



# EXECUTIVE COUNCIL OF IOWA

Teleconference Only

Monday, January 24, 2022 at 10:00 AM

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## AGENDA

### MEMBERS OF COUNCIL

Hon. Kim Reynolds | **Governor**

Hon. Paul D. Pate | **Secretary of State**

Hon. Rob Sand | **Auditor of State**

Hon. Michael L. Fitzgerald | **Treasurer of State**

Hon. Michael L. Naig | **Secretary of Agriculture**

### Teleconference Only

Conference Call Phone Number: (866) 685-1580

Conference Code Pin: 0009990993

### 1. Approval of Minutes

- A. Approval of the minutes from the Executive Council meeting held on January 18, 2022.

### 2. Special Counsel

- A. The Department of Justice, Attorney General's office requests retention of special counsel pursuant to Iowa Code section 13.7 to provide specialized legal services and representation to the State of Iowa with respect to a dispute related to the administration of the Master Settlement Agreement with Participating Tobacco Product Manufacturers.

Firm: Paoli & Leisher PC  
257 W Front Street  
Missoula, MT 5902

Rate: The proposed contingent fee arrangement would start at 15% of the actual recovery rather than the 25% permitted by law and otherwise track the provisions of Iowa Code Chapter 23B. In addition, Special Counsel will advance the costs of litigation.

Firm: Morgan & Morgan Complex Litigation Group PLLC  
76 S Laura St  
Suite 1200  
Jacksonville, FL 32202

Rate: The proposed contingent fee arrangement would start at 15% of the actual recovery rather than the 25% permitted by law and otherwise track the provisions of Iowa Code Chapter 23B. In addition, Special Counsel will advance the costs of litigation.

### 3. Payment of Cost Items

- A. Denton Davis Brown PC.....\$207.00  
215 10th Street,  
Suite 1300  
Des Moines, IA 50309-3993  
Special Counsel for Copyright, Trademark & Patent Issues

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment.  
Payment will be made from the Iowa Department of Transportation.

- B. Michael Marquess.....\$5,000.00  
2183 Docks Drive  
Garwin, IA 50632  
Tribal cases when the offenses are committed by non-natives against non-natives (or without a victim) on the Sac and Fox Indian Settlement in Tama County

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the General Fund.

- C. Richard J. Bennett, Sr.....\$1,482.00  
PO Box 65666  
West Des Moines, IA 50265  
Special Counsel for the Criminal Appeals Division of the Iowa Attorney General's Office

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Attorney General's Office's Forfeiture Fund.

- D. Gray Miller Persh, LLP.....\$163.60  
2233 Wisconsin Avenue NW  
Suite 226  
Washington, D.C. 20007  
Iowa PBS

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from Iowa PBS

- E. Patterson Law Firm L.L.P.....\$56.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Richard Adrian v. University of Iowa, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- F. Patterson Law Firm L.L.P.....\$252.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Debra J. Breckenridge v. Iowa Judicial Branch, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- G. Patterson Law Firm L.L.P.....\$58.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Donald Briggles v. Iowa DOT, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- H. Patterson Law Firm L.L.P.....\$126.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Michelle Franz v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- I. Patterson Law Firm L.L.P.....\$1,368.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Kelly Hartz v. University of Iowa Hospitals & Clinics; State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- J. Patterson Law Firm L.L.P.....\$98.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Kelly Hartz v. University of Iowa Hospitals & Clinics; State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- K. Patterson Law Firm L.L.P.....\$358.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Cyril Irvine v. Anamosa State Penitentiary; State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- L. Patterson Law Firm L.L.P.....\$350.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Robert Kurtz v. Iowa Department of Transportation and State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- M. Patterson Law Firm L.L.P.....\$224.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Larry Opal v. Clarinda Correctional Facility, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- N. Patterson Law Firm L.L.P.....\$24.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Mark Ostring v. Woodward Resource Center, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- O. Patterson Law Firm L.L.P.....\$70.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Bryson Powell v. Glenwood Resource Center, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

P. Patterson Law Firm L.L.P.....\$28.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Geoffrey Ray Wellman v. Iowa State Penitentiary, State of Iowa and Second Injury Fund of  
Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends  
payment. Payment will be made from the Second Injury Fund.

#### **4. Adjourn Meeting**