.", CDC No. 01-17775, Div. 'J', consolidated with "Mary Johnson, et al. v. Department of Social Services, et al.", CDC No. 02-14043, Div. 'N', consolidated with "Kristen M. Rhodes, et al. v. BG Real Estate Services, Inc., et al.", CDC No. 01-18355, Div. 'C' -- Aaron & Gianna, PLC obtained a favorable settlement for the Orleans Parish District Attorney's Office in a toxic tort class action filed against the Office by its employees. The settlement included the reimbursement of attorney fees by an insurer that had initially denied coverage.

7.

"Thompson v. Connick, et al.", 553 F.3d 836 (5th Cir. 2008), vacated by grant of rehearing en banc, 562 F.3d 711 (5th Cir. 2009), en banc decision (8 to 8 tie), 578 F.3d 293 (5th Cir. 2009), cert granted, "Connick v. Thompson", 09-571, reversed by U.S. Supreme Court in 5-4 decision, 563 U.S., 131 S.Ct. 1350, 179 L.Ed. 2d 417 (2011) -- Aaron & Gianna, PLC assisted the Orleans Parish District Attorney's Office in obtaining U.S. Supreme Court review and reversal of a \$14 Million jury verdict against the Office based on alleged prosecutorial misconduct in violation of 42 USC Section 1983.

8.

"Downtown Development District of the City of New Orleans v. Louisiana Department of Treasury and Louisiana State Bond Commission", 19th JDC No. 540,183, Louisiana First Circuit Court of Appeal No. 2006-CA-1088 -- Aaron & Gianna, PLC has successfully represented the Downtown Development District of the City of New Orleans adverse to the State Treasurer and Bond Commission relative to the authority of the DDD to make a disaster loan from the federal government.

9.

"French Quarter Citizens for the Preservation of Residential Quality v. New Orleans City Planning Commission, et al.", 763 So.2d 17 (La.App. 4th Cir. 2000) -- Aaron & Gianna, PLC has successfully defended local and national developers in high stakes zoning and land use litigation.

10.

"Advocates for Arts-Based Educ. Corp. v. Orleans Parish School Board", 2010 U.S. Dist. LEXIS 6019 -- Aaron & Gianna, PLC has obtained a favorable settlement on behalf of the Orleans Parish School Board (after adverse judgment) in federal suit by a local charter school alleging violations of the Contracts Clause of the United States Constitution.

Professional Legal Services Questionnaire

K. Use this space to provide any additional information or description of resources supporting Firm's qualifications for the proposed project.

The attorneys of Aaron & Gianna, PLC are distinguished, competent and highly respected, resulted in A&G having an AV Martindale-Hubbell peer review rating reflecting preeminent legal ability and the highest ethical standards. Our attorneys have received a number of honors and distinctions including listings in publications such as the Best Lawyers in America, Louisiana Super Lawyers and Super Lawyers Corporate Counsel Edition, and the receipt of prestigious awards such as the New Orleans City Business Newspaper's Leadership in Law Award. Our attorneys are licensed in a number of jurisdictions including Louisiana, Texas, and the District of Columbia.

Trade associations in which we, or our attorneys, hold memberships include: The American Board of Trial Advocates (ABOTA), the Louisiana Association of Defense Counsel (LADC), the New Orleans Association of Defense Counsel (NOADC), the Defense Research Institute (ORI), the Louisiana Bankers Association -- Bank Counsel Section (LBA), the Louisiana Land Title Association (LLTA), the New Orleans Metropolitan Association of Title Attorneys (NOMATA), the International Society of Barristers, and the American Health Lawyers Association.

L. To the best of my knowledge, the foregoing is an accurate statement of facts.

Signature:  **Print Name:** William D. Aaron, Jr.

Title: Managing Shareholder/President/CEO **Date:** June 5, 2024

ATTACHMENT "A"

Professional Training and experience in relation to the type of work required for outside legal services.

Aaron & Gianna, PLC, ("A&G"), has provided legal counsel to clients in a large number of diverse practice areas. Collaboration amongst our attorneys in these various disciplines has spawned innovative solutions to the challenges our clients have faced. At A&G, we pride ourselves on having our attorneys work together as integrated, multidisciplinary teams to provide the services needed by our clients. Our firm is divided into three practice groups: Litigation, Business and Transactions and Training and Dispute Resolution.

Public Sector Clients of the firm have included: the City of New Orleans, the New Orleans City Council, the Sewerage and Water Board of New Orleans, the Jefferson Parish Economic Development Commission, the Orleans Parish District Attorney's Office, the Downtown Development District for the City of New Orleans, the Regional Transit Authority, the Jefferson Parish Charter Advisory Board, the Orleans Parish School Board, the City of Baytown (Texas), the Baytown Housing Authority, the Housing Authority of New Orleans, Councilman Christopher Roberts, the Federal Reserve Bank of Atlanta, the Federal Deposit Insurance Corporation (FDIC), and the U.S. Probation Services, EDLA.

Our highly acclaimed services in the areas of Municipal Law and Municipal Litigation have gained us a Tier 1 Best Law Firm Ranking from U. S. News and World Report and Best Lawyers. Our firm has served as an approved outside counsel for a number of financial institutions as well as the FDIC.

Our litigation group represents public and private sector clients before state and federal trial and appellate courts as well as before local, state and federal administrative agencies. Our attorneys have extensive experience handling complex and high profile civil, commercial and municipal litigation including matters which have gone to the U. S. Supreme Court. Our attorneys regularly appear before a number of federal administrative agencies including the Federal Communications Commission, the Equal Employment Opportunity Commission, the U. S. Department of Labor, and the U.S. Department of Housing and Urban Development.

Our business and transactions group represents business, banking, governmental and non-profit clients on matters of governance and day to day operations as well as in a wide range of transactions involving public/private partnerships, individual and corporate trusts, tax exempt status, intellectual property, cooperative endeavor agreements, economic development, community development, real estate transactions, real estate development, affordable housing and complex financial transactions including transactions involving traditional bank financing, SBA financing, tax exempt bonds, tax increment financing, CDBG funding, NSP2 funding, HOPE VI

funding, CNI funding, state and federal new market tax credits, state and federal historic tax credits, and low-income housing tax credits.

A&G has performed the following services in connection with the legal fields identified in the Professional Legal Services Questionnaire:

Administrative Law and Regulatory Practice

- (1) Represented the Orleans Parish District Attorney's Office in connection with over 60 charges filed with the EEOC alleging violations of various federal laws prohibiting discrimination in employment.
- (2) Represented the New Orleans City Council in several regulatory and other administrative proceeding before the FCC in Washington, D.C.
- (3) Represented numerous private sector clients in administrative proceedings before the U. S. Department of Labor alleging violations of the Fair Labor Standards Act.
- (4) Represented a variety of private sector clients in administrative and regulatory proceedings before the Louisiana Public Service Commission.
- (5) Represented a variety of private sector clients in administrative proceedings before local planning commissions, boards of zoning adjustment and historic landmark commissions.

Business Law

- (1) Represented a variety of for profit as well as not for profit entities in connection with their formation and operations.
- (2) Served as legal counsel to several for profit entities in connection with their merger with, or acquisition of, other for profit entities.
- (3) Served as general counsel to tens of small and large for profit entities.
- (4) Assisted tens of small and large businesses with permitting and licensing matters.
- (5) Assisted tens of small and large businesses with respect to the drafting and/or negotiation of various types of contracts.

Dispute Resolution

- (1) Represented national health care company in successful mediation which resulted in the settlement of a multi-million dollar federal suit involving over 5,000 disputed claims by health care providers.
- (2) Represented local school board in successful mediation which resulted in the settlement of wrongful death of high school student.
- (3) Represented local small business owner in successful arbitration of dispute he had with local architectural firm.
- (4) Our attorneys have served as mediators in a variety of civil disputes pending in state and federal courts.

Health Law

- (1) Have counseled health care professionals on complex laws and regulations governing health care business entities and health care related transactions.
- (2) Have prosecuted and defended medical malpractice suits.
- (3) Have represented health care organizations in Fraud and False Claims Act investigations and litigation.
- (4) Have assisted health care professionals seeking licensing, undergoing peer review actions or in actions before administrative agencies.
- (5) Have represented Health Care Insurers/Third Part Administrators in litigation brought by health care providers in connection with unpaid claims.

Labor and Employment Law

- (1) Represented large local school district in class action involving layoff of over 7,000 teachers and other school personnel.
- (2) Represented a variety of public and private sector clients in federal lawsuits alleging violations of federal employment and civil rights laws including Title VII, the Americans With Disabilities Act, the Equal Pay Act, the Age Discrimination in Employment Act and 42 USC Section 1983.
- (3) Represented a variety of public and private sector clients in federal collective actions alleging overtime and other violations of the Fair Labor Standards Act.

- (4) Obtained reversal by U. S. 5th Circuit Court of Appeals of six figure front pay judgment in favor of former employee of Fortune 100 chemical company in employment action brought pursuant to the Americans With Disabilities Act. See: *EEOC v. E.I. DuPont de Nemours & Co.*, 480 F.3d 724 (5th Cir 2007)

Public Contract Law

- (1) Represented numerous federal contractors in matters involving Federal Contract Law.
- (2) Have assisted a variety of local governmental entities in the drafting, negotiation and litigation of public contracts. Such contracts have included procurement contracts, leases, servitudes, purchase agreements, construction contracts, professional service agreements, franchises and cooperative endeavor agreements.
- (3) Have successfully represented a number of local government agencies in connection with public bid disputes.

Public Utilities Law

- (1) Have advised private sector clients in connection with utility regulatory matters pending before the Louisiana Public Service Commission.
- (2) Have represented private sector clients in connection with utility regulatory matters pending before the New Orleans City Council.
- (3) Have advised the New Orleans City Council on matters pending before the Louisiana Public Service Commission of interest to Orleans Parish rate payers.
- (4) Served as an advisor to the New Orleans City Council's former Utility, Cable and Telecommunications Committee.

Communications Law

- (1) Served as principal legal advisor to the New Orleans City Council on Communications Law for over a decade. Services included the draft of Telecommunications Franchises as well as the draft of sections of the City Code governing the grant of wireline and wireless franchises.

- (2) Represented the New Orleans City Council in numerous proceedings before the Federal Communications Commission.
- (3) Represented the New Orleans City Council in appeals of decisions of the Federal Communications Commission to the U. S. Courts of Appeal for the 5th and 9th Circuits as well as Petitions for Certiorari to the U. S. Supreme Court. See: *Brand X Internet Services v. FCC*, 345 F. 3d 1120 (9th Cir.2003), *reversed*, 125 S. Ct. 2688 (2005); See also: *City of Arlington v. FCC*, 668 F.3d 229 (5th Cir. 2012); (*certiorari granted Cable, Telecomms., & Tech. Comm. v. FCC*, 2012 U.S. LEXIS 7805); (*affirmed City of Arlington v. FCC*, 133 S. Ct. 1863 (2013)).
- (4) Served as lead negotiator for the New Orleans City Council in connection with its renewal of the cable franchise held by Cox Communications.
- (5) Served as lead counsel for the City of New Orleans in various lawsuits involving AT&T/BellSouth.
- (6) Provided legal support to New Orleans Access Television, the New Orleans City Council's designated community access group with oversight over Public, Educational and Governmental Access Television.

Property

- (1) Served as outside real estate counsel for the Orleans Parish School Board. Responsible for overseeing all legal matters involving the Board's sale or purchase of real estate.
- (2) Serve as a closing attorney for First NBC Bank in connection with loans secured by real estate and/or other collateral.
- (3) Serve as general counsel for a non-profit community development corporation whose mission is to redevelop the historic Pontchartrain Park Community in Eastern New Orleans.
- (4) Obtained highly favorable settlement for land lord sued in federal court for alleged violations of the Fair Housing Act.

Trust and Estate Law

- (1) Served as Trust Counsel for First Bank & Trust and First NBC Bank.

- (2) Served as Trust Counsel for Argent Financial Group in connection with the multi-million dollar Gonsoulin Trust.
- (3) Serve as legal counsel for heirs and others having interest in open successions.
- (4) Serve as legal counsel for the multi-million dollar court supervised Scott Smoking Cessation Trust.
- (5) Served as Trustee's Counsel in connection with a number of tax exempt public finance transactions.

State and Local Government Law

- (1) Since 2002 we have served as General Counsel for the Downtown Development District of New Orleans with ongoing responsibility for advising and assisting the agency on matters of state and local government law.
- (2) Since 2000 we have served as an outside counsel for the Orleans Parish School Board. Frequently provide guidance to the Board and its General Counsel on matters involving state and local government law.
- (3) Since 2000 we have provided guidance on matters of state and local government law to a number of other local government entities. Such entities have included: the New Orleans City Council, the Orleans Parish District Attorney's Office, the Sewerage and Water Board of New Orleans, the Regional Transit Authority, JEDCO, the Jefferson Parish Charter Advisory Board and the Housing Authority of New Orleans.

Tort Trial and Insurance Practice

- (1) Our attorneys have served as trial counsel for defendant insurers and insureds in connection with automobile accidents, premises liability and toxic tort claims.
- (2) Our attorneys have served as trial counsel for defendant insurers and insureds in connection with malpractice claims involving legal, medical and accounting malpractice.
- (3) Our attorneys have served as trial counsel for numerous plaintiffs in connection with a wide variety of personal and business torts as well as in malpractice actions.
- (4) Our attorneys have served as trial counsel for the Orleans Parish District Attorney's Office in a variety of self-insured matters alleging personal

injury or wrongful death arising out of alleged acts or omissions by employees of the Office.

- (5) Served as lead counsel or co-counsel for insurance companies and insurance syndicates in the defense of first party insurance claims arising out of Hurricanes Katrina and Rita.

Complex Litigation (including asbestos litigation)

- (1) Our firm obtained reversal by U. S. 5th Circuit Court of Appeals of a \$22.8 Million federal judgment obtained by whistle-blowers in a False Claims Act suit brought against the Orleans Parish School Board. See: *U. S. ex rel Garibaldi et al v. Orleans Parish School Board*, 387 F 3d 334 (5th Cir 2005).
- (2) Our firm obtained reversal of state court judge's dismissal of local bank's multi- million dollar collection suit. See: *Whitney Nat'l. Bank v. Goldsmith*, 2004-0707 (La. App 4th Cir. 6/22/05) 913 So2d 124, writ denied, 2006 WL 1128742 (La.)
- (3) Our attorneys have served as court appointed special masters in asbestos, NORM, tobacco and other complex multi party civil cases. See eg: *Rathborne Properties, LLC et al v. Exxon Mobil Corporation et al CDC* (Orleans) No. 2001-12081 Div. "N"; *Rudy Walker et al v. Avondale Industries, Inc. et al, CDC* (Orleans) No. 2003-3384 Div "H"; *Gloria Scott et al v. The American Tobacco Company, Inc., et al CDC* (Orleans) No. 96-8461, Div. "I-14".
- (4) Our firm successfully defended a national pension fund in multi-million dollar ERISA action brought by former union leader who sought to draw a pension from the fund after having been convicted of embezzling millions of dollars from the fund. See: *Gaudet v. Sheet Metal Worker's Nat'l Pension Fund*, 216 F.Supp. 2d 582 (E.D. La. 2002).
- (5) Obtained favorable settlement for Orleans Parish District Attorney's Office in toxic tort class action filed against the Office by its employees. The settlement included reimbursement of attorneys fees by insurer that had initially denied coverage. See: *Sherry Waters et al v. Department of Social Services et al, CDC* No. 01-17775 Div "J" consolidated with *Mary Johnson et al v. Department of Social Services et al, CDC* No. 02-14043, Div "N" consolidated with *Kristen M. Rhodes et al v. BG Real Estate Services, Inc. et al, CDC* No. 01-18355, Div "C".

- (6) Our attorneys have represented two petrochemical companies and a major engineering, procurement and construction contractor in asbestos litigation throughout the state of Louisiana for more than 10 years. At its peak, those attorneys were defending the claims of almost four thousand claimants in roughly three hundred suits.
- (7) Our attorneys successfully defended the City of New Orleans in a mesothelioma death case in Civil District Court for the Parish of Orleans, obtaining a defense verdict of no liability at the conclusion of trial. See: Joseph Bodine v. Maryland Casualty Co., et al., CDC (Orleans) No. 2009-3202, Division "K."
- (8) Our attorneys have managed and defended mass tort and class action chemical release cases in industrial plant settings for a chemical plant premise owner as well as a maintenance contractor/engineering, procurement and construction contractor.

Ethics Law

- (1) As general counsel for the Downtown Development District our firm regularly advises its Commissioners and staff on matters arising under the Louisiana Code of Governmental Ethics.
- (2) As outside counsel for the Orleans Parish School Board our firm is frequently tasked by its General Counsel to opine on matters involving the Louisiana Code of Governmental Ethics.
- (3) Our firm has represented a number of individuals charged with violation of the Louisiana Code of Governmental Ethics.
- (4) Our firm has obtained advisory opinions from the Louisiana Board of Ethics on behalf of a variety of public and private sector clients.
- (5) Our attorneys have held adjudicative positions (Hearing Committee Member, Hearing Committee Chairman, Board Panel Member and Board Panel Chair) with the Louisiana Attorney Disciplinary Board.
- (6) Our firm has successfully represented lawyers charged with violations of the Louisiana Rules of Professional Conduct and Judges charged with violation of the Code of Judicial Conduct and/or the Judicial Canons.
- (7) Our firm has drafted internal codes of conduct for a variety of business, non-profit and governmental clients.

- (8) Our firm's Managing Shareholder frequently testifies as an expert witness in legal malpractice cases and in attorney fee disputes where the Louisiana Rules of Professional Conduct are at issue. He also teaches Legal Ethics at the LSU Paul M. Herbert School of Law.

Civil Rights and the Constitution

- (1) Obtained over forty (40) summary judgments on behalf of the Orleans Parish District Attorney's Office and individual prosecutors in state and federal law suits alleging prosecutorial misconduct in violation of the constitutional and civil rights of criminal defendants.
- (2) Assisted the Orleans Parish District Attorney's Office in obtaining U. S. Supreme Court review and ultimate reversal of a \$14 Million jury verdict against the Office based on alleged prosecutorial misconduct in violation of 42 USC Section 1983. See: *Thompson v. Connick et al*, 553 F.3d 836 (5th Cir 2008), vacated by grant of rehearing en banc, 562 F.3d 711 (5th Cir 2009), en banc decision (8 to 8 tie), 578 F. 3d 293 (5th Cir 2009), cert granted, *Connick v. Thompson*, 09-571, Reversed by U. S. Supreme Court in 5-4 decision, 563 U.S.,131 S. Ct. 1350, 179 L. Ed. 2d 417 (2011)
- (3) Obtained favorable settlement on behalf of the Orleans Parish School Board (after adverse judgment) in federal suit by a local charter school alleging violations of the Contracts Clause of the U. S. Constitution. See: *Advocates for Arts-Based Educ. Corp. v. Orleans Parish Sch. Bd.*, 2010 U.S. Dist. LEXIS 6019.
- (4) Obtained dismissal of multiple constitutional claims asserted against a sitting City Councilman pursuant to Section 1983 of Title 42 of the United States Code ("42 USCS §1983") including but not limited to purported claims for violation of US Const. Art. I § 10, cl.1 ("Contracts Clause"); U.S. Const. Amend. I ("First Amendment"), U.S. Const. Amend. XIV, §1 ("Equal Protection") and U.S. Const. Amend. XIV, §1 ("Due Process"). See: *Buisson Creative Strategies, LLC, et al. v. Christopher L. Roberts, et al.* – U.S.D.C. EDLA No. 2:15-CV-06272.

Municipal Representation (including liability and intergovernmental conflicts)

- (1) Representation of the Orleans Parish School Board adverse the federal government in multi-million dollar False Claims Action brought on behalf of the federal government by alleged whistleblowers. See: *U. S. ex rel Garibaldi et al v. Orleans Parish School Board*, 387 F 3d 334 (5th Cir 2005).

- (2) Representation of the Downtown Development District adverse the State Treasurer and Bond Commission relative to the authority of the DDD to make disaster loan from federal government. See: *The Downtown Development District of the City of New Orleans v. Louisiana Department Of Treasury and Louisiana State Bond Commission*, 19th JDC No. 540,183, Louisiana First Circuit Court of Appeal NO. 2006-CA1088.
- (3) Representation of Orleans Parish School Board in dispute with State of Louisiana in connection with the State's expropriation of the McDonogh No. 11 school.
- (4) Representation of the Downtown Development District adverse to the City of New Orleans in connection with the City's diversion of dedicated taxes due the DDD.

Land Use, Planning and Zoning Law

- (1) Our attorneys drafted several sections of the Comprehensive Zoning Ordinance of the City of New Orleans addressing the siting of Telecommunications Facilities.
- (2) Our attorneys have represented property owners in connection with a wide variety of land use matters such as rezoning, variances, conditional use approvals and re-subdivisions.
- (3) Our attorneys have represented property owners in connection with appeals of decisions of boards of zoning adjustments, planning commissions and historic landmarks commissions.
- (4) Our firm has successfully defended local and national developers in high stakes zoning and land use litigation. See: *French Quarter Citizens for the Preservation of Residential Quality v. New Orleans City Planning Commission*, Et al, 763 So2d 17 (La. App. 4th Cir 2000)

Economic Development

Since 2002 we have served as General Counsel to the Downtown Development District of the City of New Orleans, responsible for advising that agency on all legal matters as relate to its mission of promoting economic development in the downtown area of New Orleans. We have advised in connection with loans, grants, tax credits, bond issues to provide side walk improvements and other economic incentives to the private sector as well as in connection with public/private partnerships and cooperative endeavor agreements.

Construction

- (1) Our attorneys represented the Sewerage and Water Board of New Orleans in connection with several damage suits filed by businesses affected by street closures associated with drainage and other public works projects.
- (2) Our attorneys have represented the Orleans Parish School Board in several disputes involving the construction of school sites.
- (3) Our attorneys have represented two major engineering, procurement and construction contractors in commercial construction disputes with both project owners as well as subcontractors.
- (4) Our attorneys have advised the New Orleans Aviation Board on matters involving commercial construction disputes and public bid law.

ATTACHMENT “B”

BIOS OF ATTORNEYS WHO MAY BE ASSIGNED TO PROVIDE LEGAL SERVICES TO THE PARISH

BIO OF WILLIAM D. AARON, JR.

Bill is the Managing Shareholder and Chairman of the Board of Directors of the law firm of Aaron & Gianna, PLC, A Professional Law Corporation. A graduate of Duke University and Loyola University School of Law, he has over forty-four (44) years of general and specialized legal experience in the public and private sectors, and is licensed to practice law in Louisiana, Texas and the District of Columbia. Bill represents a diverse group of clients in a variety of areas including commercial litigation, state and municipal government, telecommunications, banking, real estate, insurance, professional liability, alternative dispute resolution, trusts and estates, labor and employment, civil rights, class actions, legal and governmental ethics, health care and general business.

Prior to his joining the predecessor to Aaron & Gianna in January of 2000, Bill was a Partner in the New Orleans Office of the regional law firm of Phelps Dunbar, LLP. Bill has served as Assistant District Counsel for the U. S. Small Business Administration, Special Assistant Attorney General for the State of Louisiana, Special Prosecutor for the Orleans Parish District Attorney's Office, City Attorney for the City of New Orleans and outside counsel for a variety of business, governmental and not for profit clients.

Bill is an experienced litigator and has served as lead counsel in complex and high-profile trials, appeals and writs before a variety of state and federal courts including the U. S. Supreme Court. He is also a seasoned transactional attorney and a licensed title insurance agent regularly overseeing complex financial, real estate, corporate and commercial transactions.

Bill is AV rated by Martindale-Hubbell, and is listed in the Best Lawyers in America in the areas of Municipal Law and Municipal Litigation. He is additionally listed in Louisiana Super Lawyers and Super Lawyers Business Edition in the area of Business Litigation. Bill is a two-time recipient of the New Orleans City Business Newspaper's Leadership in Law Award.

Bill has served as a court appointed special master in toxic tort and other complex civil cases and as an expert witness on legal ethics, legal malpractice, and attorney's fees. He is a former member of the Louisiana Attorney Disciplinary Board, and in 2011 served as its Chairman. Bill has had intensive training in alternative dispute resolution and is a Mediator, Arbitrator and Umpire with Mediation Arbitration Professional Systems, Inc. (MAPS) with offices in Metairie, the Northshore and Baton Rouge, Louisiana.

Bill has served as a legal advisor to municipalities, parishes, school boards, housing authorities, economic development agencies, sewer and water boards, District Attorneys and other political

subdivisions of the State of Louisiana in a wide range of areas including: governmental ethics, home rule charters, municipal franchises, state and local taxation, affordable housing, real estate, land use and zoning, economic development, labor and employment, public bidding and other procurements, open meetings, public records, DBE Policies and Programs, real estate development, real estate financing, constitutional law, civil rights, construction, public finance, class actions, collective actions, insurance coverage, tax credits, access television, insurance and telecommunications.

Bill is a much sought after lecturer on legal topics and has spoken at continuing legal education programs sponsored by the American Bar Association, the New Orleans Bar Association, the National Institute for Trial Advocacy, the National Business Institute, Loyola Law School, Tulane Law School, the Louisiana Bar Association, the Florida Bar Association, the Louis A. Martinet Legal Society, the National Bar Association, the Professional Educational Systems Institute, the Louisiana Judicial Council, the City of New Orleans Department of Law, the Jefferson Parish Department of Law and the Louisiana Attorney Disciplinary Board.

A prominent figure in local and regional business circles, Bill is a member of the Executive Committee and former Chairman of the Jefferson Business Council. He is a former member of the Board of Directors of Greater New Orleans, Inc. and the Board of Directors of the New Orleans Chamber of Commerce. In 2012, he served as Chairman of the New Orleans Chamber's Board of Directors.

Bill is deeply committed to diversity in the legal profession and is the recipient of the National Diversity Council's 2012 Multicultural Leadership Award.

BIO OF DOMINIC J. GIANNA

Dominic is a Shareholder and Member of the Board of Directors of Aaron & Gianna, PLC, A Professional Law Corporation. He chairs the firm's Litigation Practice Group. He has been recognized by his colleagues as one of America's great trial lawyers and for 41 years has tried cases from both the plaintiff and the defense side throughout the United States. Dominic is also recognized as one of America's most dynamic and inspired teachers of advocacy, persuasion and trial techniques. He was honored as a recipient of the Robert Keeton award as the best teacher of advocacy in America by the National Institute for Trial Advocacy (NITA), the American Bar Association's teaching arm.

For 30 years, Dominic has served as a member of NITA's National Faculty, NITA Program Director and has led interactive NITA training programs throughout the English-speaking world, including every one of the 50 states, Canada, Mexico, England, Scotland and Wales. As Principal Faculty for The Professional Education Group, Inc. (PEG, Inc.), he has delivered and led over 400 lectures and seminars throughout the world. His "Reel Justice," "Winning Before Trial," "A Day on Trial" (with Professor Thomas A. Mauet), and currently, "Advocacy for the Ages and Sexes: Persuading Genders and Generations" (with his seminar partner, Lisa A. Marcy), have been presented throughout the world to extraordinary acclaim.

Dominic is the author of numerous publications on advocacy and persuasion, including Thomson West's Opening Statements 2d, Winning in the Beginning by Winning the Beginning (along with Lisa A. Marcy), Advocacy for the Ages (The Professional Education Group, Inc., along with Lisa A. Marcy), and numerous publications in legal journals. As a motivational speaker and seminar leader, he has trained thousands of lawyers of all ages and experience in the arts of advocacy, persuasion and trial techniques. His techniques have changed the careers of thousands of trial lawyers of all ages and experience throughout his 29 years of teaching advocacy.

Dominic is a frequent commentator on Court TV, has made numerous television appearances on related matters and has been selected by professional groups from both sides of the courtroom to lead programs for them. He was recently selected, along with his partners Professor Thomas A. Mauet and Lisa A. Marcy, to be the Blockbuster Speaker at the Defense Research Institute's (DRI), annual meeting, along with President Bill Clinton and Justice Scalia. Dominic chaired the American Bar Association's Section of Litigation Annual Meeting in 2001, and acted as Program Chair in 1992 and 1994. He serves as Director of Trial Advocacy at LSU School of Law, is Principal Faculty of the Louisiana Association of Defense Counsel Trial Academy, and has taught at numerous law schools throughout America.

As a trial lawyer, Dominic has tried over 150 cases in both state and federal courts throughout the United States in areas such as complex commercial litigation, product liability, toxic tort, employment law, medical malpractice, major construction disputes, anti-trust matters, medical malpractice and complex toxic tort cases. Dominic has served as District Judge pro tem by appointment of the Supreme Court of Louisiana, and has been selected by both state and federal courts to serve as Special Master in complex matters. His client list includes Fortune 500 companies, medium-sized national business and small local organizations.

Dominic has been a trial lawyer for 38 years. Prior to that, he worked as an organic chemist, professional athlete and professional actor. He received his B.S. degree from Manhattan College, New York, his M.A. degree in Chemistry from the State University of New York, and his law degree from Loyola University School of Law, where he was elected Editor-in-Chief of the Loyola Law Review. Dominic is AV rated by Martindale-Hubbell and has been listed in Super Lawyers in the area of Civil Litigation from 2008 to the present.

BIO OF JOHN D. PERSON

John is a Shareholder of Aaron & Gianna, PLC, A Professional Law Corporation. He is a coordinator of the firm's Litigation Practice Group. John has over 37 years of experience in representing clients in a variety of areas including industrial accidents, environmental and toxic tort litigation, complex construction claim disputes, employment litigation, insurance coverage, maritime litigation and property and casualty insurance defense. He has been highly successful in assisting clients in finding creative and cost-saving solutions to their litigation problems. John is AV rated by Martindale-Hubbell.

John regularly teaches advocacy and deposition skills to other attorneys at programs sponsored by the National Institute for Trial Advocacy. He also serves on the Louisiana State University

Law Center Trial Academy faculty.

John is a past President of the University of New Orleans National Alumni Association (1990-1991). He served as President of the Lake Vista of Jefferson Civic Association (1986-1988), and has served as President of the Lambda Chi Alpha Alumni Association of New Orleans (1981-1982). Since 1989 John has served as a member of the Jefferson Parish Fire Civil Service Board. He currently serves on the Loyola University Alumni Association Board of Directors.

BIO OF DEWAYNE L. WILLIAMS

DeWayne is a Shareholder and Member of the Board of Directors of Aaron & Gianna, PLC, A Professional Law Corporation. He is a coordinator of the firm's Litigation Practice Group. He is a graduate of Louisiana State University and Loyola University School of Law, and has over 20 years of experience handling complex litigation and sophisticated transactions.

DeWayne's litigation experience includes trial and appellate advocacy before a variety of state and federal courts including the U. S. Supreme Court. His substantive areas of practice have included commercial litigation, employment litigation, personal injury litigation, professional liability litigation, mass torts, worker's compensation defense, constitutional law, civil rights and telecommunications. DeWayne's transactional experience has included commercial transactions and public finance/municipal bonds.

DeWayne has represented individual and corporate clients in a variety of employment related matters including issues involving Title VII, the Family & Medical Leave Act (FMLA) and the Fair Labor Standards Act (FLSA).

DeWayne has extensive experience with respect to lawyer ethics, and was a past chairman/lawyer member of one the Louisiana Attorney Disciplinary Board's Hearing Committees. DeWayne is active in bar related activities and is a past member of the Louisiana Supreme Court's Committee on Bar Admissions. He served as Bar Examiner for the Constitutional Law portion of the Louisiana State Bar Examination for 6 years.

DeWayne is admitted to legal practice in Louisiana and is a trained Mediator. He is BV rated by Martindale-Hubbell.

BIO OF ALAN WEINBERGER

Thomas has over 44 years of experience as a practicing attorney. He holds a Bachelor of Arts Degree from the University of Texas at Austin, and a Juris Doctorate from Tulane Law School. He is admitted to practice before the Supreme Court of the State of Louisiana, the U.S. District Court for the Eastern, Middle, and Western Districts of Louisiana, and the U.S. Fifth Circuit Court of Appeals.

Alan's substantive areas of practice have included employment litigation, environmental law,

gaming, product liability, contracts, civil service, and municipal law. He was for over a decade coverage counsel in Louisiana for the Environmental Claims Unit (“Special Liability Group”) of one of the nation's top five P/C insurers. Alan practiced gaming law on behalf of the lessor to the State’s first riverboat casino, in connection with which, Mr. Weinberger secured civil injunctions against the State Police and the Orleans Parish DA.

BIO OF W. GLENN BURNS

In a diverse career, Glenn Burns has been an Assistant Attorney General of Louisiana, an Assistant United States Attorney for the Eastern District of Louisiana, partner with the firms Monroe & Leman as well as Hailey, McNamara, Hall, Larman & Papale. He has handled criminal matters in such areas as white-collar criminal defense and prosecution of present and former public officials, banking and corporate executives. Civil litigation includes defense of wrongful death, toxic tort, mass tort class actions, qui tam claims, legal and medical malpractice claims and civil RICO matters.

In non-litigation matters, Glenn has handled public utility regulation and internal investigations for government contractors, hospitals and public utilities.

ATTACHMENT “C”

LIST OF ATTORNEYS WHO MAY BE ASSIGNED TO PROVIDE LEGAL SERVICES TO THE PARISH AND RESPECTIVE AREAS OF ASSIGNMENT

1) William D. Aaron, Jr. - Managing Shareholder

Administrative Law and Regulatory Practice, Business Law, Dispute Resolution, Health Law, Labor and Employment Law, Public Contract Law, Public Utilities Law, Communications Law, Property, Trust and Estate Law, State and Local Government Law, Tort Trial and Insurance Practice, Complex Litigation (including asbestos litigation), Ethics Law, Civil Rights and the Constitution, Municipal Representation (including liability and intergovernmental conflicts), Land Use, Planning and Zoning Law, Economic Development and Construction Law.

2) Dominic J. Gianna - Shareholder

Dispute Resolution, Health Law, Labor and Employment Law, Tort Trial and Insurance Practice, Complex Litigation (including asbestos litigation), Ethics Law, Construction Law.

3) John D. Person - Shareholder

Dispute Resolution, Health Law, Tort Trial and Insurance Practice, Complex Litigation (including asbestos litigation), Municipal Representation (including liability and intergovernmental conflicts) and Construction Law.

4) DeWayne L. Williams - Shareholder

Administrative Law and Regulatory Practice, Business Law, Dispute Resolution, Labor and Employment Law, Public Contract Law, Complex Litigation, Communications Law, State and Local Government Law, Ethics Law, Civil Rights and the Constitution, Municipal Representation (including liability and intergovernmental conflicts).

5) Alan Weinberger – Of Counsel

Administrative Law and Regulatory Practice, Dispute Resolution, Labor and Employment Law, Public Contract Law, Tort Trial and Insurance Practice, Complex Litigation (including asbestos litigation), Civil Rights and the Constitution, Municipal Representation (including liability and intergovernmental conflicts).

6) W. Glenn Burns - Of Counsel

Dispute Resolution, Health Law, Tort Trial and Insurance Practice, Complex Litigation (including asbestos litigation), and Municipal Representation (including liability and intergovernmental conflicts).

ATTACHMENT "D"

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