



## AGENDA

### AD HOC LEGAL SERVICES REVIEW COMMITTEE

Monday, December 01, 2025

5:00 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

**ADDRESSING THE VILLAGE COUNCIL:** Each person wishing to address the village council shall be afforded an opportunity to do so. If you wish to comment, please stand or raise a hand to indicate that you wish to speak. When recognized, give your name and address and direct your comments to the Chair.

**1. Call to Order**

**2. Roll Call and Determination of Quorum**

**3. Minute Approval**

- A. Approval of Minutes of Ad Hoc Legal Services Review Committee Meeting of November 17, 2025

**4. Call to the Public**

**5. Other Items**

- A. Review of Legal Services Proposals – Bloom Sluggett, Foster Swift, and Sherman & Sherman
- B. Selection of Legal Firms for Interviews and Schedule Interview Dates and Times
- C. Preparation of Legal Services Interview Questions

**6. Adjournment**

*In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the Village, at least three (3) business days in advance of the meeting, if requesting accommodations. The Village of Lake Orion will provide foreign language or hearing impaired interpretation services for those individuals who contact the village to request such services at least seven (7) days prior to the meeting.*

*En el espíritu de la observancia de la Ley de Estadounidenses con Discapacidades, las personas con discapacidad debe sentirse libre para ponerse en contacto con el pueblo, por lo menos tres (3) días hábiles de antelación a la fecha de la reunión, si se solicitan alojamiento. El municipio de Lake Orion proporcionará idioma extranjero o personas con problemas de audición servicios de interpretación para las personas que se ponen en contacto con el pueblo de solicitar dichos servicios con no menos de siete (7) días antes de la reunión.*



# MINUTES

## AD HOC LEGAL SERVICES REVIEW COMMITTEE

Monday, November 17, 2025

5:00 PM

Village Hall – 21 East Church Street, Lake Orion, MI 48362

(248) 693-8391 ext. 102

### 1. Call to Order

The November 17, 2025, Ad Hoc Legal Services Review Committee Meeting was called to order at 5:02 PM by Village Manager McClary.

### 2. Roll Call and Determination of Quorum

#### PRESENT

Council Member Alex Comparoni Jr  
Council Member George Dandalides (remote)  
Council Member Eric Papacek  
Village Manager Darwin McClary  
Police Chief Mark Amundson

#### STAFF PRESENT

Deputy Clerk/Treasurer Lynsey Blough

### 3. Minute Approval

#### A. Approval of November 3, 2025 Ad Hoc Legal Services Review Committee Minutes

**MOTION** made by Council Member Dandalides, Seconded by Council Member Comparoni Jr, to approve the Minutes of the November 3, 2025 Ad Hoc Legal Services Review Committee Meeting, as presented.

**VOTING YEA:** Comparoni Jr, Dandalides, Papacek, McClary, Amundson

**VOTING NAY:** None

**ABSENT:** None

**MOTION:** Carried

### 4. Call to the Public

None.

## 5. Other Items

### A. Review of Legal Services Proposals - Beier Howlett; Secrest Wardle; and Giarmarco, Mullins & Horton

Council Member Papacek stated that all three firms appeared highly qualified, with his scores for each falling within a close range. He noted that Giarmarco, Mullins & Horton scored well but raised concerns about how a new firm would familiarize itself with current Village issues. Beier Howlett also scored strongly, with only a minor question regarding a past complaint mentioned in their materials. For Secrest Wardle, he found the proposal less detailed regarding daily operations and current issues, and the organization of the materials made evaluation more difficult. Overall, he indicated that all three firms seem like viable candidates for interviews.

Council Member Dandalides stated that all three firms are well-qualified. He scored Secrest Wardle highest due to their clear plan to become familiar with Village matters. Beier Howlett scored slightly lower because of their smaller staff, though he viewed their familiarity with current Village issues as a benefit. Giarmarco, Mullins & Horton scored lowest because they did not explain how they would get up to speed or identify attorneys for prosecution or litigation. He noted that interviews may help clarify differences.

Council Member Comparoni Jr. agreed with concerns raised about Giarmarco, Mullins & Horton, noting their proposal lacked information on prosecution services and that they had been previously terminated by several communities. He felt their pricing was fair. He rated Beier Howlett highly, stating the Village is familiar with their work and he found no significant negatives in their proposal. Regarding Secrest Wardle, he felt the proposal was less polished and included many additional fees. He remarked that all three firms are generally comparable, and that selecting finalists will be difficult, likely requiring face-to-face interview

Police Chief Amundson stated that all three firms are highly capable and generally very similar in qualifications. He noted that Beier Howlett and Giarmarco, Mullins & Horton appeared nearly identical in quality, while Secrest Wardle's proposal was harder to navigate despite containing the required information. He expressed some discomfort assigning numerical scores in areas outside his expertise but ultimately felt all three firms were strong in prosecution services. He emphasized that prosecution quality matters more than the number of attorneys, as one qualified prosecutor is sufficient for the Village's needs. He believes his scores for Beier Howlett and Giarmarco, Mullins & Horton were likely very close, with Secrest Wardle only slightly behind. Overall, he sees no major issues with any of the firms and considers them all very comparable.

Village Manager McClary said all three firms are strong but he scored them more strictly. Beier Howlett ranked highest for him due to strong past performance, though he marked them down for having fewer attorneys, smaller staff, and mid-range pricing. Secrest Wardle scored well but he deducted points for unclear prosecution assignments, missing insurance documentation, unusual service exclusions, and a weak plan for handling daily work or getting up to speed. Giarmarco, Mullins & Horton scored lowest for him due to generic, non-Village-specific

answers, lack of conflict-of-interest analysis, missing insurance certificates, multiple past municipal terminations, and repeated canned responses. He noted that written proposals only go so far, and interviews may shift impressions.

Committee Members discussed differences in their scoring of the first three law firm proposals. Council Member Papacek noted he did not downgrade firms for fewer attorneys or years in business if they could meet Village needs, and he found all three firms generally solid. Council Member Dandalides said numerical scores varied, but all three could advance. He noted Secret Wardle’s exclusions for labor/bankruptcy services were not disqualifying. Village Manager McClary explained scoring differences were partly due to other firms including those services, but agreed exclusions should not disqualify a firm.

Village Manager McClary outlined the next steps at the next meeting:

- Review and score the remaining three proposals
- Discuss and finalize interview questions
- Select at least the top three firms to interview (possibly more)
- Identify potential interview dates and times

Committee Members discussed whether interview questions must be identical for all firms and noted Beier Howlett should likely be included due to existing work with the Village. Village Manager McClary suggested members rank all six firms to identify the strongest candidates.

After coordinating schedules, the next meeting was set for Monday, December 1, at 5:00 PM.

**6. Adjournment**

**MOTION** made by Council Member Papacek, Seconded by Police Chief Amundson, to adjourn the November 17, 2025, Ad Hoc Legal Services Review Committee Meeting.

- VOTING YEA:** Comparoni Jr, Dandalides, Papacek, McClary, Amundson
- VOTING NAY:** None
- ABSENT:** None
- MOTION:** Carried

The November 17, 2025, Ad Hoc Legal Services Review Committee Meeting adjourned at 5:50 PM.

\_\_\_\_\_  
Darwin McClary  
Chairperson

\_\_\_\_\_  
Lynsey Blough, CMC  
Deputy Clerk/Treasurer

Date Approved: as presented on December 1, 2025



---

## COMMITTEE ACTION SUMMARY SHEET

**MEETING DATE:** December 1, 2025

**TOPIC** Review of Legal Services Proposals – Bloom Sluggett, Foster Swift, and Sherman & Sherman

### BACKGROUND BRIEF:

The Committee is scheduled to review and discuss the contents of the following three legal services proposals and the individual ratings completed in advance by each member of the Committee:

- Bloom Sluggett PC
- Foster Swift
- Sherman & Sherman

### SUMMARY OF PREVIOUS COMMITTEE ACTION:

11/17/2025 – The Committee reviewed and rated the proposals from Beier Howlett, Giarmarco Mullins, and Secret Wardle.

### FINANCIAL IMPACT:

None

### RECOMMENDED MOTION:

None



## **Request for Qualifications/Proposals Legal Services Village of Lake Orion, Michigan**

### Overview

The Village of Lake Orion is requesting proposals from qualified law firms to provide municipal legal services, including acting as the Village Attorney. The Village Attorney is appointed by the Village Council. The Village Attorney serves as an advisor to the Village Council and all department directors and boards and commissions of the Village in relation to their respective duties. See Appendix A for a listing of expected services. The proposal must include general legal counsel services and prosecution services for Village misdemeanors.

The Village has had a contract relationship with independent legal firms for many years. These firms have provided both general counsel and Village prosecution services. Outside specialized attorneys have been used for labor issues, bond and finance issues, bankruptcy, tax tribunal appeals and some civil lawsuits.

The Village Council will enter into a contract with a law firm. The Village Attorney or his representative shall attend Village Council meetings as requested. The specific attorney attending Village Council meetings, if other than the Village Attorney, shall be approved by the Village Manager.

All firms wishing to submit proposals must register as a vendor on the Michigan Intergovernmental Trade Network (MITN) bid system and download the RFQ documents from the system. Registration is quick, easy and free of charge at <https://www.bidnetdirect.com/public/user-registration?purchasingGroupId=8412351>.

The Village will not be responsible for any costs incurred by any firm to respond to this request. Firms who wish to submit proposals must provide the information outlined in the enclosed Legal Services Request for Qualifications/Proposals by Wednesday, October 22, at 2:00 PM, at which time the proposals will be publicly opened. Ten (10) bound copies of the proposal and one electronic copy in PDF file format on a flash drive must be provided in a sealed envelope clearly marked "Village Attorney RFQ". Late proposals will not be accepted.

Proposals are to be submitted and received by the submittal deadline in person or by mail to:

Lake Orion Village Clerk  
21 East Church Street  
Lake Orion, MI 48362

The tentative timeline for selection is:

<u>Task</u>	<u>Target Date</u>
Advertisement of Request for Qualifications/Proposals	October 2, 2025
Deadline for Submission of Proposals	October 22, 2025, 4:00 PM
Selection of Finalists by Village Council	October 27, 2025
Review of Proposals, Interviews, Negotiation	October 28-November 5, 2025
Recommendations to Village Council	November 10, 2025
Commencement of Services	To be determined

The Village may conduct inquiries and request additional information from firms as the Village deems necessary to assist in the evaluation of any proposal. A committee of the Village Council will make a recommendation to the Village Council for a contract with the selected firm. The Village expects an initial contract for a term beginning not later than January 1, 2026.

The Village reserves the right to select the firm with legal services that best meets the needs for the Village in the sole judgment of the Village, and selection will be based on experience, qualifications and/or economic benefit to the Village. This selection will not be based solely on cost.

All questions must be in writing and posted to the MITN bid system (**NO PHONE CALLS, PLEASE**) by Thursday, October 16, 2025, 2:00 PM. Answers to questions received will be posted on the MITN bid system as a supplement to the original RFQ/RFP statement for all prospective respondents.

Minimum Qualifications

The primary attorney assigned to work on Village legal matters shall, at a minimum, possess the following:

1. A juris doctorate degree from an American Bar Association accredited college or university.
2. A valid license to practice law in the State of Michigan.
3. A minimum of five (5) years experience in municipal law and municipal legal issues.

About the Village of Lake Orion

The Village of Lake Orion is a Michigan home rule village operating under the Council/Manager form of government. The Village is located in northeast Oakland county within the boundaries of the Charter Township of Orion approximately 45 minutes north of Detroit. Our community has a 2020 US Census population of 2,876 residents. Lake Orion is currently experiencing significant redevelopment. The Village is a lakefront community, with the lake comprising approximately one-third of the total area of the 1.3 square miles of the municipality. The Village provides a full range of municipal services including police protection, public works (streets, water, sanitary sewer, storm sewer, and buildings and grounds), parks and recreation, and planning and zoning services. Assessing services are performed by a private contractor under a contract with Orion Township. Orion Township provides tax collection and building permitting and inspection services through contract with the Village, and the Township provides fire suppression and prevention and public library services through millages levied in the Township and Village. Emergency dispatching services are provided through contract by Oakland County Dispatch. Planning and zoning services are provided through private contract with McKenna of Northville, Michigan. The Village employs 17 full-time employees and approximately 17 part-time or seasonal employees through the departments of the Village Manager, Village Clerk-Treasurer, Police, and Public Works. The Village maintains a Downtown Development Authority with its own board of directors, Executive Director, and DDA Attorney. Two collective bargaining units represent full time and part time police officers and police clerks (POAM) and public works laborers and clerical employees (AFSCME). The general operating budget of the Village is \$2.4 million for FY 2025-26, with an all-funds budget of \$10 million. Some current major legal issues facing the Village involve the relationship between the Village and the DDA, final stages of ordinance recodification, capital improvements special assessment processes, final stages of quit-claim process for a park property, riparian rights and lake management, inventorying and management of Village properties, and the Village's recent decision to investigate incorporation as a city. The Village desires a confident, knowledgeable Village Attorney with excellent negotiation and communication skills who can be counted on to aggressively represent and protect the interests of the Village while firmly and reliably advising the Village Council and administration on the proper courses of legal action to promote the Village's interests.

## Appendix A

### Legal Services Scope of Services

The firm shall provide all administrative services and support necessary to manage the workload in order to complete all assignments. This includes office facilities, support staff, legal research options, supplies and equipment. The Village anticipates the proposals will identify a primary Village Attorney who completes the general counsel matters and maintains the centralized responsibility for coordinating other attorneys and support staff.

The scope of services may include but shall not be limited to the following:

#### General Counsel

1. Draft and/or review all ordinances, agreements and contracts.
2. Participate in non-labor negotiations when requested.
3. Draft and/or review charter amendments.
4. Assist the Village in the sale or purchase of real estate.
5. Prepare deeds and other contracts for sale and purchase of property.
6. Prepare formal opinions on the legal ramifications and implications of matters before the Village Council, as requested by the Village Manager.
7. Provide legal advice on actions taken or contemplated.
8. Recommend legislation to the Village Council when appropriate or requested.
9. Attend Village Council meetings as requested by the Village Manager.
10. Prepare various legal documents required by the Village.
11. Represent the Village in administrative proceedings before State agencies.
12. Advise appropriate officials on policy affecting the enforcement of all Village ordinances.
13. Consult with Village Manager and/or Department Heads and various boards and Village Council on proposed or revised Village policies or ordinances.
14. Provide quarterly reports to the Village Council and Village Manager on the status of pending or concluded cases handled during the period.
15. Provide monthly time and billing records to the Village Manager for all work performed which shall include, at a minimum, the following detail:
  - a. The date on which the service was provided.
  - b. Name and classification of attorney or staff person providing such service.
  - c. A detailed description of the service provided to permit the Village to readily identify the purpose, nature or scope of the service, court case for which such service was provided, or other identifiable information.
  - d. The title of the Village official authorizing or requesting such service.
  - e. Number of billable hours spent providing such service rounded to the nearest 1/10 hour.
  - f. Hourly rate charged for such service.
  - g. Detailed breakdown of all non-overhead costs (materials, copies, postage, mileage, meals, and other costs).

- h. Separate billings shall be provided for general counsel, prosecutions, and civil litigation cases.

The scope of services may also include the following:

Prosecution Services

1. Represent the Village as Prosecutor in the 52<sup>nd</sup>/3<sup>rd</sup> Judicial District Court for ordinance violations, municipal civil infractions, violations of the Uniform Traffic Code, and violations of the Michigan Motor Vehicle code.
2. Represent the Village as Prosecutor in all appeals of convictions at the local level only.
3. Recommend and draft any necessary ordinance amendments based on cases prosecuted.
4. Provide to the Village Manager time records for work performed and statistics reports on the cases opened, pending, and concluded.

Civil Cases

The Village Attorney will not normally be required to handle civil litigation against the Village of Lake Orion but may be expected to handle civil litigation initiated by the Village under separate contract. There will be a separate agreement for each civil litigation matter and the rate specified for that matter will be the same rates for the duration of that individual litigation matter.

Other Specialty Services

Tax tribunal, labor, bankruptcy, and/or bond counsel services, and litigation will be handled under separate contract either by the Village Attorney or special legal counsel outside the normal Village Attorney Contract but may be considered during the RFQ process. The firm should note in the proposal which special legal services the firm can provide.

Estimated Workload

The Village does not guarantee a set workload and/or billable hours.

## Appendix B

### Legal Services Request for Qualifications

1. Firm name
  - a. Areas of specialty.
  - b. Years in business.
  
2. Offices
  - a. Office location where the majority of the work will be performed.
  - b. Name and address of parent firm (if applicable).
  
3. Personnel
  - a. Principal contact (name, phone number, email) of the firm.
  - b. Proposed personnel for legal services to be provided for each discipline. Please provide the specific name of the individual who will handle each discipline (e.g., general, prosecution, civil litigation) and **attach a current resume for each individual.**
  - c. Other key personnel names who will be used for Village business.
  - d. Total number of licensed attorneys at office listed in 2a. above.
  - e. Total number of all staff at office listed in 2a. above.
  
4. Does firm have adequate staff to handle another municipal client or will staff need to be hired?
  
5. Experience - provide a short narrative (no more than five (5) pages) detailing experience in municipal law including areas of expertise. Be sure to include any information on items identified as specialty services in Appendix A as well.
  
6. List specific reasons (no more than two (2) pages) why your firm should be considered by the Village of Lake Orion for legal representation.
  
7. Provide three (3) or more municipal references from prior or current clients, including contact name, title, municipality name, telephone number, and E-mail address.
  
8. Disclose any clients or interests that may reasonably be foreseen to constitute a conflict of interest when representing the Village (such as other local governments, developers, bidders, etc.).
  
9. Describe how your firm will handle the day to day activities (general counsel, prosecutions and court appearances, and attendance at meetings) of this contract. This is particularly important if you do not have a local office.
  
10. Provide evidence of a comprehensive liability and workers compensation insurance policy for all staff assigned to work for the Village.

11. Note any exceptions or deviations to the required scope of services outlined in Appendix A.
12. During the past five (5) years, has the firm had any Bar Association complaints filed against it? If so, please explain.
13. Has the firm been in bankruptcy, reorganization or receivership in the last five (5) years?
14. Has the firm been terminated by any municipal client in the last five (5) years? If so, please explain.
15. Define the standard time frames for response by the Village Attorney to inquiries from the Village Council, Village Manager or Department Heads.
16. Describe how your firm would familiarize itself with the current issues facing the Village of Lake Orion.
17. Does the firm or any of its employees have any known conflict of interest that would prevent the firm or individual from performing any of the required services for the Village? If so, please indicate such conflicts in sufficient detail.
17. Pricing - note the Village requires per hour charges (to the tenth of an hour) for all work performed.

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. Hourly Rate for General Legal Services	\$ _____
D. Hourly Rate for Prosecution Services	\$ _____
E. Provide or attach the firm's complete fee schedule for all other services not included above:  1.  2.  3.  4.  5.	\$ _____  \$ _____  \$ _____  \$ _____  \$ _____

**Sherman & Sherman P.C.**

30700 Telegraph Road, Suite 3420  
Bingham Farms, MI 48025-4590  
(248) 540-3366 Telephone  
(248) 540-5959 Fax

Larry H. Sherman  
Jeffrey A. Sherman  
Timothy J. Burns

October 20, 2025

**HAND-DELIVERED**

Village Clerk  
Village of Lake Orion  
21 East Church Street  
Lake Orion, MI 48362

**RE: VILLAGE ATTORNEY RFQ**

Dear Sir/Madam:

If you want attorneys who can think outside of the proverbial box and who can assist the Village of Lake Orion in creatively dealing with all its future issues and achieving its goals, we are the ideal candidates for General Counsel and Prosecuting Attorney. We are a boutique law firm specializing in municipal representation with a personal touch. We offer our municipal clients a personalized service from three very experienced and dedicated attorneys. We pride ourselves on maintaining personal and productive working relationships with our municipal clients.

For the past thirty-eight (38) years, we have served as City Attorneys and Prosecuting Attorneys for the City of Madison Heights; and for the past twenty (20) years, we have served as Prosecuting Attorneys for West Bloomfield Township. In addition to being General Counsel and Prosecuting Attorneys, we are personally involved in the development of real property, both privately and as municipal attorneys. We have represented land developers throughout the Tri-County area. As such, we bring a unique skillset to the table.

Moreover, we have been involved in some unique projects, some of which include the following, as hereinafter described. We shut down the Southeastern Oakland County Resource Recovery Authority's (SOCCRA) solid waste incinerator in Madison Heights, to the joy of every single resident in Madison Heights; and led the City out of SOCCRA. We shepherded through the building of new commercial centers in Madison Heights, including the construction of a Meijer store in exchange for the building of brand-new homes. We've promoted the development of a diversified tax base in Madison Heights, to include not only residential and commercial areas, but light-industrial developments as well. We've demolished unkempt homes and buildings, in a streamlined legal process, and witnessed brand new construction in its place. We successfully litigated a hazardous chemical spill onto the I-696 freeway and service drive (referred to by the press as the "green ooze" case) by a business owner engaging in the electroplating business. All the business owner's buildings (901, 925, 937, 945 and 959 E. 10 Mile Road) ended up being demolished and the properties cleaned up. The City now owns the properties.

Village of Lake Orion  
October 20, 2025  
Page 2

We've negotiated and drafted cooperative agreements between municipalities and participated in their governing committees (such as the George W. Kuhn Drainage District). We've been involved in the granting and revocation of Industrial Facilities Exemption Certificates and the development of Downtown Development Districts. We've provided legal support for the City Manager selection process (while saving the City thousands of dollars), culminating in Council's selection, appointment and approval of an employment agreement. We've drafted numerous ordinances and resolutions. We've handled code enforcement matters, tax tribunal cases, zoning board of appeals issues, planning commission matters and insurance issues--to name but a few.

In terms of prosecutions, the Madison Heights prosecutions take place at the 43<sup>rd</sup> Judicial District Court (Hon. Keith Hunt) and the West Bloomfield Township Prosecutions take place at the 48<sup>th</sup> Judicial District Court (Hon. Marc Barron, Hon. Kimberly Small and Hon. Diane D'Agostini). As such, we work very closely with the Police Departments in both communities (Madison Heights Chief of Police Brent LeMerise, former West Bloomfield Chief of Police Michael Patton, and current West Bloomfield Chief of Police Dale Young), and we handle all types of misdemeanor offenses and civil infractions (including overweight truck cases). Further, we've conducted numerous jury trials, bench trials and formal hearings.

By way of brief background, our Law Firm consists of Larry H. Sherman, Jeffrey A. Sherman and Timothy Burns. We have a combined total of over one hundred nineteen (119) years of legal experience representing municipalities and prosecuting municipal ordinance offenses and violations.

**JEFFREY A. SHERMAN**: In addition to diligently serving as a West Bloomfield Prosecutor for the past twenty (20) years, Jeffrey has also served as the Madison Heights Assistant City Attorney for the past thirty-eight (38) years. He received his bachelor's degree (with High Distinction) from the University of Michigan in 1976 and his Juris Doctorate Degree from the University of Michigan in 1979. He is a principal in our Law Firm. As Assistant City Attorney for Madison Heights, Jeffrey serves as Legal Advisor to the City Council, City Manager, and all Department Heads. He represents the City in most civil and criminal matters. During his career, Jeffrey has been the City Attorney for the City of Hazel Park and worked as Special Counsel for the City of Ferndale. In addition to Municipal Law, his practice concentrates on Real Estate, General Civil Litigation, and Criminal Prosecution. Jeffrey is licensed to practice law in all State and Federal Courts; and has vast legal and personal experience in real estate matters.

**LARRY H. SHERMAN**: In addition to proudly serving as a West Bloomfield Township Prosecuting Attorney for the past twenty (20) years, Larry H. Sherman has served as the Madison Heights City Attorney for the past thirty-eight (38) years. He received his bachelor's degree from Harvard College in 1974 and his Juris Doctorate Degree from the University of Michigan in 1977. He is a principal in our Law Firm. As City Attorney for Madison Heights, Larry is the Chief Legal Advisor to the City Council, City Manager and all Department Heads. He represents the City of Madison Heights in most civil and criminal matters. During his career, Larry performed municipal legal work for such

Village of Lake Orion  
October 20, 2025  
Page 3

communities as Farmington Hills, Walled Lake, Sylvan Lake, Taylor, Melvindale, Mt. Morris, Redford and River Rouge. For five (5) years, from 1981 to 1986, Larry represented West Bloomfield Township, as Township Prosecutor, in the capacity as "Of Counsel" to the then Township Attorneys, Brennan, Bibeau and Poehlman, P.C.; and acted as Special Counsel to the Township Planning Commission for specific litigation. In addition to Municipal Law, his practice concentrates on Real Estate, General Civil Litigation and Criminal Prosecution. Larry is licensed to practice law in all State and Federal Courts and has vast experience, both personally and legally, in real estate matters.

**TIMOTHY J. BURNS:** Timothy Burns has also enjoyed serving as a West Bloomfield Township Prosecutor for the past three (3) years in addition to representing the City of Madison Heights as Assistant City Attorney for the past three (3) years. Tim received his bachelor's degree from Bradley University, in Peoria, Illinois in 1995 and his Juris Doctorate Degree from the University of Detroit-Mercy in 2000. He is an Associate in our Law Firm. As Assistant City Attorney, Tim also serves as Legal Advisor to the City Council, City Manager and all Department Heads. He too represents the City in most civil and criminal matters. During his career, Tim has served as clerk for the Michigan Attorney General-Secretary of State Division; served as Counsel for the Better Business Bureau; engaged in his own private practice for fifteen (15) years; was elected to the Oakland County Board of Commissioners, serving three (3) terms; and served on the Board of Commissioners for the State Bar of Michigan. Tim has also served as Special Legal Counsel to the City of River Rouge and White Lake Township and has served as Special Prosecutor in Hazel Park. In addition to Municipal Law, his practice concentrates on Criminal Prosecution, General Civil Litigation, Real Estate, Municipal Planning and Zoning, and Construction Law. Nic is licensed to practice law in all State and Federal Courts.

As General Counsel for the Village, our PRIMARY PHILOSOPHY is that Village Government should be "citizen friendly," "business friendly" and "employee friendly." In today's competitive economy, a municipality cannot fund all its needed services from tax revenues generated from the residents only. Therefore, it is our belief that a municipal government should work to cut red tape and bureaucratic interference of entrepreneurship and development. The Municipal Government should actively work to promote growth and attract businesses (especially those with employment opportunities) to move to the Village, but also keeping in mind the importance of quality of life: namely, green spaces, playgrounds, and recreation activities. Litigation, which only raises the cost of doing business and benefits lawyers, should be the course of last resort--not the course of first resort. Yet, we get tough, when getting tough is needed. We are also available to attend all boards meetings, such as the Zoning Board of Appeals and the Planning Commission.

As Prosecuting Attorneys, our PRIMARY PHILOSOPHY has always been (and continues to be) to exercise authority fairly, justly and equitably. We treat every person appearing in court with dignity and respect. However, we never forget our primary goal of serving the Village and enforcing the law. As indicated above, we will be plenty tough on serious offenders and repeat offenders. We will also maintain a close personal and working relationship with the Village Police Chief, the Village Police

Village of Lake Orion  
October 20, 2025  
Page 4

Officers and Police Department Administration. If selected, our first order of business will be to meet with each individual member of Council, the Village Manager, the Village Clerk, the Department Heads, and the Chief of Police.

All three of us will be involved in the Village's General and Prosecutorial work, but Jeffrey will be the main contact person and will act as General Counsel and handle all civil litigation. All three of us, Jeffrey, Larry and Tim, will act as Prosecutors and Assistant Village Prosecutors, respectively; and will be involved in other Village matters. We will work as a team. This method has worked extraordinarily well in both Madison Heights and West Bloomfield Township. All three of us will be available on a 24/7 basis. Council Members, the Village Manager, the Village Clerk, the Chief of Police and the Police Officers will have our cell phone numbers, our home telephone numbers and our email addresses. In addition, we can also communicate with everyone via text messaging. And, of course, we are available to meet with Village officials in person at any time. We are experienced attorneys. We have the knowledge and the ability to provide the Village of Lake Orion with reliable, prompt and cost-effective representation as General Counsel and Prosecutors. We could step-in immediately and start handling matters and cases; and we are forward-thinking attorneys and are extremely capable in helping the Village deal with future issues and reach its goals.

If selected, our second order of business will be to meet with the 52-3 Court Administrator and with Judges. Every Court has its own methods for handling matters and we would like to get a handle on those methods to hit the ground running. As an example, in the 48<sup>th</sup> District Court, we have a Pre-Hearing docket for all civil traffic infractions. We meet with the Defendants at the Courthouse or via zoom, without the Police Officers being present, and determine if the case can be resolved without an Informal or Formal Hearing being held. Our experience indicates that we can resolve about ninety-eight (98%) of the cases without taking the Officers off the road and paying them overtime for their appearance in Court. In addition, we have no conflicts of interest that would prevent us from handling the Lake Orion general work or prosecutions. Further, please feel free to contact the following five (5) people (or anyone else for that matter) for references:

Melissa Marsh, City Manager  
City of Madison Heights  
300 W. 13 Mile Road  
Madison Heights, MI 48071  
Telephone: (248) 837-2609  
Email: [MelissaMarsh@madison-heights.org](mailto:MelissaMarsh@madison-heights.org)

Michael Patton, West Bloomfield Trustee (Former Police Chief)  
West Bloomfield Township  
4550 Walnut Lake Road, West Bloomfield, MI 48323  
Telephone: (248) 975-8901  
Email: [mpatton@wbtownship.org](mailto:mpatton@wbtownship.org)

Village of Lake Orion  
October 20, 2025  
Page 5

Hon. Keith Hunt, 43<sup>rd</sup> District Court  
200 W. Thirteen Mile Road  
Madison Heights, MI 48071  
Telephone: (248) 538-1800  
Email: kph43rdhp@aol.com

Hon. Kimberly Small, 48th District Court  
4280 Telegraph Road,  
Bloomfield Township, MI 48302  
Telephone: (248) 647-1141

Steven Kaplan, Esq.  
Wayne County Prosecutor's Office  
5301 Russell Street, Suite 200  
Detroit, MI 48222  
Telephone: (313) 224-5777  
Email: skaplan@waynecountymi.gov

In terms of fees, our experience has shown that an hourly fee is a simple and fair arrangement, because the municipality pays for the actual services performed. We would propose the following financial arrangement: \$135.00 per hour for all services, plus any costs expended on behalf of the Village. However, we are open to discussing this fee arrangement and will consider all reasonable proposals. If you have any additional questions, please do not hesitate to contact us. On behalf of the Firm, I remain,

Very truly yours,

SHERMAN & SHERMAN, P.C.

***Jeffrey A. Sherman***

Jeffrey A. Sherman

Rh/JAS





**Michigan Millers**  
Mutual Insurance Company

Lansing, Michigan

**WORKERS COMP & EMPLOYERS LIABILITY**

Section 5, Item A.

Policy Number	From	Policy Period To
W 0101722 23	12/20/2024	12/20/2025
12:01 A.M. Standard Time at the described location		

Transaction		Renewal/Rewrite of Policy No.	
RENEWAL DECLARATION		W 0101722	
DIRECT BILL			
1. Named Insured and Address		Agent	
SHERMAN & SHERMAN PC 30700 TELEGRAPH RD STE 3420 BINGHAM FARMS MI 48025-4524		INSURANCE EXCHANGE AGENCY 1007 W HURON ST WATERFORD MI 48328	
		Telephone: 248-349-1122 0021037	
Carrier # 16969	FEIN # 382421755	Risk ID # 1572504-A	Entity of Insured CORPORATION

Additional Locations: See Attached Schedule

2. The Policy Period is from 12/20/2024 to 12/20/2025 12:01 a.m. Standard Time at the Insured's mailing address.
3. A. Workers Compensation Insurance: Part ONE of the policy applies to the Workers Compensation Law of the states listed here: Michigan
- B. Employers Liability Insurance: Part TWO of the policy applies to work in each state listed in Item 3A. The limits of our liability under Part TWO are:
 

Bodily Injury by Accident	\$	100,000	each accident
Bodily Injury by Disease	\$	500,000	policy limit
Bodily Injury by Disease	\$	100,000	each employee
- C. Other States Insurance: Part THREE of the policy applies to the states, if any, listed here: All states except North Dakota, Ohio, Washington, Wyoming, and states designated in item 3.A. of the information page.
- D. This policy includes these endorsements and schedules: See attached schedule.
4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates, and Rating Plans. All information required below is subject to verification and change by audit.

**SEE EXTENSION OF INFORMATION PAGE**

Minimum Premium \$261

<b>Total Estimated Annual Premium</b>	625
<b>Expense Constant</b>	250
<b>Premium Discount</b>	
<b>Deposit Premium</b>	625

**Assessments and Taxes**

This is a Three Year Fixed Rate Policy  
 Premium Adjustment Period:  Annual;  Semiannual;  Quarterly;  Monthly

Countersigned this \_\_\_\_\_ Day of \_\_\_\_\_,  
 Issued Date: 11/20/2024  
 Issuing Office Michigan Millers Mutual Ins.Co

\_\_\_\_\_  
 Authorized Representative

## **Appendix A**

### **Legal Services-Scope of Services**

Sherman & Sherman, P.C. can perform all the General Counsel, Prosecution, Civil, and Tax Tribunal Services listed in Appendix A.

## Appendix B

### Legal Services Request for Qualifications

1. Firm name: **Sherman & Sherman, P.C.**
  - a. Areas of specialty: **Municipal Law.**
  - b. Years in business: **43 years.**
  
2. Offices
  - a. Office location where the majority of the work will be performed: **30700 Telegraph Road, Suite 3420, Bingham Farms, MI 48025.**
  - b. Name and address of parent firm (if applicable): **Not applicable.**
  
3. Personnel
  - a. Principal contact (name, phone number, email) of the firm. **Jeffrey A. Sherman, Telephone: 248-540-3366, jeffasherman@shermanpc.com.**
  - b. Proposed personnel for legal services to be provided for each discipline. **Jeffrey A. Sherman, Larry H. Sherman & Timothy Burns.**  
Please provide the specific name of the individual who will handle each discipline (e.g., general, prosecution, civil litigation) and attach a current resume for each individual. **Jeffrey A. Sherman will be General Counsel and Jeffrey A. Sherman, Larry H. Sherman and Timothy Burns will handle the prosecutorial duties.**
  - c. Other key personnel names who will be used for Village business: **Megan Humphries, Law Student and Terrie Macklem, Legal Assistant.**
  - d. Total number of licensed attorneys at office listed in 2a above. **Three.**
  - e. Total number of all staff at office listed in 2a above. **Five.**
  
4. Does firm have adequate staff to handle another municipal client or will staff need to be hired? **We have sufficient staff to properly perform the duties.**
  
5. Experience – provide a short narrative (no more than five (5) pages) detailing experience in municipal law including areas of expertise. Be sure to include any information on items identified as specialty services in Appendix A as well. **Please see written narrative attached hereto.**
  
6. List specific reasons (no more than two (2) pages) why your firm should be considered by the Village of Lake Orion for legal representation. **Please see written narrative attached hereto.**
  
7. Provide three (3) or more municipal references from prior or current clients, including contact name, title, municipality name, telephone number, and E-mail address.
  - (i) **Melissa Marsh, City Manager, City of Madison Heights, 300 W. 13 Mile Road, Madison Heights, MI 48071; Telephone (248) 837-2609. Email: MelissaMarsh@madison-heights.org**

- (ii) **Michael Patton, West Bloomfield Trustee and former Chief of Police, 4550 Walnut Lake Road, West Bloomfield, MI 48323, Telephone: 248-975-8901, Email: mpatton@wbtownship.org;**
  - (iii) **Hon. Keith Hunt, Judge of the 43<sup>rd</sup> District Court, 200 W. Thirteen Mile Road, Madison Heights, MI 48071, Telephone: 248-583-1800, Email: [kph43rdhp@aol.com](mailto:kph43rdhp@aol.com)**
  - (iv) **Hon. Kimberly Small, 48<sup>th</sup> District Court, 4280 Telegraph Road, Bloomfield Township, MI 48302, Telephone: (248) 647-1141.**
  - (v) **Steven Kaplan, Esq. Wayne County Prosecutor's Office, 5301 Russell Street, Suite 200, Detroit, MI 48211, Telephone: (313) 224-5777; Email: [skaplan@waynecountrymi.gov](mailto:skaplan@waynecountrymi.gov)**
8. Disclose any clients or interests that may reasonably be foreseen to constitute a conflict of interest when representing the Village (such as other local governments, developers, bidders, etc.). **None.**
9. Describe how your firm will handle the day-to-day activities (police work, court appearances, and attendance at meetings) of this contract. This is particularly important if you do not have a local office. **Jeff, Larry and Tim will be available on a 24/7 basis. We will be present at all meetings and court appearances. Further, the Council Members, Village Manager, Village Clerk, Police Chief and Police Officers will have our cell phone numbers, our home telephone numbers, and our email addresses. We also communicate by text message as well.**
10. Provide evidence of a comprehensive liability and workers compensation insurance policy for all staff assigned to work for the Village. **Attached.**
11. Note any exceptions or deviations to the required scope of services outlined in Appendix A. **We handle all the Legal Services listed in Appendix A, including tax tribunal matters. If labor matters are part of the responsibilities that the Village desires from Counsel, labor matters in Madison Heights and in West Bloomfield Township are handled by Howard L. Shifman, P.C. We work closely in those communities with both Howard Shifman and Brandon Fournier in that firm. Bankruptcy and bond counsel services are handled by outside counsel who solely specifically specialize in these matters.**
12. During the past five (5) years, has the firm had any Bar Association complaints filed against it? If so, explain. **No complaint to the Bar Association filed against the firm. But a grievance was filed in 2025 against Prosecutor Jeff Sherman for not authorizing a Complaint and Warrant for an alleged assault and battery, against an 81-year-old dentist, who used his index finger to touch the arm of a dental hygienist, during an argument in their office. The hygienist told the dentist to stop touching her. The dentist immediately stopped and apologized. The dental hygienist's sister was an attorney. The sister wanted criminal charges filed against the dentist; and when criminal**

**charges were not authorized, the dental hygienist filed a grievance. Even so, the crime of assault and battery is a specific intent crime, meaning that the accused had to have the intent to commit an assault and battery. Touching someone on the arm with an index finger, and then stopping (when told to stop), and apologizing for it showed a lack of intent to commit the crime. The touching may have been inappropriate but was not assaultive. As such, the case could not be proven beyond a reasonable doubt. Criminal charges were not authorized. The grievance was dismissed by the State Bar in a couple of days. Prosecutors must follow the law and do right by people, both alleged victims and the accused.**

13. Has the firm been in bankruptcy, reorganization or receivership in the last five (5) years?  
**No.**
14. Has the firm been terminated by any municipal client in the last five (5) years? No. If so, please explain. **Not Applicable.**
15. Define the standard time frames for response by the Village Attorney to inquiries from the Village Council, Village Manager or Department Heads. **We will respond immediately, unless all the attorneys are in court at that moment, and, if so, an attorney will respond as soon as his court hearing has concluded.**
16. Describe how your firm would familiarize itself with the current issues facing the Village of Lake Orion. **Our first order of business will be holding meetings with each Council Member, the Village Manager, the Village Clerk, the Department Heads and the Chief of Police. Our second order of business will be meeting with the Judges of the 52-3<sup>rd</sup> District Court. Even so, we can step-in immediately to handle Village matters and criminal prosecutions.**
17. Pricing – note the Village currently requires per hour charges (to the tenth of an hour) for all work performed but will consider all pricing structures submitted. **\$135.00 per hour for all services, plus any costs expended on behalf of the Village.**

**Appendix C**

**Legal Services Request for Pricing**

<b>Pricing Component</b>	<b>Amount</b>
A. Hourly Rate for General Legal Services	<b>\$ 135.00</b>
D. Hourly Rate for Prosecution Services	<b>\$ 135.00</b>
E. Provide or attach the firm's complete fee schedule for all other services not included above:	<b>\$ 135.00</b>
1. Tax Tribunal	<b>\$ 135.00</b>
2. Zoning Board of Appeals	<b>\$ 135.00</b>
3. Planning Commission	<b>\$ 135.00</b>
4. Civil Litigation	<b>\$ 135.00</b>
5. All other matters	<b>\$ 135.00</b>

**Appendix C**

**Legal Services Request for Pricing**

<b>Pricing Component</b>	<b>Amount</b>
A. Hourly Rate for General Legal Services	<b>\$ 135.00</b>
D. Hourly Rate for Prosecution Services	<b>\$ 135.00</b>
E. Provide or attach the firm's complete fee schedule for all other services not included above:	<b>\$ 135.00</b>
1. Tax Tribunal	<b>\$ 135.00</b>
2. Zoning Board of Appeals	<b>\$ 135.00</b>
3. Planning Commission	<b>\$ 135.00</b>
4. Civil Litigation	<b>\$ 135.00</b>
5. All other matters	<b>\$ 135.00</b>

# Bloom Sluggett, PC

COUNSELORS & ATTORNEYS

Section 5, Item A.

**Nathan Inks**  
Direct Dial: (313) 919-1527  
Fax: (616) 965-9350  
nathan@bloomsluggett.com

October 20, 2025

Susan Galeczka, Village Clerk  
Village of Lake Orion  
21 East Church Street  
Lake Orion, MI 48362

**Re: Proposal for Municipal Legal Services**

Ms. Galeczka,

On behalf of Bloom Sluggett, PC, attached please find our firm's Proposal for Municipal Legal Services. We appreciate the opportunity to submit this proposal and it would be an honor to represent the Village.

If you have any questions or wish to discuss the matter further, please feel free to contact me at (313) 919-1527.

Sincerely,



Nathan Inks

Village of Lake Orion Proposal Attachment

1. Bloom Sluggett, PC

a. Areas of Specialty:

- General Municipal / Public Sector Law
- Municipal Prosecution
- Open Meetings Act
- Charter Amendments
- Governmental Immunity
- General Negligence
- Litigation and Appellate Advocacy
- Insurance Coverage
- Ordinance Drafting
- Millages
- Procurement and Construction
- Litigation
- Zoning and Planning
- Eminent Domain
- Special Assessments
- Intergovernmental Agreements
- Ordinance Enforcement
- Labor and Employment
- Federal and State Grants
- Telecommunications including wired and wireless issues and municipal Broadband
- Technology
- Energy
- Cell Tower Leases
- Public Contracts
- Election Law
- Library Law
- Parliamentary Procedure
- Property Tax Appeals
- Economic Development/Incentives
- Labor Law
- Real Estate
- Land Division
- Right-of-way Management

- b. Bloom Sluggett was established as a corporation in December of 2011 by Cliff Bloom and Jeff Sluggett. The Firm has represented and provided legal/attorney services to over 75 municipalities and public sector entities across the State for well over 10 years. Our attorneys combine for more than two centuries of municipal representation.

2. Offices

- a. Bloom Sluggett, PC has a Grand Rapids office and a Detroit office. The majority of the work for the Village will be performed in the Detroit office.

b. Detroit office:

400 Renaissance Center, Suite 2600, Detroit, MI 48243

Grand Rapids office:

161 Ottawa Ave NW, Suite 400, Grand Rapids, MI 49503

clients are served in a cost-effective, conflict-free and efficient manner. We are uniquely suited to perform the duties requested in the Village of Lake Orion proposal because we have combined multiple centuries plus experience of in depth, nonconflicted, successful representation of and work with municipal entities across the State of Michigan on all the areas of expertise required of municipal entities including in particular the Village of Lake Orion.

- 6. Our focused practice on municipality/public sector law enables us to deliver high-quality legal services while ensuring that our clients are served in a cost-effective, conflict-free and efficient manner. The fact that we do not represent clients that are averse to municipalities/public sector entities allows us to minimize conflict situations with a client, municipality or public sector entity and alleviates us from creating adverse case law. As stated above, Bloom Sluggett has centuries of combined experience of in depth, successful representation of and work with municipalities across the State.

Additionally, as a former law clerk for Judge Nancy T. Carniak of the 52-3 District Court, Nathan Inks is familiar with the policies and procedures relevant for Village prosecution cases, as well as the Village’s prosecution needs.

7.

Stephen C.N. Kepley  
 Mayor  
 City of Kentwood  
 4900 Breton Ave. SE, PO Box 8848  
 Kentwood, MI 49518-8848  
[kepleys@kentwood.us](mailto:kepleys@kentwood.us)  
 (616) 554-0771

Darin Dood  
 Village Manager  
 Village of Lakeview  
 208 S. Lincoln Ave.  
 Lakeview, MI 48850  
[manager@villageoflakeview.org](mailto:manager@villageoflakeview.org)  
 (989) 352-6322

Mike Falcon  
 Village Manager  
 Village of Howard City  
 POBox 510, 125 E. Shaw Street  
 Howard City, MI 49329  
[manager@villageofhowardcity.org](mailto:manager@villageofhowardcity.org)  
 (231) 937-4311

Mark Borden  
 Village Manager  
 Village of Edmore  
 209 Sheldon, PO Box 170  
 Edmore, MI 48829  
[manager@villageofedmore.org](mailto:manager@villageofedmore.org)  
 (989) 427-5641

Precia Garland  
Manager  
City of Ionia  
114 North Kidd Street  
Ionia, MI 48846  
[pgarland@ci.ionia.mi.us](mailto:pgarland@ci.ionia.mi.us)  
(616) 527-4170 ext. 5776

Kate Hosier  
Manager  
City of South Haven  
539 Phoenix Street  
South Haven, MI  
[khosier@southhavenmi.gov](mailto:khosier@southhavenmi.gov)  
(269) 637-0750

8. This firm does not believe there are any activities and/or relationships that might create a conflict of interest for us or the Village.
9. Bloom Sluggett will promptly acknowledge receipt of the Village's request and provide the Village with a timeframe for completion. Exact response times for final deliverables will depend on the complexity of the request. The Firm will be cognizant of and accommodate deadlines the Village may have. This Firm has the capacity to take on this contract and will keep the work in-house. Nathan Inks will be the primary attorney for the Village and may delegate work and/or projects to other attorneys within the Firm. When an immediate response is needed, Nathan Inks can be reached via telephone or email. If Nathan and/or Dave are not available, the Village will be made aware and another attorney from the Firm will be available.
10. See attached COI
11. None.
12. This Firm has not had any Bar Association complaints filed against it.
13. This Firm has not been in bankruptcy, reorganization or receivership in the past five (5) years.
14. Over the past five years, the Firm has been replaced as legal counsel for two municipalities.
15. As previously stated, Bloom Sluggett will promptly acknowledge receipt of the Village's request and provide the Village with a timeframe for completion. Exact response times for final deliverables will depend on the complexity of the request. The Firm will be cognizant of and accommodate deadlines the Village may have.

16. If awarded the contract, Nathan Inks and Dave Eberle will meet with the Village for as long as necessary to be brought up to speed on the current issues the Village is facing.
17. At this time, there are no know conflicts of interest by this firm or any of its employees that would prevent the firm or any individual employee from performing any of the required serves for the Village.
18. The Firm acknowledges that the Village requires per hour charges (to the tenth of an hour) for all work performed.

# Bloom Sluggett, PC

Counselors & Attorneys

## **PROPOSAL FOR MUNICIPAL LEGAL SERVICES**

### **VILLAGE OF LAKE ORION, MICHIGAN**

#### **GRAND RAPIDS OFFICE**

Bloom Sluggett, PC  
161 Ottawa Ave. NW, Suite 400  
Grand Rapids, MI 49503  
[www.bloomsluggett.com](http://www.bloomsluggett.com)  
Phone: (616) 965-9340  
Fax: (616) 965-9350  
Federal Taxpayer ID #: 45-4497441

#### **DETROIT OFFICE**

Bloom Sluggett, PC  
400 Renaissance Center, Suite 2600  
Detroit, MI 48243  
Phone: (313) 309-7288  
Fax: (616) 965-9350

**TABLE OF CONTENTS**

	Page
1. INTRODUCTION.....	3
2. STATEMENT OF QUALIFICATIONS .....	3
3. FIRM EXPERIENCE .....	3
4. PROFESSIONAL REFERENCES.....	5
5. FIRM ATTORNEYS.....	6
ATTORNEY NATHAN INKS.....	6
ATTORNEY DAVE EBERLE.....	7
ATTORNEY JEFF SLUGGETT.....	8
ATTORNEY CLIFF BLOOM.....	9
ATTORNEY BLAKE CONKLIN.....	10
ATTORNEY MICHELLE KITCH.....	11
ATTORNEY ANDREW GORDON.....	12
ATTORNEY ASHLEIGH RUSSETT.....	13
ATTORNEY TOBY KOENIG.....	14
ATTORNEY CLINTON ROSEKOPF.....	15
ATTORNEY MATT ROSE.....	16
ATTORNEY DENNIS MCSHANE.....	17
ATTORNEY MIKE WATZA.....	18
ATTORNEY MIKHAIL ALBUSEIRI.....	19
ATTORNEY THOMAS “MAC” WARDROP.....	20
7. ACCESSIBILITY AND RESPONSIVENESS.....	21
8. PROPOSED PRICING AND FEE STRUCTURE.....	21
9. CONCLUSION.....	22

**INTRODUCTION**

Bloom Sluggett, PC (“BSPC”) is pleased to present this proposal to provide legal services for the Village of Lake Orion (the “Village”). We welcome the opportunity to review our proposal with you or answer any questions the Village may have. We encourage you to learn more about us by visiting our website at [www.bloomsluggett.com](http://www.bloomsluggett.com).

**STATEMENT OF QUALIFICATIONS**

BSPC attorneys include Nathan Inks, Dave Eberle, Jeff Sluggett, Cliff Bloom, Mike Watz, Michelle Kitch, Blake Conklin, Andy Gordon, Toby Koenig, Clinton Rosekopf, Ashleigh Russett, Matt Rose, and Dennis McShane. Mikhail Albuseiri and Thomas (Mac) Wardrop serve as Of Counsel. BSPC also has 3.5 support staff and an Office Manager. All of our attorneys practice law in the State of Michigan and practice in a limited number of specialized areas, concentrating first and foremost on representing public sector clients. Under this proposal, Nathan Inks would serve as the Village’s principal contact and be responsible for coordinating any other attorneys and support staff. Dave Eberle would serve as the Village’s secondary contact.

**FIRM EXPERIENCE**

Consistently named a “Best Law Firm” in the field of municipal law by *Best Lawyers®*, BSPC has established itself as a distinguished law firm focused on the following practice areas: general public sector and municipal law, property tax law, real estate law, riparian and water law, public sector labor & employment, and public sector litigation and appellate advocacy. Our focused practice enables us to deliver high-quality legal services while ensuring that our clients are served in a cost-effective and efficient manner.

Our team of seasoned attorneys understands the intricacies of municipal law and has a wealth of experience in successfully addressing the unique legal challenges such entities face. Our services include, but are not limited to, the following:

- General Municipal/Public Sector
- Planning and Zoning
- Labor and Employment
- Public Contracts
- Procurement and Construction
- Intergovernmental Agreements
- Ordinance Drafting
- Election Law
- Property Tax Appeals
- Litigation and Appellate Advocacy
- Eminent Domain
- Charter Amendments
- Freedom of Information Act
- Open Meetings Act
- Millages
- Special Assessments
- Telecommunications / Broadband
- Cell Tower Leases
- Right-of-way Management
- Real Estate
- Land Division
- Economic Development / Incentives
- Federal and State Grants
- Ordinance Enforcement
- Library Law
- Utility Rates and Compliance

We are dedicated to the well-being of the communities we serve and believe that our clients would attest to our proven track record of serving local governments and public entities with the utmost dedication and professionalism. Our public sector practice is expansive. We currently serve as general legal counsel to numerous municipalities and public sector entities in Michigan including:

- City of Carson City
- City of Cedar Springs
- City of Coopersville
- City of Hastings
- City of Hudsonville
- City of Ionia
- City of Kentwood
- City of Manistee
- City of Newaygo
- City of New Buffalo
- City of Plainwell
- City of Portland
- City of Scottville
- City of South Haven
- City of Springfield
- City of Stanton
- City of Walker
- Ada Township
- Alpine Township
- Benton Charter Township
- Big Prairie Township
- Bois Blanc Township
- Bowne Township
- Bridgeton Township
- Brooks Township
- Bushnell Township
- Burdell Township
- Croton Township
- Crystal Township
- Dayton Township
- Dorr Township
- Ensley Township
- Everett Township
- Evergreen Township
- Gaines Charter Township
- Georgetown Charter Township
- Grant Township
- Grattan Township
- Home Township
- Irving Township
- Lake Township
- Leighton Township
- Lilley Township
- Lowell Charter Township
- Martin Township
- Merrill Township
- Montcalm Township
- North Plains Township
- Norwich Township
- Plainfield Charter Township
- Pleasant Plains Township
- Sheridan Charter Township
- Sherman Township
- Surrey Township
- Thornapple Township
- Troy Township
- White River Township
- Wilcox Township
- Winfield Township
- Wright Township
- Yates Township
- Village of Howard City
- Village of Lake Isabella
- Village of Lakeview
- Village of Muir
- Village of Nashville
- Village of Lawton
- Village of Pierson
- Village of Sparta
- Village of Sand Lake
- The Saugatuck Township Fire District
- Sheridan Community Fire Department
- Grand Valley Metro Council
- Lakeland Library Cooperative
- PROTEC
- Merit Network
- Grand Rapids Land Bank

Additionally, we serve as special legal counsel for many other municipalities and public entities.

BSPC’s specialized focus allows us to limit conflict-of-interest situations. One important trait that differentiates BSPC from many other firms is that BSPC does not represent private clients against **any** municipality. We do this because we are, first and foremost, a municipal law firm. We also do this to avoid the potential of establishing adverse precedents against Michigan municipalities. At this time, BSPC is not aware of any conflicts of interest if the firm were to be appointed the position of Village attorney.

**PROFESSIONAL REFERENCES**

Stephen C.N. Kepley  
Mayor  
City of Kentwood  
4900 Breton Ave. SE, PO Box 8848  
Kentwood, MI 49518-8848  
[kepleys@kentwood.us](mailto:kepleys@kentwood.us)  
(616) 554-0771

Darin Dood  
Village Manager  
Village of Lakeview  
208 S. Lincoln Ave.  
Lakeview, MI 48850  
[manager@villageoflakeview.org](mailto:manager@villageoflakeview.org)  
(989) 352-6322

Mike Falcon  
Village Manager  
Village of Howard City  
POBox 510, 125 E. Shaw Street  
Howard City, MI 49329  
[manager@villageofhowardcity.org](mailto:manager@villageofhowardcity.org)  
(231) 937-4311

Mark Borden  
Village Manager  
Village of Edmore  
209 Sheldon, PO Box 170  
Edmore, MI 48829  
[manager@villageofedmore.org](mailto:manager@villageofedmore.org)  
(989) 427-5641

Precia Garland  
Manager  
City of Ionia  
114 North Kidd Street  
Ionia, MI 48846  
[pgarland@ci.ionia.mi.us](mailto:pgarland@ci.ionia.mi.us)  
(616) 527-4170 ext. 5776

Kate Hosier  
Manager  
City of South Haven  
539 Phoenix Street  
South Haven, MI  
[khosier@southhavenmi.gov](mailto:khosier@southhavenmi.gov)  
(269) 637-0750

Additional references are available upon request. For all of the above references, BSPC serves as general counsel and provides a wide range of legal services.

## FIRM ATTORNEYS

### NATHAN INKS

Nathan is an attorney with nearly 10 years of legal experience, with a practice focus on general municipal law, planning and zoning, tax law, and appellate advocacy. He has experience handling a wide variety of complex legal issues and has a passion for local government service.



Nathan earned a Bachelor of Science degree in Meteorology from Central Michigan University, where he was a Centralis Gold Award recipient. Nathan went on to receive his Juris Doctor (*cum laude*) from Wayne State University Law School. During law school, he served as Production Editor of the *Wayne Law Review* and as a student attorney for the Transnational Environmental Law Clinic. His essay on wetland mitigation was published in the *Michigan Environmental Law Journal*.

Before joining Bloom Sluggett, Nathan gained valuable experience as a law clerk for the Honorable Nancy T. Carniak of the 52-3 District Court serving northeast Oakland County and as senior law clerk to the Honorable David F. Viviano of the Michigan Supreme Court.

Nathan is actively involved in the community, serving on the Sterling Heights Planning Commission and as Chair of the Sterling Heights Sustainability Commission. He previously served on the Sterling Heights Solid Waste Management Commission. He is also a member of the Michigan Association of Planning.

Practice Area: Municipal and public sector law, planning and zoning, tax law, appellate advocacy.

Bar Admission: State of Michigan (P80213)  
Eastern District of Michigan  
Western District of Michigan

**DAVE EBERLE**

Recognized since 2024 in *Best Lawyers in America: Ones to Watch®* for his work in municipal law, Dave serves as senior legal counsel for multiple municipalities and public entities. Dave has extensive experience advising local governments regarding complex, high-profile legal matters, and he works closely with elected bodies and senior officials to develop legally sound, practical solutions, achieve objectives, and reduce liabilities.



Dave holds a Bachelor of Arts from Calvin University, a Master of Public Affairs from Indiana University’s O’Neill School of Public and Environmental Affairs, and a Juris Doctor from Michigan State University College of Law (*cum laude*). He is a credentialed Master Citizen Planner. Previously, Dave served as a law clerk to the Hon. David F. Viviano of the Michigan Supreme Court and as an assistant prosecuting attorney for Ionia County.

In addition to representing a wide variety of cities, townships, villages, and other public sector entities, Dave frequently presents on a range of municipal topics. He is a member of the State Bar Government Law Section and serves on the Michigan Municipal League’s Economic Development & Land Use Committee as well as the Michigan Association of Municipal Attorneys’ Education Committee. Dave is an Army veteran, having most recently served as a Civil Affairs officer in the Army Reserve.

Practice Area: General municipal law including zoning, planning, Freedom of Information Act, Open Meeting Act, special assessments, code and ordinance drafting, marihuana regulation, energy facility regulation, economic development, and public contracts.

Bar Admission: State of Michigan (P82459)

## JEFF SLUGGETT

A graduate of the University of Oregon Law School (1986), Jeff has over 35 years of experience in the legal field. His practice is devoted to public sector legal work. He has extensive experience in a wide range of municipal legal issues and represents over 20 communities and public authorities as general counsel. The longstanding relationship that Jeff enjoys with many of his clients is the aspect of his practice that he most values.



Clients, other municipal counsel, and municipal administrators and officers often ask Jeff to participate in various speaking engagements regarding municipal legal topics. He is also a contributor to *Michigan Municipal Law*, published by the Institute for Continuing Legal Education of the State Bar of Michigan, and has published in other venues on numerous occasions.

In addition to being a 14-time recipient of the Michigan Super Lawyers rating in the area of public sector law, Jeff has also received the highest designation of AV Preeminent by Martindale Hubbell for over 20 years and was selected in 2010 as a Distinguished Michigan Attorney of the Year by the Michigan Association of Municipal Attorneys upon the recommendation of his clients. Since 2017 he has been selected for inclusion in *The Best Lawyers in America*® for his practice in the area of municipal law. Jeff was also chosen as “Lawyer of the Year” in 2019 by *Best Lawyers* for his work in the public sector. A former chairperson of the Government Law Section of the State Bar of Michigan (2007-2008), Jeff continues to actively serve on that body. In addition, he is a member of the State Bar of Michigan, the Grand Rapids Bar Association, and the Michigan Association of Municipal Attorneys.

Aside from his professional legal work, Jeff is engaged in various civic organizations. Jeff lives in the Grand Rapids area.

Practice Area: General municipal law including zoning, planning, annexation and 425 agreements, elections, Freedom of Information Act, Open Meeting Act, tax increment financing, special assessments, charter amendments, code and ordinance drafting, real estate, and public contracts.

Bar Admission: State of Michigan (P39440)

## CLIFF BLOOM

Cliff has over 40 years of legal experience. Originally from Grand Rapids, he received his undergraduate and law degrees from the University of Michigan (1983). He has practiced law in Grand Rapids ever since.



Having lectured on a variety of real estate and municipal topics, Cliff serves as general legal counsel for over 30 Michigan municipalities, including City of Newaygo, and the Village of Lake Isabella. He has extensive experience in zoning and planning matters and has lectured on those issues for various organizations including the Michigan Townships Association.

Cliff is a recognized expert in the field of riparian law and serves as the general legal counsel for the Michigan Lakes & Streams Association, Inc. Among his various printed works, Cliff authors a regular column for the Michigan Riparian Magazine and has written several books for the Michigan Townships Association.

In addition to being a 12-time recipient of the Michigan Super Lawyers rating, Cliff has also received the highest designation of AV Preeminent by Martindale Hubbell and *Best Lawyers*.

Practice Area: Real estate, riparian, zoning and planning, and public sector law.

Bar Admission: State of Michigan (P35610)

## MIKE WATZA

Mike graduated from Michigan State University with a BA in 1978 and earned his Juris Doctorate from The Detroit College of Law in 1986. He is admitted to practice by the State Bar of Michigan as well as the Michigan Eastern and Western Federal District Courts and US 6<sup>th</sup>, 9<sup>th</sup> and DC Circuit Courts of Appeal and the US Supreme Court.

He is A-V rated by Martindale Hubbell and has been designated as a Super Lawyer since 2007, a Detroit Business Top Lawyer in Energy, Government and Product Liability and recognized in Crain's Detroit's Annual Book of Lists of Leading & Top Lawyers.



He has represented local government and a wide range of other clients in various litigated, regulatory and public policy matters throughout his career.

The focus of his work for the last 25 years in particular, has been telecommunications and energy related regulatory matters. He serves as general counsel to PROTEC <https://www.protec-mi.org/> a governmental consortium of 100 local communities across Michigan, focused on all matters related to Public Rights of Way and Public Property. He also serves as general counsel to Merit Network <https://www.merit.edu/> a nonprofit - University affiliated nonprofit corporation, which provides fiber internet access and cyber security services to research universities, nonprofits and anchor institutions across Michigan.

Practice Area: Utility ROW issues including permitting and franchising; Telecommunications including Municipal Broadband, Cell Towers -both traditional Macro Towers and “Small Cells” and Cable; Energy issues including Transmission Tower Siting challenges and Electric Rate Cases at the Michigan Public Service Commission

Bar Admission: State of Michigan (P38726)

## MICHELLE KITCH

Michelle graduated from the University of Michigan with a BA degree in 1980 and attended law school at The Detroit College of Law where she obtained her Juris Doctorate in 1983. Michelle has been a litigator her entire career handling almost all types of property and casualty insurance matters and is now handling public sector, municipal tax, and riparian rights litigation for BSPC.

Michelle served as National Coordinating Counsel for a Fortune 500 company for approximately 10 years. She is also an ICLE trained facilitator/mediator serving as a facilitator or mediator in State Court. Michelle was the chair of the USDC – Western Division, VFM Advisory Committee for about 4 years and she sits on the VFM panel of approved federal court facilitators. She is also a court approved case evaluator. Michelle worked as a CASA (Court Appointed Special Advocate) volunteer for 10 years with wards of the Court in abuse and neglect cases.



Practice Area: Public sector and riparian rights litigation and appellate advocacy.

Bar Admission: State of Michigan (P35498)

## BLAKE CONKLIN

Blake earned his Juris Doctor from Case Western Reserve University School of Law in Cleveland, Ohio. While in law school, Blake clerked for the City of Cleveland's Law Department and the office of the United States Attorney, Northern District of Ohio.



Blake represents a wide variety of cities, townships, villages, and other public-sector entities in general municipal matters. He has experience working with and advising communities on Freedom of Information Act and Open Meetings Act issues, tax increment financing authorities and economic development matters, the establishment of special assessment districts, charter amendments, voter-approved millages and election matters. Additionally, Blake has served as grantee's counsel in connection with Michigan Natural Resources Trust Fund grant applications and as applicant's counsel in connection with United States Department of Agriculture – Rural Development grant and loan applications and closings.

In his real estate practice, Blake routinely handles complex real estate transactions and leasing matters for municipalities.

Additionally, Blake has served as grantee's counsel in connection with Michigan National Resources Trust Fund grant applications and closings, and as applicant's counsel in connection with United States Department of Agriculture – Rural Development grant and loan applications and closings.

Blake has extensive prior experience with a major utility company and a deep knowledge of utility matters, including the negotiation and acquisition of easements and other property interests along with condemnation and eminent domain law.

Practice Area: General municipal, real estate, millages, election issues, land use and zoning, property purchases, easements, leases and licenses.

Bar Admission: State of Michigan (P75737)

**ANDREW GORDON**

Andy earned his Juris Doctor from the University of Iowa College of Law where he also served as the Senior Managing Editor of the Iowa Law Review as well as Co-President of the Iowa Student Bar Association. Prior to law school, Andy earned his Bachelor of Science degree in Accounting and Finance from Indiana University's Kelley School of Business.



Before joining BSPC, Andy worked for a private firm in Lansing representing some of Michigan's largest labor unions in federal and state litigation, administrative hearing matters, and arbitrations. Additionally, Andy worked for a smaller firm in Iowa where he served as the Assistant City Attorney for the City of Forest City. He represented the City in civil enforcement matters and advised the City Council on a variety of issues including open meeting requirements, utilities regulation, and administrative civil rights.

Practice Area: Public sector litigation, Tax Tribunal matters, labor/employment, and library law.

Bar Admission: State of Michigan (P80211)

## **TOBY KOENIG**

Toby earned his Juris Doctor degree from Wayne State University Law School where he served as Senior Note and Comment Editor of the Wayne Law Review and interned with the Navy JAG Corps in Washington D.C. Prior to law school, Toby earned his Bachelor of Arts degree from Grand Valley State University.



Prior to joining BSPC, Toby worked as a research attorney at the Michigan Court of Appeals and served as a judicial law clerk to the Hon. Mary Beth Kelly of the Michigan Supreme Court and to the Hon. Stephone L. Borrello of the Michigan Court of Appeals. Following his time working for the judiciary, Toby served as an Assistant City Attorney for the City of Grand Rapids where he specialized in municipal tax defense and municipal litigation.

Practice Area: Municipal tax defense and litigation, public sector law

Bar Admission: State of Michigan (P72367)

## CLINTON ROSEKOPF

Clinton earned his Bachelor of Arts degree in Political Science from Roosevelt University and his Juris Doctor from Western Michigan University Thomas M. Cooley Law School (*magna cum laude*). While in law school Clinton served as a Senior Resource Editor on the Law Review and gained valuable experience interning with a local Grand Rapids law firm, as well as the Kent County Prosecutor's Office.



An experienced prosecutor, Clinton served as an assistant prosecuting attorney for Muskegon County and Ottawa County before joining BSPC. During his time as an assistant prosecuting attorney, Clinton managed and tried all levels of cases, including misdemeanors, felonies, juvenile offenses, and abuse neglect cases.

Clinton is DRE certified having completed the Drug Recognition Expert (DRE) training program, which is designed to provide law enforcement officers with the knowledge and skills necessary to identify, evaluate, document, and prosecute drugged drivers.

Practice Area: Prosecution and code enforcement

Bar Admission: State of Michigan (P82073)

## ASHLEIGH RUSSETT

Ashleigh Russett earned her Juris Doctor degree from Michigan State University College of Law where she served as an editor on the International Law Review and published a student note on human trafficking legislation. Her passion for small government began during her undergraduate education at Central Michigan University where she obtained a Bachelor of Science in political science and French. During law school, she worked as a legislative aide at the Michigan House of Representatives where she collaborated with local governments and interest groups to support the concerns of their constituents



After graduating law school, Ashleigh began her career as a litigator at a large firm in Grand Rapids practicing insurance defense and subrogation. She garnered extensive experience in litigation at the district, circuit, and federal district court levels in matters ranging from products liability actions to multi-million-dollar construction losses. In this role, she worked closely with fire investigators, engineers, and other experts to investigate liability for fires and other property losses, which included overseeing large fire scenes and laboratory examinations. Her experience makes her well-equipped to handle a variety of municipal law cases, including prosecution, ordinance enforcement, and other civil matters.

Ashleigh currently serves on the Awards Committee of the Grand Rapids Bar Association and as a 17th Circuit Representative on the Representative Assembly for the State Bar of Michigan. She is a frequent volunteer with Legal Aid of Western Michigan and has handled many pro bono cases through their office. She previously served as a CASA (court-appointed special advocate) for foster children in Kent County (2021-2023) and as President of the Young Lawyers Section of the Grand Rapids Bar (2023).

Practice Areas: Municipal and public sector law, prosecution, code enforcement, and litigation.

Bar Admission: State of Michigan (P82174)

## MATT ROSE

Matt Rose is an associate attorney with Bloom Sluggett, focusing his practice on municipal law. He brings a strong background in complex litigation and business law, having previously worked at a boutique litigation firm where he assisted with shareholder disputes, class action lawsuits, and other business matters.

Matt earned his Juris Doctor from Wayne State University Law School, where he served as a law review editor, authored a published Note, and graduated third in his class. He holds a Bachelor of Business Administration with High Distinction from the University of Michigan Ross School of Business, concentrating in accounting.

With a meticulous eye for detail, exceptional writing skills, and a commitment to finding innovative, practical solutions, Matt is dedicated to delivering outstanding legal service to clients.

Practice Area: Municipal and public sector law

Bar Admission: State of Michigan (P87232)



**DENNIS MCSHANE**

Dennis earned his Juris Doctor from Michigan State University College of Law. Following law school, he served as an assistant prosecuting attorney, chief assistant prosecutor, and prosecuting attorney for Chippewa County, Michigan. During his tenure at the Chippewa County Prosecutor’s Office, he prosecuted both misdemeanor and felony level offenses, juvenile offenses, and abuse-neglect cases. As prosecutor, he assisted in the creation of a diversion program for low-level misdemeanors, worked with an area task force to reduce opiate abuse and overdoses, and represented the county in the 50th Circuit Court Drug Court program.



Following his service with Chippewa County, Dennis served as prosecutor for the Sault Ste. Marie Tribe of Chippewa Indians. There, he handled misdemeanor cases under Tribal code, along with juvenile, abuse-neglect, and landlord/tenant matters. Additionally, he coordinated a Multi-disciplinary Team which included several Tribal entities, the FBI, and the U.S. Attorney’s Office for the Western District of Michigan – Marquette.

Dennis serves as a panel member for the Attorney Discipline Board in Kent County.

Practice Area: Prosecution and code enforcement

Bar Admission: State of Michigan (P72028)

## MIKHAIL ALBUSEIRI

Mikhail Albuseiri earned a Juris Doctor degree with honors in 1997 from the Michigan State University College of Law, where he served as managing editor of the Journal of International Law and Practice.

His passion for the law emerged through the study of public international law of the sea and maritime law, interests he cultivated through his graduate studies in New England. Mikhail also earned a bachelor's degree in Intercultural and International Communications from Pepperdine University, graduating in 1990. Mikhail is proficient in several foreign languages, including Dutch, French, German, Italian, and Romanian.



After graduating law school, he began his career as a research attorney with the Michigan Court of Appeals' Prehearing Division. Over two decades, he has garnered extensive experience in trial and appellate litigation matters in federal and state courts, successfully prosecuting and defending numerous claims. Before joining BSPC, Mikhail worked as a staff attorney for Legal Aid of Western Michigan, representing clients in state civil and administrative proceedings and successfully litigating issues affecting Michiganders up through the Michigan Court of Appeals.

Mikhail is Of Counsel to Bloom Sluggett, PC.

Practice Area: Municipal and public sector law, federal and state litigation, and Tax Tribunal matters.

Bar Admission: State of Michigan (P56529)

**THOMAS (MAC) WARDROP**

Thomas (Mac) Wardrop has been practicing in Michigan’s state and federal courts since 1985. Mac began his legal career at a 45+ member Grand Rapids, Michigan firm. While at this firm, Mac primarily practiced civil litigation. He also served as the prosecuting attorney for several Grand Rapids area municipalities. Mac later left to join Wardrop & Wardrop.



Since joining Wardrop & Wardrop, Mac has expanded his litigation practice – working on cases that range from simple collection matters to complex “business divorce” and corporate governance cases.

Mac is heavily involved in alternative dispute resolution. He is a neutral arbitrator with the American Arbitration Association, and he is a trained facilitative mediator. Mac is also on the case evaluation panels for Kent, Barry, and Ottawa counties. Mac has acted as an arbitrator, facilitator or case evaluator in over 300 cases.

Since 2022, Mac has served as a member of the City of Grand Rapids Local Officers Compensation Commission, where he has served as Chairman. From 2007 to 2017, Mac was a member of the Michigan Civil Service Commission, serving as Chairman from 2011-2016. Mac has worked with non-profit corporations and enjoyed a stint on his children’s school board.

Wardrop & Wardrop serves as Of Counsel to Bloom Sluggett, PC.

Practice Area: Bankruptcy, litigation, business law, personal injury, and creditors’ rights

Bar Admission: State of Michigan (P38268)

**ACCESSIBILITY AND RESPONSIVENESS**

BSPC successfully represents municipalities across Michigan, and we are confident that our commitment to providing excellent legal services at a reasonable cost will allow us to effectively handle the Village’s legal needs. Our skilled attorneys are passionate about helping municipalities provide quality services for their residents, and BSPC will make every effort to be readily available to the Village – day or night.

While Nathan Inks and Dave Eberle will serve as the Village’s primary points of contact, BSPC utilizes a team approach relying on individual attorneys’ subject matter expertise. Our collaborative approach enables us to meet the Village’s needs in the most cost-efficient and timely manner.

**PROPOSED FEE STRUCTURE**

BSPC bills at an hourly rate as follows:

Attorneys	\$195 - \$255
Paralegals	\$130

The hourly rates quoted above include all salary and compensation, overhead expenses, computer research, and other employee costs including, but not limited to, clerical and word processing expenses. Time is calculated in tenths of hours and block billed. Hourly rates are adjusted from time to time.

These rates do not include costs and fees incurred for the service of legal documents (e.g., subpoenas) or for outside services (e.g., transcript preparation), which are itemized and billed to the Village at the actual amount incurred using the most cost-effective service or methods. Except as noted below, BSPC would bill the Village for expenses incurred on its behalf such as photocopying (actual beyond a set number of copies), hand delivery and courier services, mileage, and filing, record, certification, and registration fees charged by the court or governmental agencies (where applicable) among others. No administrative or similar fee or charge would be added to these actual costs. BSPC will work with the Village to keep costs down by utilizing virtual meeting options (e.g., Zoom or Teams) when desired.

In circumstances where substantial costs are involved (e.g., consultant fees), BSPC may request the Village pay third parties directly. Costs are generally included in monthly invoices. BSPC is cost-conscious, consistent with good practice.

**CONCLUSION**

BSPC stands uniquely equipped to offer the Village the same unwavering commitment to high-quality, efficient, and cost-effective representation that we have consistently provided to numerous municipalities across Michigan. We eagerly look forward to the prospect of meeting with Village

officials, whether to address any remaining questions or to explore the Village's needs in greater detail. Your trust in our expertise is a responsibility we hold in high regard.

For more information or for questions, please feel free to contact:

Nathan Inks  
Cell: (313) 919-1527  
Direct Fax: (616) 965-9350  
Email: [nathan@bloomsfluggett.com](mailto:nathan@bloomsfluggett.com)

Visit our website and blog at [www.bloomsfluggett.com](http://www.bloomsfluggett.com)

## Nathan Inks

400 Renaissance Center, Suite 2600, Detroit, MI 48243  
313.919.1527 • nathan@bloomsluggett.com

### Summary

Attorney with a focus on general municipal law, zoning and planning matters, and tax law. Former senior law clerk experienced in appellate and trial court policies and procedures, with strong organizational and analytical skills. Track record of accomplished legal research and writing skills. Experience interacting with attorneys, parties, and members of the public in a professional and courteous manner.

### Legal Experience

**Bloom Sluggett, PC**, Detroit, MI

Attorney, Jan. 2025 – Present

- Author legal opinions and research memoranda for municipal clients on a variety of issues, including zoning and planning, the First Amendment, liquor licensing, conflicts of interest, public contracts, the Freedom of Information Act, the Open Meetings Act, property taxes and special assessments, and charter provisions
- Review applications and permit request for compliance with state law and local ordinances, including zoning ordinances, the METRO Act, the Land Division Act, and liquor licensing ordinances
- Draft ordinances and ordinance amendments on various issues, including zoning, signs, soliciting, blight and junk storage, International Fire Code adoption, and special assessments
- Draft and review contracts and agreements, including leases, maintenance and operations agreements, liability releases, and utility agreements
- Represent municipalities on litigation matters in trial courts and appellate courts
- Monitor recent developments in the law and apprise clients as necessary

**Michigan Supreme Court**, Detroit, MI

Senior Law Clerk to Hon. David F. Viviano, Aug. 2023 – Dec. 2024

Law Clerk to Hon. David F. Viviano, Aug. 2019 – Aug. 2023

- Supervised the work of term clerks, including providing feedback on memos, editing internal draft opinions and statements, and providing guidance on how to conduct research on complicated issues
- Assigned all incoming cases and administrative files to clerks and interns
- Proposed revisions to internal office policies and procedures for consideration by the Justice
- Reviewed filings and prepared summaries and recommendations for the Justice
- Reviewed memos prepared by other Justices' chambers and prepared responsive memos
- Prepared memos in advance of oral arguments and provided a recommendation regarding case disposition
- Drafted memos to the Court, opinions, concurrences, and dissents
- Communicated with clerks in other Justices' chambers regarding proposed edits to opinions per the Justice's instructions
- Reviewed and analyzed administrative agenda items, such as proposals regarding court rules and administrative orders; conducted legal research; and prepared recommendations for the Justice
- Monitored recent developments in the law and apprise the Justice as necessary

**52-3 District Court**, Rochester Hills, MI

Law Clerk to Hon. Nancy T. Carniak, Sept. 2015 – Aug. 2019

- Performed legal research and wrote memos on motions and briefs filed in civil and criminal cases
- Performed legal research related to court rules, procedural issues, and other miscellaneous issues at the request of the judge or court administration
- Interacted with unit leaders to answer questions about the judge's preferences or procedures; communicated administrative and procedural problems, concerns, and suggestions raised by the judge to the unit leaders and/or court administration
- Drafted and edited written opinions and orders
- Prepared files for daily dockets; ensured all materials were in a file when a case was ready to be called

- Corresponded with attorneys regarding case and docket management; answered questions about the judge's and court's procedures
- Reviewed filings for compliance with the court rules and other requirements; communicated with attorneys and unrepresented parties when they filed incomplete or deficient filings
- Checked in parties and attorneys at the beginning of the docket; transported files and paperwork between the parties and the court recorder during the docket; distributed forms to parties and attorneys prior to and during court proceedings

**Transnational Environmental Law Clinic**, Detroit, MI Student Attorney, Aug. 2014 – May 2015

- Performed legal research and wrote research memos regarding environmental law issues
- Wrote and submitted a comment letter regarding a supplemental environmental impact study
- Drafted civil trial court pleadings and briefs regarding Michigan environmental law issues

**Racine & Associates**, Detroit, MI Law Clerk, Apr. 2014 – Aug. 2014

- Performed legal research on civil trial court issues, public pension appellate issues, and lease and transactional issues; wrote memos based on legal research when necessary
- Drafted civil trial court pleadings, motions, and discovery-related filings
- Organized files by client and matter; processed incoming documents and mail

**Michigan Supreme Court**, Detroit, MI Judicial Intern to Hon. David F. Viviano, Jan. 2014 – April 2014  
 Judicial Intern to Hon. Robert P. Young, Jr., Sept. 2013 – Dec. 2013

- Reviewed commissioner reports on applications for leave to appeal; performed legal research and wrote legal memos when required by the justice's procedures
- Assisted law clerks with legal research related to drafting opinions and orders

**Community Service**

- City of Sterling Heights Sustainability Commission, Chairman Aug. 2020 – Present
- City of Sterling Heights Planning Commission Feb. 2020 – Present
- City of Sterling Heights Solid Waste Management Commission July 2019 – May 2020

**Education**

**Wayne State University Law School**, Detroit, MI Juris Doctor, May 2015

Activities: *Wayne Law Review* (Production Editor for the 2014 – 2015 academic year)  
 Honors: First Place, State Bar of Michigan Environmental Law Section Essay Contest (2013)  
 Highest Grade: Civil Procedure A, Evening Section (2013)  
 Highest Grade: Contracts B, Evening Section (2013)  
 John W. Reed Endowed Scholarship (for academic excellence & professionalism) (2013 & 2014)

**Central Michigan University**, Mount Pleasant, MI Bachelor of Science in Meteorology, May 2012

Minor: Mathematics  
 Honors: Dean's List (4 semesters)  
 Centralis Gold Award  
 Graduated from the Honors Program

**Affiliations**

- State Bar of Michigan – Appellate Practice Section
- Michigan Association of Planning

**Publications**

- Essay, *Wetland Mitigation in Michigan: Working Toward the Goal of No Net Loss of Wetlands*, 32 Mich Env'tl L J 23 (Summer 2014)

# Dave Eberle

161 Ottawa Ave NW, Suite 400, Grand Rapids, MI 49503  
(616) 965-9346 • david@bloomsluggett.com

## PROFILE

Recognized in the 2024 and 2025 editions of Best Lawyers in America: Ones to Watch® for his work in municipal law, Dave serves as senior legal counsel for multiple municipalities and public entities. He has extensive experience advising local governments on complex, high-profile legal matters, and he works closely with elected bodies and senior officials to develop legally sound, practical solutions that achieve objectives and reduce liabilities. In addition to representing municipalities and other public sector entities, Dave frequently presents on a range of municipal topics. He is a member of the State Bar Government Law Section and serves on the education committee for the Michigan Association of Municipal Attorneys. Dave is an Army veteran, having most recently served as a Civil Affairs officer in the Army Reserve.

## EDUCATION

**Michigan State University College of Law** **December 2017**  
Juris Doctor, *cum laude*  
Bar Admission: Michigan (P82459)

**Indiana University - Bloomington** **Anticipated 2025**  
Master of Public Affairs (Policy Analysis Concentration), Candidate

**Calvin University** **May 2012**  
Bachelor of Arts: Political Science and International Relations

**Michigan State University Extension** **June 2020**  
Credential: Master Citizen Planner

## LEGAL EXPERIENCE

**Bloom Sluggett, PC** (Grand Rapids, MI) **August 2025 – Current**  
Senior Attorney / Shareholder

- Serve as senior legal counsel to multiple cities, townships, villages, and other public sector entities.
- Manage legal projects and workflow for multiple municipalities.
- Attend the meetings of public bodies as senior legal counsel.
- Extensive experience authoring legal opinions for public bodies and memoranda of law for current litigation on complex and nuanced matters, including special assessments, millages, zoning and planning, licensing, and constitutional issues.
- Provide training to public bodies on operational and legal issues.
- Draft ordinances on a variety of matters including marihuana, energy facilities, and short-term rentals.

**Michigan Supreme Court** (Lansing, MI)

**January 2024 – July 2025**

Law Clerk to the Hon. David F. Viviano

- Reviewed memos prepared by other Justices’ chambers and prepared responsive memos.
- Prepared memos in advance of oral arguments and provided a recommendation regarding case disposition.
- Drafted memos to the Court, opinions, concurrences, and dissents.

**Bloom Sluggett, PC** (Grand Rapids, MI)

**April 2019 – December 2023**

Senior Attorney

- Serve as senior legal counsel to multiple cities, townships, villages, and other public sector entities.
- Extensive experience authoring legal opinions for public bodies and memoranda of law regarding current litigation and complex legal matters, including First Amendment issues, zoning and land use, prior-public use doctrine, Right-to-Farm Act, eminent domain, and public contracts.
- Advised multiple municipalities regarding the development of local ordinances on a variety of matters.
- Served as the chief prosecutor for the City of Ionia and the City of Portland prosecuting a variety of criminal and civil ordinance violations.

**Ionia County Prosecutor’s Office** (Ionia, MI)

**June 2018 – April 2019**

Assistant Prosecuting Attorney

- Conducted jury trials, preliminary exams, and motion practice while successfully prosecuting assigned misdemeanors and felonies.
- Drafted appellate briefs and search warrants.
- Successfully developed and implemented new investigation and prosecution strategies and procedures.
- Represented the Department of Health and Human Services in abuse neglect matters.
- Served as the Prosecutor’s Office representative to the Ionia Treatment Sobriety Court, the Ionia Veterans Treatment Court, and the Mid-Michigan Regional Mental Health Court.

**Kent County Office of the Defender** (Grand Rapids, MI)

**September – November 2017**

Intern

- Conducted felony client intakes and pre-trial investigations.
- Represented indigent respondents during Friend of the Court show cause hearings.

**Muskegon County Prosecutor’s Office** (Muskegon, MI)

**May – June 2017**

Intern

- Successfully conducted multiple bench trials, pleas, and probation violation hearings.
- Drafted motions and appellate briefs.

**Ingham County Prosecutor’s Office** (Lansing, MI)

**June – August 2015**

Intern - Prosecuting Attorney’s Association of Michigan

- Conducted a jury trial and multiple pre-trial conferences.
- Drafted motions and appellate briefs.

**Ionia County Prosecutor’s Office** (Ionia, MI)

**September – December 2014**

Intern

- Conducted multiple preliminary examinations.
- Drafted motions, appeals, and appellate responses.

Intern

- Conducted review hearings, permanency planning hearings, and home visits for abuse neglect victims.
- Represented juveniles during probation violation hearings.

**PRESENTATIONS**

Dave Eberle “Planning Commission Training Seminar” (Presentation at the Village of Spring Lake, Spring 2025)

Dave Eberle “DDA Nuts and Bolts” (Presentation at the Village of Spring Lake, Fall 2024)

Dave Eberle, “City Workshop” (Presentation at the City of Stanton, Summer 2023).

Dave Eberle, “Planning Commission Seminar” (Presentation at the City of Kentwood, Spring 2023).

Dave Eberle and Blake Conking, “Zoning Information Seminar” (Presentation at Montcalm Community College, Spring 2023).

Dave Eberle and Clifford Bloom, “Zoning Seminar” (Presentation at Montcalm Community College, Spring 2022).

Dave Eberle and Shaydon Weaver, “Law Enforcement Legal Update” (Presentation at the Ionia Department of Public Safety, Winter 2022).

Dave Eberle and Dannielle Dawson, “Blight – A Municipal Response” (Presentation at the Village of Howard City, MI Fall 2019).

**AFFILIATIONS**

**State Bar of Michigan**

Government Law Section

Administrative and Regulatory Law Section

**Michigan Association of Municipal Attorneys**

Education Committee Member

**Michigan Township Association**

**Grand Rapids Veteran Bar Association**

**Civil Affairs Association**





# LEGAL SERVICES PROPOSAL FOR THE VILLAGE OF LAKE ORION

**FOSTER SWIFT**  
FOSTER SWIFT COLLINS & SMITH PC || ATTORNEYS

**COURTNEY G. AGRUSA**

28411 Northwestern Highway, Suite 500  
Southfield, MI 48034  
248.538.6326  
[cagrusa@fosterswift.com](mailto:cagrusa@fosterswift.com)

**FOSTERSWIFT.COM**



## FIRM NAME

Founded in 1902, Foster Swift is a full-service law firm. We are organized into the following six primary practice areas:

1. Municipal and Public Entity
2. Business and Tax
3. Employer Services (Labor & Employment as well as Workers' Compensation)
4. Financial Institutions, Real Estate, and Bankruptcy
5. Litigation
6. Trusts and Estates

Our clients come from all over the upper and lower peninsulas in Michigan.

We provide our municipal and public entity clients with best-in-class general counsel and specialty law services, and we proactively inform, advise, and counsel our clients regarding new developments in the law. Key points of interest include:

- Foster Swift has extensive experience in municipal and public entity law. The 18 members of the Municipal and Public Entity Practice group represent more than 200 Michigan counties, cities, villages, townships, libraries, and intergovernmental units, including the Village of Grosse Point, Canton Township, and the City of Mt. Pleasant to name a few.
- Our municipal and public entity team regularly helps Michigan public entities with land use and zoning, drafting and enforcement of legislation, administrative matters and legal proceedings, code enforcement, contract law, interlocal government agreements, labor and employment law including labor negotiations, environmental issues, federal and state laws, constitutional law, litigation in the state and federal court systems, municipal leases, licenses and agreements, public records, the Freedom of Information Act ("FOIA"), and the Open Meetings Act ("OMA").
- All Foster Swift attorneys are graduates of an American Bar Association ("ABA") accredited law schools, are licensed to practice law in Michigan, and are in good standing with the State Bar of Michigan.
- Every attorney on Foster Swift's municipal and public entity team focuses on being accessible and timely.
  - Throughout our attorney client relationship, we strive to establish clear communications regarding projects, timeframes, and review processes to exceed client expectations.
  - Foster Swift's policy is that phone calls and emails are returned within eight business hours, and it is usually within four business hours or less.
  - In terms of meetings, while we prefer a business days' notice, in most circumstances, if attendance can be via Zoom, Teams, or Webex, we are often able to attend with one hour's notice.
  - Every Foster Swift attorney is backed by another attorney, so crises can be immediately addressed even if one of the attorneys may be unavailable.
- Foster Swift's attorneys regularly inform clients of new case law and legislation (including pending legislation) which may affect municipalities and public entities through newsletters and webinars. To review our newsletters, visit: <https://www.fosterswift.com/services/Administrative-and-Municipal-Practice-Group>

## OFFICES

Foster Swift is a full-service law firm comprised of 101 attorneys and 110 support staff with offices in Southfield, Lansing, Grand Rapids, Detroit, and Holland. It is not a subsidiary, nor does it have any subsidiaries. Our attorneys and staff are very involved in their respective communities. If selected by the Village, a majority of the work will be performed in our Southfield and Lansing offices.

The firm is organized into the following six primary practice areas:

1. Municipal and Public Entity
2. Business and Tax
3. Employer Services (Labor & Employment as well as Workers' Compensation)
4. Financial Institutions, Real Estate, and Bankruptcy
5. Litigation
6. Trusts and Estates

## PERSONNEL

Courtney Gabbara Agrusa is the single point-of-contact to respond to questions regarding this proposal. Courtney's phone number is 248.538.6326, and her email is [cagrusa@fosterswift.com](mailto:cagrusa@fosterswift.com).

If offered the opportunity to represent The Village of Lake Orion ("Village"), Courtney will serve as the Village Attorney. While the Village will have a single point-of-contact to coordinate all work, they will also have the benefit of a team if additional special attorneys are needed. Courtney will assign and oversee all Village work assigned to other Foster Swift attorneys.

Courtney Gabbara Agrusa	Municipal and Employment Law and Labor Relations
Keith Brown	Municipal & Public Entity Law
Laura Genovich	Tax Tribunal and Election Law
Brian Renaud	Municipal & Public Entity Law

Our Southfield office consists of 28 attorneys and 26 staff members. Our Lansing office has 44 attorneys and 68 staff members.

## STAFFING

As a full-service law firm, we are staffed to serve the Village of Lake Orion without the need to hire additional outside staff.

One of the many benefits of working with a full-service law firm is that clients have immediate access to attorneys who handle virtually every area of the law and who already have a working relationship with their Village Attorney, enabling the specialty attorney to get up to speed more quickly resulting in less fees incurred by the Village.

Foster Swift municipal and public entity attorneys are committed to providing clients the best possible representation on all matters. We are continually investing in their professional development to stay abreast on substantive areas of the law as well as litigation strategies. We regularly participate in programming delivered by the State Bar of Michigan and the Michigan Association of Municipal Attorneys. Because of our expertise and communication skills, we are frequently speakers and authors for the Michigan Municipal League, the Michigan Townships Association, the Michigan Assessors Association, and other associations.

Complete bios for attorneys referenced above follow.



## Courtney Gabbara Agrusa

Senior Attorney

Southfield, MI  
248.538.6326  
[cagrusa@fosterswift.com](mailto:cagrusa@fosterswift.com)

### Overview

Courtney Gabbara Agrusa is a municipal law attorney, and she has been since the day she began her legal career as a staff attorney for a local City Attorney office. Based in Foster Swift’s Southfield office, Courtney’s practice focuses exclusively on working with Michigan counties, cities, villages, townships, and other governmental entities to provide counsel in municipal corporate and public sector labor matters. Having stood in her clients’ shoes and sat shoulder to shoulder with them, Courtney knows first-hand the unique business and legal needs of municipal entities.

In her capacity as a municipal law attorney, Courtney works tirelessly to help her clients navigate the ever changing demands faced by local governments. As an insider and a community member, she recognizes the impact, directly and indirectly, a municipal entity’s decisions and actions have on all members of those communities.

### Municipal Law

“Municipal law” covers a wide range of issues including, but not limited to, elections, labor & employment, governance, ordinance reviews, taxes, special assessments, planning, codes & compliance, human resources, public safety, emergency services, civil rights, animal control, environmental, public works, drafting and reviewing contracts of all types (e.g., software, construction, affiliation agreements, urban cooperation contracts, and cell towers), libraries, tribal law, parks, and parking.

Courtney’s direct experience in a local City Attorney’s office, including serving as Interim City Clerk; at a boutique municipal law firm for almost six years; and at Foster Swift includes advising and representing municipal entities in the areas described above and more.

Courtney believes collaboration is the key to success when working with municipalities. Taking the approach that her client contacts are subject matter

### Practices

- Election & Campaign
- Finance Law
- Employment Law
- Firearm Regulation Law
- Freedom of Information Act
- Labor Relations
- Municipal & Public Entity Law
- Open Meetings Act
- Zoning & Land Use

### Education

- Michigan State University College of Law, J.D., 2012
- Michigan State University, B.S. in Psychology, 2009

### Bar & Court Admissions

- Michigan
- U.S. District Court for the Western District of Michigan
- U.S. District Court for the Eastern District of Michigan

experts in their own respective lines of work (e.g., tax, public works, code compliance, finance, and zoning), Courtney works closely with her clients to ensure she understands their needs, goals, and perspectives. This type of collaboration and work dynamic allows Courtney to build strong working relationships with her clients and to provide the high-quality legal services her clients need.

A typical week includes attending council, commission, and board meetings; meeting with, talking with, and advising her clients; reviewing and revising contracts, ordinances, and millages; researching and drafting opinions and memoranda; appearing in court; and negotiating public employer labor and employment matters.

Some of the statutes Courtney regularly deals with include:

- Freedom of Information Act (FOIA)
- Open Meetings Act (OMA)
- Michigan Zoning Enabling Act (MZEA)
- Michigan Planning Enabling Act (MPEA)

**Municipal Employment & Labor Matters**

One of Courtney’s sub-niches within municipal law is the navigation and litigation of labor and employment matters. These include employee disciplinary matters, labor negotiations, grievance arbitrations, unfair labor practices, Equal Employment Opportunity Commission Charges, Michigan Department of Civil Rights Complaints and Unemployment Insurance Agency Appeals.

Her public employer clients also call on her for a vast range of hands-on support, from facilitating meetings between unhappy employees, their union representatives, their direct supervisors, and HR, to preparing last chance agreements, disciplinary agreements, and termination documents, negotiating resignations in lieu of termination, and actually terminating employment. She regularly drafts, reviews, and revises both employment and personnel policies, procedures, and handbooks.

Employment related statutes Courtney regularly deals with include:

- Americans with Disabilities Act (ADA)
- Fair Labor Standards Act (FLSA)
- Paid Medical Leave Act (PMLA)
- Family Medical Leave Act (FMLA)
- Earned Sick Time Act (ESTA)

- Improved Workforce Opportunity Wage Act (IWOWA)
- Bullard Plawecki Employee Right-to-Know Act

### **Michigan Election Law**

Having served, by necessity, as an Interim City Clerk during a challenging election year, Courtney recognizes first-hand the scrutiny municipal entities face, and the personal toll it takes on individuals, when it comes to matters involving elections.

She is now routinely retained to help municipalities with full-time or part-time Clerks get through and survive turbulent election scenarios under intense time constraints. Courtney consults clients on recall issues, recounts, and other election challenges, resulting in the litigation of recall appeals and oversight of recounts. She also consults with them before election cycles in a preventive law capacity.

### **Honors & Recognition**

Jurisprudence Achievement Award, Michigan State University College of Law, 2012

### **Memberships & Affiliations**

#### **Legal Affiliations:**

- State Bar of Michigan
  - Government Law Section
  - Insurance and Indemnity Law Section
  - Labor and Employment Law Section
  - Municipal Law Committee
- Chaldean American Bar Association
  - Member (2017-Present)
- Michigan State University College of Law Alumni Association
  - President (2022-2025)
  - Vice President (2019-2022)
- Board of Directors, Ms. JD
  - Board Member (2011-2015)
- Women Lawyers Association of Michigan
  - Member (2021 – Present)

**Community Affiliations:**

- Chaldean Americans for Whitmer Leadership Council
  - Member (2022)
- Chaldeans Advisory Counsel for Biden/Harris
  - Member (2020)
- Planned Parenthood Advocates of Michigan
  - Board of Directors (2024 – Present)

**News & Resources**

**Events**

September 17, 2025

Labor & Employment Law Update: 2025 Recap and Insights for 2026

May 14, 2025

New Law Changes in Effect for Employers Hiring Minors

April 2, 2025

Nip It in the Bud: The Importance of Strong Policies and Handbooks

February 25, 2025

What Employers Need to Know About Michigan's Amended Earned Sick Time Act

October 30, 2024

Writing Policy — Liability Considerations

September 18, 2024

2024 Virtual Labor & Employment Law Update

September 11, 2024

An Overview Guide to Michigan's Gun Laws

August 14, 2024

Election Day 2024: A Guide to Essential Polling Etiquette

**Publications**

June 23, 2025 | *Foster Swift Municipal Law News*

What Does SCOTUS Stance on Assault Weapons Mean for Firearm Regulations?

April 28, 2025 | *Foster Swift Labor & Employment Law News*

New Law Changes in Effect for Employers Hiring Minors

February 21, 2025 | *Foster Swift Labor & Employment Law E-blast*  
What Employers Need to Know About Michigan's Amended Earned Sick Time Act

January 15, 2025 | *Foster Swift Municipal Law News*  
New Laws Prohibit Firearms at Polling Places and Other Election Locations

October 3, 2024 | *Foster Swift Municipal Law News*  
Polling Place and Voter Etiquette Guidelines: Election Day Q&A

July 31, 2024 | *Labor & Employment Law News E-blast*  
Michigan Employers Alert: Major Changes to Sick Leave & Minimum Wage Effective Feb 2025!

July 23, 2024 | *Foster Swift Municipal Law News*  
Extreme Risk Protection Orders: Q&A on Michigan's Red Flag Gun Laws

March 25, 2024 | *Foster Swift Municipal Law News*  
Lindke v. Freed: When Public Officials Can Be Held Liable for Blocking Individuals on Social Media

January 30, 2024 | *Labor & Employment Law News E-blast*  
Independent Contractor Final Rule Could Have Major Impact on Select Industries

November 30, 2023 | *Foster Swift Municipal Law News E-blast*  
Update: Whitmer Signs Energy Bills, Restricting Facilities

November 16, 2023 | *Foster Swift Municipal Law News E-blast*  
Proposed Bills to Affect Energy Facilities

### **Blog Posts**

August 22, 2024 | Michigan Election Law Blog  
An Election Day Guide to Essential Polling Etiquette

July 11, 2024 | Michigan Election Law Blog  
A Guide to Regulating Petition Circulators: Best Practices and Key Considerations



## Keith T. Brown

Associate

Grand Rapids, MI

616.726.2211

[kbrown@fosterswift.com](mailto:kbrown@fosterswift.com)

### Overview

A former teacher and performer, Keith T. Brown has held many leadership roles and understands the importance of accessible communication, empathy, and storytelling. These skills and traits are invaluable in Keith’s practice at Foster Swift. Keith aids clients in all sorts of municipal matters, such as the METRO Act, constitutional questions, employment matters, the Open Meetings Act, the Freedom of Information Act, zoning, election law, litigation, and a variety of other concerns that leaders may be faced with.

### Municipal Law

As a member of Foster Swift’s municipal group, Keith works with a team of highly experienced and devoted attorneys that represent municipal clients of all sizes and characteristics throughout Michigan and has likely encountered the same situation you are facing.

Keith brings his experience in the classroom, meeting room, and the performance hall to the practice of law. Keith understands that the keys to success for local leaders is knowing how to fully evaluate the situation at hand, including the applicable rules, processes, and personalities; how to effectively communicate a vision and plan; and how to guide those visions and plans to adoption and implementation. Accordingly, he aims to model these skills and guide elected and appointed officials, at all levels, to be the best representatives of their constituents and leaders of their communities that they can be.

As an educator, Keith understood that his students would reach their goals in their own ways and at their own pace, and he knew that his role was to provide guidance, advice, knowledge, and expertise, but not to make the final decision or chose the specific direction a student took. Keith knows that the role of municipal attorney is quite similar. His role is to help officials work out details while remembering the big picture, and to provide guidance about what is

### Practices

Administrative Law

Appellate Practice

Municipal & Public Entity Law

Municipal Litigation

### Education

Western Michigan University Thomas M. Cooley Law School, *magna cum laude* J.D., 2020

Grand Valley State University, B.S., 2012

### Clerkships

Michigan Court of Appeals

### Bar & Court Admissions

Michigan

Western District of Michigan

legally required or permitted in order to aid the officials to make the best decisions for their constituents and communities to lower the legal risk.

**Appellate Law**

A successful appellate practice requires knowledge of how the appellate system works, how to navigate it, how to apply both old and new law, and how to persuade appellate judges. Keith has worked on all manners of appeals- from municipal law, including zoning, to general civil and administrative appeals to criminal cases.

Before joining the firm, Keith learned each of these things firsthand, working first as a Research Attorney and then as a judicial law to the Honorable Christopher P. Yates at the Michigan Court of Appeals. Keith brings both his experience as an educator and as an attorney with the court to appellate practice. He understands that carefully choosing the issues to appeal and how to present them- and how to present a story of the case- to a panel of appellate judges is a major key to success.

Appeals, like trials, are about storytelling. They are mostly decided on the standard of review (the level of deference the appellate court must give to the trial court’s decision) and the briefs, and Keith takes great care to write in the most clear and persuasive manner possible about the most fruitful issues. He also understands what judges expect from oral argument and how to best frame the case to the panel.

A good appellate practitioner speaks the language of appellate courts, and can both translate that language to the client and translate the client’s story to the court. Keith understands both sides of that equation and works tirelessly to do both.

**Outside of Law**

Keith was raised in the most quintessential Michigan way, as the son of an autoworker and school bus driver, growing up in Wayne County. In high school, he was a drum major of his marching band and became an Eagle Scout. Then he attended Grand Valley State University where he was a leader in the marching band and founded and led an award-winning chapter of a student organization. He has lived in West Michigan ever since.

Before joining the legal profession, Keith served as a K-12 educator in districts throughout Michigan, where he taught middle and high school social studies, served as a substitute in a variety of settings, directed an after-school program for disadvantaged students, and for nearly a decade coached high school marching band.

Keith attended Western Michigan University Thomas M. Cooley law school in Kalamazoo and Grand Rapids. There, he served as a teaching assistant, president of the student bar, and as a member of numerous student leadership boards. He won awards for “best brief” and for being the “top advocate” in moot court competitions. He also interned as a law clerk in the United States District Court for the Western District of Michigan.

Keith now lives in Holland, Michigan, with his wife Sarah and his two stepchildren. They share their home with two Siberian Huskies, two cats, and a pet chicken. The family enjoys taking trips to museums, comic-cons, fairs, and the beach. Keith loves to study history and politics, roots for Detroit sports teams (he has a jar of dirt he collected near first base at old Tiger Stadium and autographed baseballs from, among others, Ernie Harwell and Al Kaline), and marches with the Laker Alumni Marching Band at GVSU, of which he is a founder and has served on the leadership team since 2012.

## Experience

- In [Pegasus Wind LLC v. Tuscola County](#), on April 10th, 2024, the Michigan Supreme Court upheld Tuscola County and the Tuscola Area Airport Zoning Board of Appeals (ZBA) previous decision blocking Pegasus Wind LLC’s request to expand a wind farm after evidence showed that additional windmills would have posed a safety risk to aviators at a nearby airport. Brown was part of the team that represented Tuscola County and the ZBA Board and praised the court’s decision.
- *In re Petition of Muskegon County Treasurer for Foreclosure (Muskegon County Treasurer v Beeman et al)*, \_\_\_ Mich App \_\_\_ (2023) (Docket No. 363764) (upholding as constitutional Section 78t of the Michigan General Property Tax Act (MCL 211.78t), which requires former owners of tax-foreclosed property to file a notice of intent to claim any remaining proceeds by July 1).

## Memberships & Affiliations

### Professional Affiliations:

- Institute of Continuing Legal Education (ICLE)
  - New Lawyers Advisory Board

### Community Affiliations:

- Grand Valley State University
  - Laker Alumni Marching Band, Board Member
- National Eagle Scout Association
  - Member

- Kappa Kappa Psi National Honorary Band Fraternity
  - Member

## News & Resources

### Events

April 2, 2025  
Social Media Pitfalls

### Publications

September 30, 2024 | *Foster Swift Municipal Law News E-blast*  
Foster Swift Prevails at Michigan Supreme Court in Major Victory for County Treasurers

January 22, 2024 | *Municipal Law News E-blast*  
Summary Language Approved for Proposed Ballot Initiative to Repeal Renewable Energy Siting Law

September 19, 2023 | *Foster Swift Municipal Law News*  
Carbon Sequestration Wells: A New Land Use to Consider in Zoning Ordinances

September 18, 2023 | *Foster Swift Municipal Law News*  
The Next Controversial Land Use: Utility-Scale Battery Facilities

June 15, 2023 | *Foster Swift Municipal Law News*  
What Does Tyler v Hennepin County Mean for Foreclosures in Michigan?

April 10, 2023 | *Spring 2023 Michigan Appellate Practice Journal*  
Focus Orders & Tentative Opinions: Ways to Make Oral Argument More Efficient

### Blog Posts

November 21, 2022 | Michigan Election Law Blog  
Michigan Voters Pass Two Election-Related Constitutional Amendments



## Laura J. Genovich

Shareholder

Grand Rapids, MI  
616.726.2238  
[lgenovich@fosterswift.com](mailto:lgenovich@fosterswift.com)

### Overview

Laura Genovich is a shareholder in the Foster Swift's Grand Rapids office. Laura practices municipal law, appellate law, and bankruptcy/commercial law and is the Chair of the firm's Appellate Practice Group.

#### MUNICIPAL AND LAND USE LAW

##### *Counsel for Municipalities*

Laura serves as general counsel for counties, cities, villages, and townships across the state and is known for her legal expertise, responsiveness, and ability to communicate clearly to clients and their constituents. Her areas of municipal law expertise include:

- Land use and zoning
- Election law and [campaign finance issues](#)
- Marihuana/cannabis ordinances
- Parliamentary procedure/Robert's Rules of Order (as a member of the National Association of Parliamentarians)
- Freedom of Information Act (FOIA) and Open Meetings Act (OMA) compliance
- Alternative energy (wind and solar) regulations
- Labor/employment matters
- Real estate transactions
- Special assessments and property tax exemptions
- Contract drafting and negotiation

##### *Counsel for Private Clients*

Laura also works with both public entities and private clients (including developers and neighborhood groups) on land use matters, including

### Practices

- Appellate Practice
- Bankruptcy & Restructuring
- Litigation
- Collections / Creditor - Debtor Rights
- Municipal & Public Entity Law
- School Law Services
- Election & Campaign Finance Law
- Finance & Real Estate Development
- Governmental Relations
- Property Tax
- Real Estate Development
- Renewable Energy
- Zoning & Land Use

### Education

- Thomas M. Cooley Law School, J.D., 2008, *summa cum laude*
- Ohio University, B.S., 2005, *summa cum laude*, Communications

development agreements, annexations, Act 425 agreements, and zoning approvals (such as special land use permits and rezonings).

### **LITIGATION & APPELLATE LAW**

A seasoned advocate, Laura regularly represents local governments and private clients in trial-level and appellate cases. Recent appellate victories include:

- *Beeman et al v Muskegon County Treasurer* (Michigan Court of Appeals, 2023) (upholding decision in favor of county treasurer and holding as a matter of first impression that Section 78t of the General Property Tax Act is constitutional).
- *Heos v City of East Lansing* (Michigan Court of Appeals, 2023) (holding in favor of city in Headlee Amendment class action lawsuit).
- *Let Them Breathe v Health Department of Northwest Michigan* (Michigan Court of Appeals, 2023) (upholding dismissal of challenge to local health department order).
- *Cary Investments, LLC v City of Mount Pleasant* (Michigan Court of Appeals, 2022) (upholding dismissal of challenge to city's marijuana regulation ordinance and competitive process).

In addition to her extensive experience in Michigan's trial and appellate courts, Laura has argued before the United States Court of Appeals for the Sixth Circuit and [co-authored a merits-stage amicus brief](#) in the Supreme Court of the United States on behalf of a township client.

### **COMMERCIAL LITIGATION & BANKRUPTCY LAW**

Laura represents individuals and businesses in contract and collection disputes in her commercial law practice, with a specialty in representing creditors and trustees in bankruptcy cases. Her depth of experience comes from more than a decade of service as a Chapter 7 and Chapter 12 bankruptcy trustee in the Western District of Michigan. Her areas of expertise include:

- Defending creditors against preference demands by bankruptcy trustees
- Preparing and substantiating proofs of claims
- Filing actions in Bankruptcy Court to determine that certain debts are nondischargeable
- Obtaining relief from the automatic stay
- Determining creditors' status as critical vendors
- Defending creditors in cases alleging violations of the automatic stay and discharge injunction

### **Bar & Court Admissions**

Michigan

U.S. District Court for the Western District of Michigan

U.S. District Court for the Eastern District of Michigan

U.S. Sixth Circuit Court of Appeals

## WRITING AND SPEAKING

In addition to her full-time service to clients, Laura is committed to improving the practice of law, and she has [published a book on clear legal writing](#) ("The Plain Language Practice"), which is also a frequent topic on her popular [LinkedIn page](#). She has appeared on legal podcasts, including the [XL Legal Podcast](#) and the [Thought Leadership Podcast](#), and she is an adjunct professor at Cooley Law School.

## Experience

- In [Pegasus Wind LLC v. Tuscola County](#), on April 10th, 2024, the Michigan Supreme Court upheld Tuscola County and the Tuscola Area Airport Zoning Board of Appeals (ZBA) previous decision blocking Pegasus Wind LLC's request to expand a wind farm after evidence showed that additional windmills would have posed a safety risk to aviators at a nearby airport. Genovich was part of the team that represented Tuscola County and the ZBA Board and praised the court's decision.
- In a unanimous opinion issued April 13, 2023, the Michigan Court of Appeals held in favor of the City of East Lansing in a class-action lawsuit related to electric franchise fees. *Heos v City of East Lansing*, Court of Appeals Case Nos. 361105, 361138. The Court of Appeals reversed earlier decisions of the Ingham County Circuit Court, which had granted summary disposition to plaintiff James Heos and other similarly situated Board of Water and Light customers. The Court of Appeals directed the circuit court to instead enter summary disposition in favor of the City on remand.

In reaching this decision, the Court of Appeals held that plaintiff's claim under the Headlee Amendment to the Michigan Constitution and his similar equitable claims were untimely because they were not filed within one year after the franchise ordinance was adopted. The Court of Appeals further held that plaintiff could not bring an action under the 1905 Foote Act because the Foote Act only applies to electric utility providers, not electric customers. Consequently, the City was entitled to dismissal of all of plaintiff's claims. The opinion is [available online here](#).

- Represented bankruptcy trustee in corporate Chapter 7 case and filed more than 40 avoidance lawsuits against preference recipients, resulting in the recovery of more than \$500,000 for the bankruptcy estate.
- Served as co-counsel for township in taxpayer's appeal of more than \$3 million in corrected and supplemental special assessments, which resulted in judgment favorable to the township.
- Represented township in a local resident's Chapter 11 bankruptcy case to enforce township's zoning ordinance.

- Represented creditor against trustee's demand for more than \$170,000 in alleged preference payments.
- Successfully defended public employer in arbitration, resulting in the denial of multiple grievances.

## Honors & Recognition

Michigan Assessors Association's (MAA) Michigan Property Tax Achievement Award, 2017-2018

*Best Lawyers®* 2022 Litigation - Bankruptcy "Lawyer of the Year" in Grand Rapids

*Best Lawyers in America®*, for Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law, 2018-2026

*Best Lawyers in America®* - (Litigation - Bankruptcy, Municipal Law), 2021-2026

"Top Lawyer", *Grand Rapids Magazine*, 2022 and 2023 in Municipal Law

"Top Lawyer", *Grand Rapids Magazine*, 2019 in Bankruptcy and Creditor/Debtor Rights Law

*Michigan Super Lawyers* "Rising Star," Bankruptcy: Business, 2012-2023

*Michigan Lawyers Weekly*, "Women in the Law", 2017

Grand Rapids Bar Association "3-in-10" Award, 2017

## Memberships & Affiliations

### Legal Affiliations:

- Federal Bar Association Bankruptcy Section (Western District of Michigan), Steering Committee Member
- Grand Rapids Bar Association
- Michigan State Bar Foundation
  - Fellow
- State Bar of Michigan
  - Council, Appellate Practice Section

### Industry & Professional Associations:

- American Bankruptcy Institute
- National Association of Bankruptcy Trustees

- National Association of Parliamentarians
- Grand Rapids Young Professionals
- Inforum

**Community Involvement:**

- Michigan Ballet Academy
  - Board of Directors, 2024-present
- Grand Rapids Symphony Chorus
  - Board of Directors, 2011-2012

**News & Resources**

**Events**

- April 24, 2024  
Campaign Finance Act: What Can We Say?
- April 24, 2024  
Can They FOIA That?
- October 5, 2023  
Boosting Board Engagement and Ground Rules for Great Meetings
- June 22, 2022  
Property Tax Exemptions
- May 11, 2022  
State Corporate Rights in Bankruptcy
- April 27, 2022  
What to Do with a Marijuana Initiative Referendum
- March 16, 2022  
The Latest on Marihuana in Michigan
- October 28, 2021  
What You Need to Know Now About Renewable Energy Ordinances
- July 19, 2021  
Best Practices for Navigating Our Virtual World
- April 28, 2020  
What to Do with a Marijuana Initiative Referendum
- January 20, 2020  
Debtor's Bar of West Michigan 10th Annual Conference

## **Publications**

- September 30, 2024 | *Foster Swift Municipal Law News E-blast*  
Foster Swift Prevails at Michigan Supreme Court in Major Victory for County Treasurers
- July 19, 2024 | *Township Focus (MTA)*  
Boosting Board Engagement
- January 22, 2024 | *Municipal Law News E-blast*  
Summary Language Approved for Proposed Ballot Initiative to Repeal Renewable Energy Siting Law
- November 16, 2023 | *Foster Swift Municipal Law News E-blast*  
Proposed Bills to Affect Energy Facilities
- June 15, 2023 | *Foster Swift Municipal Law News*  
What Does Tyler v Hennepin County Mean for Foreclosures in Michigan?
- June 14, 2023 | *Foster Swift Municipal Law News*  
Proposed Changes to PACE: What You Need to Know
- July 19, 2020 | *Foster Swift Legal Update E-blast*  
Executive Order: Revised Requirement for Businesses and Other Organizations
- June 16, 2020 | *Foster Swift Legal Update E-blast*  
Emails to Your Personal Attorney May Not Be Privileged If Sent or Received on a Work-Provided Email Address

## **Blog Posts**

- September 2, 2022 | Michigan Election Law Blog  
Supreme Court Offers Additional Guidance on Sign Restrictions
- March 14, 2022 | Michigan Election Law Blog  
Can We Ban That Sign?
- July 9, 2021 | Michigan Election Law Blog  
Michigan House Bill to Require Training for All Election Challengers
- May 20, 2021 | Michigan Election Law Blog  
Township Clerk Arraigned After Ballot Mishap
- September 17, 2020 | Michigan Election Law Blog  
Bill Passes Michigan Senate, Allowing Qualifying Cities and Townships to Process Absentee Ballots Prior to Election Day



## Brian J. Renaud

Shareholder

Southfield, MI

248.539.9913

[brenaud@fosterswift.com](mailto:brenaud@fosterswift.com)

### Overview

Brian Renaud provides general counsel services to mature and second stage companies and to governmental entities. His role as general counsel encompasses day-to-day advising on corporate finance, real estate, contracts, insurance, licensing, regulatory, municipal and litigation matters.

Brian's work for corporate, institutional and government clients includes:

- **Business:** Contract negotiation and drafting, including finance and non-competition agreements, real estate transactions and insurance coverage matters
- **Municipal:** Municipal contracting, ordinance drafting and implementation, Freedom of Information Act (FOIA) and Open Meetings Act compliance, zoning and planning, eminent domain proceedings
- **Regulatory:** Transactional due diligence, environmental permitting and regulatory compliance, and regulation negotiations
- **Litigation:** Complex cases and appeals at all levels of the state and federal court systems, including administrative litigation before various state and federal agencies and tribunals

Companies and governmental entities represented in Brian's role as general counsel include an international manufacturer of professional sports equipment, a health care services provider with facilities in ten states, an international trucking and logistics company, and several Michigan municipalities, intergovernmental authorities and road commissions.

In addition to his legal practice, Brian has served as Chairman and is a Board Member on the Governing Board of [Lexwork International](#), a network of independent law firms in North America, South America, Europe and Asia, offering business and regulatory law services to clients worldwide. He has also served on Foster Swift's Executive Committee and as Vice President of the firm.

### Practices

Municipal & Public Entity Law

Business Law

Condemnation & Eminent Domain

Environmental Law

Labor Relations

Licensing - Professional - Business - Government

### Education

University of Detroit School of Law, J.D., 1982

Western Michigan University, Bachelor of Science, 1979

### Bar & Court Admissions

Michigan

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the Western District of Michigan

U.S. District Court for the Northern District of Indiana

U.S. Sixth Circuit Court of Appeals

Brian earned his Bachelor of Science degree from Western Michigan University and his Juris Doctor from the University of Detroit School of Law.

U.S. Ninth Circuit Court of Appeals

U.S. Court of Appeals for the District of Columbia Circuit

## Experience

### Business, Real Estate & Finance:

- Represented health care services provider in multi-state acquisition, financing and construction of acute care hospital facilities and development properties.
- Negotiated multi-million dollar casualty insurance settlement for structural steel contractor engaged on university sports arena construction project.
- Obtained dismissal of a \$700,000 federal withholding tax claim against a national business services owner.
- Developed regulatory policy and procedure manuals for major Midwest financial institution. Conducted policy implementation training sessions in several states.

### Regulatory and Municipal:

- Negotiated air emission regulation package with state environmental agency that eliminated in excess of \$100 million in client capital expenditure requirements for utility, cement and paper products client group.
- Managed regulatory and media response of Tier 1 automotive parts manufacturer to hazardous substance release, avoiding adverse publicity and significantly reducing remediation costs.
- Negotiated state and federal operating permits for contested Great Lakes marina development. Managed media coverage issues and negotiated conservation easement with state permitting authority.
- Negotiated seven figure, no-cost municipal marina reconstruction claim in favor of major Michigan municipality.

### Litigation:

- Successfully litigated exemption of a \$45 million waste conversion facility from state personal property taxes, reducing the client's annual tax liability by \$2.5 million.
- Obtained dismissal of a condemnation challenge to a major pipeline construction project.
- Obtained \$1.8-million-dollar summary disposition judgment in an environmental fraud and cost recovery case of first impression in Michigan.
- Obtained summary judgment in a high-profile federal whistleblower case of first impression for a national paper products client.

- Obtained unanimous Federal Court jury verdict against former employee and agent of international sports equipment manufacturer in federal trademark law and unfair competition litigation.

## **Honors & Recognition**

AV® Preeminent™ Martindale-Hubbell

*Best Lawyers® in America, Administrative / Regulatory Law, 2013-2026*

## **Memberships & Affiliations**

### **Legal Affiliations:**

- American Bar Association
- State Bar of Michigan

### **Industry & Professional Associations:**

- Michigan Association of Municipal Attorneys
- International Right of Way Association
- Community Leadership Development Academy, Graduate
- Detroit Regional Chamber of Commerce, PAC Board Member
- Licensed Michigan Real Estate Broker
- Detroit Athletic Club, Resident Member



Foster Swift is a full-service law firm and has a dedicated municipal team of 19 and will not need to hire outside services or staff to serve the Village.

## MUNICIPAL LAW EXPERIENCE

Foster Swift is among the most experienced Michigan law firms practicing municipal and public entity law. The attorneys in this practice group have an excellent reputation among public leaders, other counsel, and judges. We offer our municipal and public entity clients a broad array of legal services including:

### General Counsel

- Drafting, reviewing, interpreting, and enforcing ordinances, including nuisance, noise, wind energy, solar energy, marijuana, public and private roads, signs, wetlands, adult businesses, liquor licenses, mobile homes, water, sewer, and flood plains.
- Preparing and reviewing interlocal agreements and articles of incorporation for the formation of district libraries, fire authorities, sewer authorities, and other intergovernmental cooperative entities. We understand that each agreement is unique and must fit the needs of our client and its partner communities.
- Conducting contract review and contract negotiations. The role can be as simple as reviewing documents or as elaborate as heading up a negotiating team.
- Draft and review charter amendments.
- Delivering counsel on all aspects of real estate transactions, including reviewing property abstracts, rendering title opinions, preparing deeds and easements, drafting sales agreements, reviewing all related documentation, and advising on tax implications.
- Preparing legal opinions on matters requested by the Village. This function is often aided by our reference library of prior formal opinion letters. These opinions address questions of authority, statutory and ordinance construction, constitutionality of existing and proposed legislation, conflicts of interest, and many other issues.
- Serving as Village Attorney and working with Boards, Planning Commissions, and other officials to achieve their goals and to mitigate risk.
- Providing advice and supervision to Village Boards of Commissioners and other Village officials on a wide array of legal issues.
- Attending Village meetings regularly or on an as-needed basis. This includes counsel to manage meetings to ensure compliance with the OMA. Foster Swift attorneys not only help public bodies and officials understand the law's requirements but also put compliant processes and procedures in place. Further, we assist our clients in anticipating and resolving OMA issues before they become OMA disputes, helping to reduce strife between government and citizens, conserve resources, and mitigate risks from noncompliance.
- Counseling Michigan municipalities and public entities regarding the FOIA procedural and compliance issues. While public officials are often familiar with and receive training on the basics of FOIA, many FOIA requests involve more complex, nuanced, and sensitive issues that require careful consideration and action. We help our clients respond to requests for public records in an appropriate, timely, and legally compliant manner, while maintaining the confidential nature of information, as appropriate.
- Representing Michigan municipalities before all state and federal courts and administrative agencies.

- Providing labor and employment counsel including collective bargaining and union grievances.
- Serving as a resource to the Village officials regarding Robert’s Rules of Order. Laura Genovich, a key member of the Foster Swift Municipal and Public Entities Practice Group, is a member of the National Association of Parliamentarians and has taken advanced coursework in Robert’s Rules of Order.
- A successful history in defending public clients’ positions on tax assessment, tax collection, and special assessment issues before the Michigan Tax Tribunal, the Michigan Court of Appeals, and Michigan Supreme Court.
- Strong litigation skills and an impressive track record of handling complex civil litigation, while advancing the goals of the municipality in a cost-effective manner. Providing legal counsel to the Village Board and officials on the entire spectrum of civil legal matters and related litigation.
- Developing efficiencies in handling civil and criminal ordinance enforcement to reduce costs for our clients and to seek reimbursement of costs for enforcement.
- Assisting with the establishment and administration of historic districts, special assessment districts, Downtown Development Authorities, Brownfield Redevelopment Authorities, Corridor Improvement Authorities, and other municipal districts. We also counsel clients on funding such districts, including tax increment financing and special assessments.
- Delivering educational programs to assist municipal and public entity employees understand their legal roles and duties. One of the biggest values we offer our clients to keep the organization running smoothly and to minimize risk is ongoing education and training. This takes on many forms. It may be one-on-one coaching, a webinar, training video, quarterly e-newsletters, or e-blasts.
- Serving as bond counsel on a wide array of municipal and public entity projects.
- Assisting clients with environmental law issues.
- Advising clients on election laws, including the Michigan Campaign Finance Act.
- Preparing millage and ballot proposals.
- Determining whether a public officer holds incompatible public offices or has a legal conflict of interest.
- Interpreting the Michigan Zoning Enabling Act, the Michigan Planning Enabling Act, and other laws and regulations applicable to municipalities.
- Addressing the legal issues involved with providing necessary services, such as water, sewer, police, fire, library, and recreation services.
- Advising on METRO Act and cable uniform franchise issues.
- Performing other duties as requested.

## Prosecution Services

For many years, Foster Swift attorneys have managed prosecutions for municipalities. Foster Swift attorneys recognize and appreciate that each municipality is unique, and we will work closely with you to understand your needs and policies for handling local ordinance prosecutions.

Even though Foster Swift has the seasoned trial experience required for these situations, we work to save clients’ time and money by reaching reasonable resolutions whenever possible. For many municipalities, we have assisted in the creation, implementation, and training of municipal civil infraction ordinances to resolve disputes and collect fines without using the court system, saving time and money. Subsequently, it is rare for cases to proceed to trial.



unless there is a solid issue to justify the time and expense, but when necessary, we work closely with court administration and staff to efficiently handle the case load with court dates reducing court time for our attorneys and law enforcement.

Our goal is to develop a system to efficiently manage cases specific to your values.

### **Civil Litigation and Appeals Services**

The best offense is a great defense. Foster Swift works hard to set up its clients to avoid risk and the possibility of litigation, understanding it is not always possible. If litigation is initiated, Foster Swift’s litigation attorneys are well known for assisting municipalities and public entities navigate legal disputes to achieve successful results at a reasonable cost and our track record speaks for itself. We know how much our clients hate the time, expense, and uncertainty of litigation so we work to stay within budget, deliver results for our clients, and keep costs within reason. To help manage cases, we utilize technology for pre-trial discovery, trial preparation, and trial. On top of the unique perspective that litigators provide, we can often help our clients control their risks through carefully drafted contracts and other means of risk management.

In addition to land use and zoning litigation, Foster Swift attorneys frequently defend municipalities in cases involving municipal liability, workers’ compensation, and negligence. Our litigation practice involves the representation of municipal governments in litigation in many different areas including civil rights claims, constitutional claims, and governmental immunity. Where claims are covered by insurance, we work hand in hand with our client’s appointed counsel to facilitate a successful outcome based on our extensive municipal experience.

### **OTHER SPECIALTY SERVICES**

Per the RFP, we realize that the Village may already have existing counsel in the areas below, but we appreciate the opportunity to share information about our qualifications in these areas should a need arise.

#### **Matters Before the Michigan Tax Tribunal**

The attorneys of Foster Swift are highly experienced in matters before the Michigan Tax Tribunal (“MTT”) involving property tax assessments and assessment appeals. Our expertise in this area is unparalleled and involves many significant residential, commercial, and industrial appeals. For example, in the City of Lansing, we successfully defended a \$50 million dollar tax appeal in the MTT where the petitioner challenged its property tax assessments. We represented the City of Escanaba in the critical Menard “dark store” property tax litigation, which reached the Michigan Supreme Court, and we have filed amicus briefs on behalf of the Michigan Townships Association and other municipal and public entity organizations in major cases involving the property tax exemption for charitable institutions.

In addition to our work on tax and special assessment appeals, we provide advice on tax assessments, tax collections, and the establishment of special tax and assessment districts. We also provide advice on industrial facilities tax and other requested abatements or claimed exemptions.

#### **Employment and Labor Law Services**

Foster Swift labor and employment law attorneys provide labor and employment counsel to our clients where they assist with a wide array of related matters.

Through the years, our attorneys have developed a unique ability to advocate on behalf of our employer clients while maintaining a reasoned perspective on labor relations. Our attorneys have successfully negotiated collective bargaining agreements with bargaining units of numerous public sector labor organizations and have been directly involved with:

- The negotiation of dozens of collective bargaining agreements with bargaining units representing police and fire units, supervisory employees, clerical/technical employees, and public works employees, as well as the bargaining of individual contracts with non-union employees.
- The successful representation of public sector clients in Act 312 (police and fire arbitration) proceedings and in numerous grievance arbitrations involving issues of employee discipline and contract interpretation.
- The adoption and administration of police or firefighter civil service ordinances.
- The handling of Veterans Preference Act (“VPA”) hearings.
- The representation of public clients in matters before the Michigan Employment Relations Commission (“MERC”) involving both representation questions and unfair labor practice allegations.

## Public Finance and Bond Counsel

Foster Swift municipal and public entity attorneys have successfully represented cities, townships, villages, counties, libraries, and other public entities in many bond transactions. Currently, Foster Swift has six attorneys named in the “The Bond Buyer’s Municipal Marketplace” listing of bond attorneys (more commonly known as the “Red Book”). We have assisted bond issuers in significant tax-exempt and taxable bond and note financings and refunding. Foster Swift has represented issuers in private placements, negotiated sales, competitive sales, and other methods of bond financing. Our broad expertise in this complex area of law allows Foster Swift attorneys to assist in planning for and financing a wide array of projects.

Foster Swift attorneys also advise municipal and public entity clients on potential solutions for troubled outstanding bond and debt obligations.

## Contracting and Procurement

Foster Swift has extensive experience drafting and reviewing all types of contracts that a public body would need. For example, we assist with the contracts necessary for every aspect of a construction project. We handle the purchase agreements for the property as well as all the contracts required for the construction, such as the AIA construction manager and architect’s contracts. We assist with the procurement process by drafting and reviewing RFPs and municipal purchasing policies. In summary, we have assisted with many municipal projects from inception to certificate of occupancy.

## Taxation Issues

In addition to our property tax experience, our attorneys advise municipalities on property owners’ requests for tax abatements, including requests for industrial facilities tax exemptions (“IFTs”), obsolete property rehabilitation exemptions, commercial rehabilitation exemptions, Payments in Lieu of Taxes (“PILOTS”), Low Income Housing Tax Credits through the Michigan State Housing Development Authority, Neighborhood Enterprise Zones and Renaissance Zones, and other tax exemptions.

Our attorneys are experienced in helping clients collect delinquent property taxes. Among other things, we have assisted municipal clients with personal property seizures; jeopardy assessments; property tax foreclosures and forfeitures; deeds in lieu of foreclosure; civil actions for debt collection; garnishments and writs of execution to enforce civil judgments; disposition of tax foreclosed property; and representing local units in delinquent taxpayers’ bankruptcy proceedings.



## Tax Increment Financing

Our experience in representing tax exempt or tax increment financing entities is broad. We have represented Downtown Development Authorities, tax increment finance authorities, local development finance authorities, Corridor Improvement Authorities, and Brownfield Redevelopment Authorities across the state, including those in the City of Cadillac, City of Mount Pleasant, City of Grand Rapids, City of Potterville, City of Benton Harbor, City of Lansing, Delhi Charter Township, and Texas Charter Township. We are experienced in establishing authorities, preparing and reviewing development and TIF plans, advising on tax capture issues, and addressing other issues arising under the Recodified Tax Increment Financing Act.

## Election Law

Foster Swift has a long history of helping clients on laws and rules pertaining to federal and state lobbying, political contributions, political action committees, and fundraising. The services of most interest to counties are reviewing ballot language for millage proposals and ensuring compliance with Michigan’s election and campaign finance laws. In addition, we assist municipal and public entity clients during periods of elected official transition.

## Public Services

Foster Swift has significant experience working with clients to provide necessary and cost-effective public services. Whether these services are provided through intergovernmental agreements, or by participating in an authority, Foster Swift has assisted communities to meet their service goals and effectively work with police, fire, and public works departments.

Foster Swift municipal and public entity attorneys have helped many local units of government design and form “authorities” to administer services. Depending upon the circumstances and goals, the results have included improved service to residents, clearly defined management roles and responsibilities, sustainable funding, enhanced financial control, and risk management benefits. Further, Foster Swift has experience working through common problems that often arise in the provision of these necessary public services. Foster Swift worked with a city to dissolve a fire board and set up alternative fire service. Foster Swift also successfully negotiated a multi-jurisdictional sewer operating agreement as a precursor to a \$22 million sewer expansion project, including key public financing components of the plan.

## Employee Benefits

In addition to our labor and employment law practice, Foster Swift maintains an extensive pension and employee benefits practice that has helped our public entity clients address changes in the law and be well prepared to bargain over employee benefits and provide general advice regarding employee health and retirement plans. This expertise has allowed Foster Swift attorneys to assess the financial impact of changes in employee benefits, particularly retiree health care issues, and to suggest changes that can offer or preserve coverage while managing costs and avoiding unfunded liabilities.

## Environmental Law

As one of the first law firms in the state to develop an environmental practice, Foster Swift has advised clients and litigated a wide range of federal and state environmental matters. Foster Swift attorneys have advised municipalities and other local units of government on PFAS and PFOS, solid waste planning under Part 115 of the Natural Resources and Environmental Protection Act (“NREPA”), and landfill contamination issues. Additionally, our attorneys helped in obtaining reimbursement of environmental response costs.

Serving another need, Foster Swift attorneys have represented clients in matters involving permitting and licensing under the:

- Hazardous Waste Management Act – Part 111 of NREPA.
- Solid Waste Disposal Act – Part 115 of NREPA.
- Michigan Water Resources Act – Part 31 of NREPA.
- Michigan Air Pollution Control Act – Part 55 of NREPA.
- Michigan Wetland Protection Act – Part 303 of NREPA.
- Michigan Inland Lakes and Streams Act – Part 301 of NREPA.
- Michigan Oil and Gas Act – Part 615 of NREPA.

Foster Swift attorneys have worked with many counties, cities, townships, and villages to address land use issues that may impact natural resources. For example, we have worked with municipalities to develop and enforce regulations for mineral extraction, on-site sewer systems, open space preservation, wetland preservation, and wind and solar energy.

## Cybersecurity

Cybersecurity and data protection are issues of increasing concern for local units of government. Regulatory noncompliance, financial and operational disruption, and legal and reputational damage are all real and growing risks for any organization that stores and manages key data on networks.

We help clients understand and comply with the myriad state and federal statutes and regulations that implicate IT and cybersecurity issues, including Health Insurance Portability and Accountability Act (“HIPAA”), the Gramm-Leach-Bliley Act, the Telephone Consumer Protection Act (“TCPA”), CAN-SPAM, the Electronic Communications Privacy Act (“ECPA”), the Children’s Online Privacy Protection Act, the Fair Credit Reporting Act (“FCRA”), the Federal Trade Commission Act, Sarbanes-Oxley, and states’ breach notification laws, to name a few.

The members of our cybersecurity team have extensive experience counseling and advising clients in all aspects of cybersecurity and data protection. Because cybersecurity is a complex issue that requires an interdisciplinary approach, we team with outside information technology experts in connection with both prevention and breach response issues.

## WHY US?

We have consistently demonstrated the following qualities during our long-term representation of our municipal and public entity clients, and these qualities positively distinguish us from others that may be under consideration for the role of Village Attorney, and assure that the Village will receive the services it desires and needs timely and efficiently:

- **Experienced.** Foster Swift attorneys serve many municipal and public entity clients. This expands their knowledge and experience base. For clients, this results in a prompt answer in less time than can be provided by less experienced attorneys.
- **Efficient.** Matters are staffed by attorneys with the right skill sets to do the job. Strategies are developed in advance, roles are defined, and lines of communication remain open to ensure that the right people are in place to get the right result.
- **Responsive.** Regarding calls or e-mails from clients, usually client calls are returned within four business hours (and often less). Every Foster Swift attorney is backed by another attorney, so crises can be immediately addressed even if one of the attorneys may be unavailable. Urgent matters require urgent responses. Foster Swift is available to clients 24/7/365.

- **Value-oriented.** The value of legal services is not something that can be determined at the outset of a relationship. It can only be evaluated in hindsight. Value is driven by efficiency and by experience. It matters little if a firm has low fees if it cannot deliver quality work efficiently. Foster Swift provides its clients demonstrable value by producing excellent work quickly and at reasonable costs.
- **Effective.** The Firm’s municipal and public entity attorneys play an integral role in proactively assisting public entities in developing and implementing modern legal, management and risk mitigation practices. After all, the mark of effective counsel is not only how it responds in times of legal crisis or turmoil, but – equally important – how it helps clients avoid problems in the first place.
- **Communicative and Training-Minded.** Foster Swift’s attorneys work diligently to keep clients informed of new case law and legislation (including pending legislation) which may affect them. We do this through monthly newsletters, webinars and on-site training. This has helped our clients run more efficiently and effectively and helped public bodies avoid litigation, ultimately reducing legal expenses. To review our municipal and public entity law newsletters, visit: <https://www.fosterswift.com/services-administrative-and-municipal-practice-group.html>.
- **Tech-efficient.** Foster Swift utilizes technology to enhance its ability to provide prompt, secure communication with clients. E-mail, video-conferencing tools, and cloud-based technology allow for real-time interaction with clients, sharing and collaboration on documents, and production of work product.

Foster Swift attorneys and staff provide comprehensive, result-oriented legal services to each and every client that support our firm’s core values:

- **INTEGRITY** - Honest and open communication with our clients while also maintaining a reputation of trust and confidence with judges and other lawyers.
- **PROFESSIONALISM** - Ethical and respectful in the practice of law while passionately representing our clients.
- **WORKING TOGETHER** - Taking a team approach to problem solving and client service and maintaining a firm culture of collaboration.
- **EXCELLENCE** - Providing quality, comprehensive, timely, and client focused legal service. Going above and beyond to meet client’s needs.
- **INNOVATION** - Working to stay ahead of industry trends for our clients as well as new trends in the legal market.
- **RESPECT AND DIGNITY** - Treating our attorneys, staff, clients and colleagues with respect and dignity.

## REFERENCES

### 1. Village of Grosse Pointe Shores, a Michigan City

**Contact Name:** Stephen Poloni  
**Title:** City Manager  
**Phone:** 313.790.0563  
**Email:** polonis@gpshoresmi.gov

### 2. Canton Township

**Contact Name:** Joseph Hawver

**Title:** Deputy Supervisor & Chief Counsel

**Phone:** 734.394.5185

**Email:** joseph.hawver@cantonmi.gov

**3. City of Mt. Pleasant**

**Contact Name:** Aaron Desentz

**Title:** City Manager

**Phone:** 989.779.5323

**Email:** adesentz@mt-pleasant.org

## CONFLICT OF INTEREST

Foster Swift requires that all attorneys complete a conflict of interest check to determine whether any new or current client's need for representation may affect one or more of the firm's former or current clients. All potential conflicts are cleared by the firm's conflicts clerk and by the firm's General Counsel. All potential conflicts are evaluated under Rules 1.7, 1.8 and 1.9 of the Michigan Rules of Professional Conduct. We do not anticipate any conflicts that would prevent Foster Swift from fully and completely representing the Village's interests.

## DAY-TO-DAY ACTIVITIES

The attorneys named above will manage day-to-day activities for the Village including, but not limited to, general counsel, prosecutions, and court appearances. While Foster Swift does not have an office based in Lake Orion, we are able to attend in-person meetings with one business days' notice and meetings via Zoom, Teams, or Webex with one hour's notice. We use a variety of communications tools and we work hard with each of our municipal clients to create a protocol to ensure clear communications to all appropriate parties.

**i. General Counsel**

- Foster Swift provides comprehensive general counsel services to municipalities, offering timely legal advice, document review, ordinance drafting, and support on governance, contracts, property matters, and regulatory compliance. Our team works closely with local officials to ensure informed decision-making and efficient legal operations tailored to the Village's needs.

**ii. Prosecutions and Court Appearances**

- Foster Swift has extensive experience managing municipal prosecutions and court appearances, offering efficient docket control, thorough case preparation, and skilled representation in district and circuit courts. We prioritize timely resolutions to save the Village time and resources, while ensuring trials proceed only when legally warranted.

**iii. Attending Meetings**

- Foster Swift attorneys regularly attend Village meetings—including council sessions, planning commission gatherings, and other public forums—either in person or virtually, based on the Village's preference. We provide real-time legal guidance during proceedings and follow up with any necessary documentation or advice.

## INSURANCE

Foster Swift holds its attorneys to the highest ethical standards and our insurance covers all legal services provided by the law firm. All Foster Swift lawyers are covered by legal malpractice coverage with policy limits totaling \$25 million. The firm also carries \$1,000,000 workers' compensation insurance on all employees and cyber insurance to cover any damages or notification costs in the event of a data breach. Copies of coverage are on the next pages. As a private Michigan based employer, Foster Swift also pays unemployment taxes to the State of Michigan in amounts as required by state law.



**Declarations**

**POLICY NO. 105522917**

**Travelers Casualty and Surety Company of America**  
**Hartford, Connecticut**  
(A Stock Insurance Company, herein called the Company)

**LIABILITY COVERAGES, SEPARATE LIABILITY COVERAGES, AND THIRD PARTY LIABILITY INSURING AGREEMENTS ARE WRITTEN ON A CLAIMS-MADE BASIS AND COVER ONLY CLAIMS MADE AGAINST INSURED DURING THE POLICY PERIOD.**

**THE LIMIT OF LIABILITY AVAILABLE TO PAY SETTLEMENTS OR JUDGMENTS WILL BE REDUCED BY DEFENSE EXPENSES, AND DEFENSE EXPENSES WILL BE APPLIED AGAINST THE RETENTION. THE COMPANY HAS NO DUTY TO DEFEND ANY CLAIM UNLESS DUTY-TO-DEFEND COVERAGE HAS BEEN SPECIFICALLY PROVIDED HEREIN.**

**ITEM 1 NAMED INSURED/INSURANCE REPRESENTATIVE:**

Foster, Swift, Collins & Smith, P.C.

D/B/A:

Principal Address:  
313 S. Washington Square  
LANSING, MI 48933

**ITEM 2 POLICY PERIOD:**

Inception Date: December 01, 2024      Expiration Date: December 01, 2025  
12:01 A.M. local time both dates at the Principal Address stated in ITEM 1.

**ITEM 3 ADDRESS INFORMATION FOR NOTICES TO COMPANY:**

Email: BSIclaims@travelers.com  
Fax: 1-888-460-6622  
Mail: Travelers Bond & Specialty Insurance Claim  
P.O. Box 2989  
Hartford, CT 06104-2989

Overnight Mail: Travelers Bond & Specialty Insurance Claim  
One Tower Square, MN06  
Hartford, CT 06183

For questions related to claim reporting or handling, please call 1-800-842-8496.

**ITEM 4 COVERAGES INCLUDED AS OF THE INCEPTION DATE IN ITEM 2:**

**Liability Coverages** (subject to LIA-3001 Terms & Conditions)

- Employment Practices Liability
- Fiduciary Liability

**Crime Coverages**

- Crime

**Other Coverage**

- Identity Fraud Expense Reimbursement

**ITEM 5**

**LIABILITY COVERAGES** (subject to LIA-3001)

**EMPLOYMENT PRACTICES LIABILITY**

<b>Limit of Liability:</b>	\$2,500,000	for all <b>Claims</b>
<b>Third Party Claim Coverage:</b>	<input checked="" type="checkbox"/> Applicable	<input type="checkbox"/> Not Applicable
<b>Additional Defense Coverage:</b>	<input type="checkbox"/> Applicable	<input checked="" type="checkbox"/> Not Applicable
<b>Additional Defense Limit of Liability:</b>	Not Covered	for all <b>Claims</b>
<b>Retention:</b>	\$35,000 \$35,000	for each <b>Claim</b> under Insuring Agreement A. for each <b>Claim</b> under Insuring Agreement B, if applicable
<b>Prior and Pending Proceeding Date:</b>	<b>Claims for Wrongful Employment Practices:</b>	November 01, 2006
	<b>Claims for Third Party Wrongful Acts:</b>	November 01, 2019
<b>Continuity Date:</b>	<b>Claims for Wrongful Employment Practices:</b>	November 01, 2006
	<b>Claims for Third Party Wrongful Acts:</b>	November 01, 2019

**FIDUCIARY LIABILITY**

<b>Limit of Liability:</b>	\$5,000,000	for all <b>Claims</b>
<b>Settlement Program Limit of Liability:</b>	\$250,000	for each <b>Settlement Program Notice</b> , which amount is included within, and not in addition to, any applicable limit of liability
<b>HIPAA Limit of Liability:</b>	\$1,500,000	which amount is included within, and not in addition to, any applicable limit of liability
<b>Additional Defense Coverage:</b>	<input type="checkbox"/> Applicable	<input checked="" type="checkbox"/> Not Applicable

**Additional Defense Limit of Liability:** Not Covered for all **Claims**

**Retention:** \$0 for each **Claim** under Insuring Agreement A.  
\$0 for each **Settlement Program Notice** under Insuring Agreement B.

**Prior and Pending Proceeding Date:** November 01, 2001

**Continuity Date:** November 01, 2001

**CRIME COVERAGES**

CRIME		
INSURING AGREEMENT	SINGLE LOSS LIMIT OF INSURANCE	SINGLE LOSS RETENTION
<b>A. Fidelity</b>		
1. Employee Theft	\$1,000,000	\$10,000
2. ERISA Fidelity	\$1,000,000	\$0
3. Employee Theft of Client Property	Not Covered	
<b>B. Forgery or Alteration</b>	\$1,000,000	\$10,000
<b>C. On Premises</b>	\$1,000,000	\$10,000
<b>D. In Transit</b>	\$1,000,000	\$10,000
<b>E. Money Orders and Counterfeit Money</b>	\$1,000,000	\$10,000
<b>F. Computer Crime</b>		
1. Computer Fraud	\$1,000,000	\$10,000
2. Computer Program and Electronic Data Restoration Expense	\$100,000	\$5,000
<b>G. Funds Transfer Fraud</b>	\$1,000,000	\$10,000
<b>H. Personal Accounts Protection</b>		
1. Personal Accounts Forgery or Alteration	\$500,000	\$5,000
2. Identity Fraud Expense Reimbursement	Not Covered	
<b>I. Claim Expense</b>	\$5,000	\$0

**Policy Aggregate Limit of Insurance:**  Applicable  Not Applicable

If a Policy Aggregate Limit of Insurance is applicable, then the Policy Aggregate Limit of Insurance for each **Policy Period** for Insuring Agreements A through H, inclusive, is: Not Applicable

If a Policy Aggregate Limit of Insurance is not included, then this **Crime Policy** is not subject to a Policy Aggregate Limit of Insurance as set forth in section V. CONDITIONS, B.1.a.

**Cancellation of Prior Insurance:**

By acceptance of this **Crime Policy**, the **Insured** gives the Company notice canceling prior policies or bonds issued by the Company that are designated by policy or bond numbers. Not Applicable, such cancellation to be effective at the time this **Crime Policy** becomes effective.

**INSURED'S PREMISES COVERED:**

All Premises of the **Insured** in the United States of America, its territories and possessions, Canada, or any other country throughout the world, except:

Not Applicable

**OTHER COVERAGES**

**IDENTITY FRAUD EXPENSE REIMBURSEMENT**

**Limit of Insurance:** \$25,000 per **Insured Person** for each **Identity Fraud**

**Retention:** \$0 per **Insured Person** for each **Identity Fraud**

**ITEM 6**

**PREMIUM FOR THE POLICY PERIOD FOR ALL COVERAGES:**

\$37,457.00 Policy Premium for all purchased Coverages

**ITEM 7**

**TYPE OF CLAIM DEFENSE FOR LIABILITY COVERAGES (subject to LIA-3001):**

- Reimbursement
- Duty-to-Defend
- Varies by Coverage - See Expanded Claim Defense Options Endorsement

Only the type of CLAIM DEFENSE marked "" is included in this policy.

**ITEM 8**

**EXTENDED REPORTING PERIOD FOR LIABILITY COVERAGES (subject to LIA-3001):**

Additional Premium Percentage: 75%  
Additional Months: 12

(If exercised in accordance with the applicable EXTENDED REPORTING PERIOD condition)

**ITEM 9**

**RUN-OFF EXTENDED REPORTING PERIOD FOR LIABILITY COVERAGES (subject to LIA-3001):**

Additional Premium Percentage: 250%  
Additional Months: 36

(If exercised in accordance with the applicable CHANGE OF CONTROL condition)

**ITEM 10**

**ANNUAL REINSTATEMENT OF THE LIABILITY COVERAGE LIMIT OF LIABILITY FOR LIABILITY COVERAGES SUBJECT TO LIA-3001:**

- Applicable
- Not Applicable

Only those coverage features marked " Applicable" are included in this policy.

**ITEM 11 FORMS AND ENDORSEMENTS ATTACHED AT ISSUANCE FOR ALL COVERAGES:**  
ACF-7007-0811; ACF-7006-0511; AFE-19029-0719; AFE-19030-0920; LIA-3001-0109; EPL-7060-0109; LIA-7097-0109; LIA-7114-0109; LIA-7305-0112; LIA-19002-1111; LIA-19053-0712; FRI-19064-1112; LIA-19097-0315; LIA-19137-0517; LIA-4012-0109; EPL-3001-0109; EPL-7009-0109; EPL-7062-0109; EPL-7110-0109; EPL-10008-0111; EPL-19020-0712; EPL-19050-0316; EPL-19056-0517; EPL-19057-0517; EPL-19058-0517; EPL-19059-0517; EPL-19060-0517; EPL-19061-0517; EPL-19063-0319; EPL-19068-1119; FRI-3001-0109; FRI-19030-0712; FRI-19065-1112; FRI-19084-1013; FRI-19086-0414; FRI-19093-1015; FRI-19103-0517; FRI-19097-0616; LIA-10001-0610; CRI-3001-0109; CRI-7059-0109; CRI-19002-0412; CRI-19060-0713; CRI-19072-0315; CRI-19101-1117; CRI-19115-0519; CRI-19116-0919; CRI-19122-1120; CRI-4009-0109; CRI-7027-0109; CRI-5023-0613; CRI-7026-0713; IDF-3001-0109; IDF-7019-0110; IDF-7005-0513; IDF-19002-0315; IDF-17009-0616; LIA-5022-1107

**ITEM 12 LIABILITY COVERAGE SHARED LIMIT OF LIABILITY FOR LIABILITY COVERAGES** (subject to LIA-3001):  
 Applicable  Not Applicable  
N/A for all **Claims** under the following **Liability Coverages** that are subject to the Terms & Conditions in LIA-3001:

If the **Liability Coverages** selected in ITEM 12 are also **Scheduled Coverages** selected in ITEM 13, then the amount of the **Liability Coverage Shared Limit of Liability** set forth in ITEM 12 is part of, and not in addition to, the **Shared Limit of Liability/Limit of Insurance for Scheduled Coverages** set forth in ITEM 13.

**ITEM 13 SHARED LIMIT OF LIABILITY/LIMIT OF INSURANCE FOR SCHEDULED COVERAGES:**  
 Applicable  Not Applicable  
N/A for all **Claims** and limits of insurance under the following **Scheduled Coverages**:

The Company's maximum liability for the **Policy Period** for all **Claims** and limits of insurance under the **Scheduled Coverages** listed in ITEM 13 will not exceed the amount of the **Shared Limit of Liability/Limit of Insurance for Scheduled Coverages**. Any Additional Defense Limit of Liability, Supplemental Personal Indemnification Limit of Liability, or Identity Fraud Expense Reimbursement Limit of Insurance is in addition to, and not part of, the **Shared Limit of Liability/Limit of Insurance for Scheduled Coverages**.

**PRODUCER INFORMATION:**  
ACRISURE GREAT LAKES PRT  
223 W GRAND RIVER AVE #1  
HOWELL, MI 48843

IN WITNESS WHEREOF, the Company has caused this policy/bond to be signed by its authorized officers.

  
President

  
Corporate Secretary



Underwritten by: Professional Solutions Insurance Company, 14001 University Avenue, Clive, IA 50325

**PRIVATE COMPANY MANAGEMENT LIABILITY POLICY  
DECLARATIONS**

THIS POLICY'S LIABILITY COVERAGE SECTIONS, IF PURCHASED, ARE ON A CLAIMS MADE AND REPORTED BASIS AND COVER ONLY CLAIMS FIRST MADE AGAINST THE INSURED DURING THE POLICY PERIOD OR, IF EXERCISED, THE EXTENDED REPORTING PERIOD. CLAIM EXPENSES SHALL REDUCE THE LIMIT OF LIABILITY AVAILABLE TO PAY JUDGMENTS OR SETTLEMENTS AND SHALL ALSO BE APPLIED AGAINST THE APPLICABLE RETENTION.

PLEASE READ THE ENTIRE POLICY CAREFULLY AND DISCUSS THE COVERAGE HEREUNDER WITH YOUR INSURANCE AGENT OR BROKER.

**ITEM 1**

NAMED INSURED AND ADDRESS	UNDERWRITER
Foster, Swift, Collins & Smith, P.C. 313 S. Washington Square Lansing, MI 48933	Professional Solutions Insurance Company, 14001 University Avenue, Clive, IA 50325
POLICY NUMBER	PRODUCER
G1999DMLA254	RT Specialty (Chicago)

Renewal of: G1999DMLA243

**ITEM 2** **POLICY AGGREGATE LIMIT OF LIABILITY** for all **Liability Coverage Sections**: \$2,000,000  
All **Loss** under all **Liability Coverage Sections**, combined

**ITEM 3** **POLICY PERIOD:** FROM 09/01/2025 TO 09/01/2026  
12:01 A.M. LOCAL TIME AT THE ADDRESS OF THE NAMED INSURED SHOWN ABOVE

**ITEM 4** **EXTENDED REPORTING PERIOD:**  
A. Additional Premium: 100 % of Annualized Premium in ITEM 7 Below  
B. Additional Period: 1 Year(s)

**ITEM 5** **RUN-OFF COVERAGE PERIOD:**  
1. One (1) year 100 % of the Annualized Premium in ITEM 7 Below

**ITEM 6** **NOTICE TO UNDERWRITER:**

Notice of Claim or Circumstances:	All Other Notices:
Nexus Specialty, Inc. Attn: Claims 556 W. Adams Street, Ste.210 Chicago, IL 60661	Nexus Specialty, Inc. Attn: Underwriting 556 W. Adams Street, Ste.210 Chicago, IL 60661

notifications@nexusclaims.com

NSIsubs@nexusunderwriting.com

**ITEM 7      POLICY PREMIUM:** \$17,398.00

**ITEM 8      COVERAGE SCHEDULE:**

If any of the coverages described below are left blank or "N/A" is indicated, such coverage including any Coverage Section, Limit of Liability, Sublimit of Liability or Additional Limit, and any other reference thereto is deleted from the policy. No Retention shall apply to non-indemnifiable Loss.

COVERAGE SECTION	AGGREGATE LIMIT OF LIABILITY	SUBLIMIT	RETENTION	PENDING OR PRIOR DATE	SHARED LIMIT
<b>DIRECTORS AND OFFICERS LIABILITY</b>	\$2,000,000		\$15,000	05/08/2019	Separate
Securityholder Investigative Costs		\$250,000	\$15,000		
Asset Protection Costs		\$100,000	\$15,000		
Public Relations Costs		\$100,000	\$15,000		
D&O Crisis Management Expenses		\$25,000	\$15,000		
<b>EMPLOYMENT PRACTICES LIABILITY</b>	Not Purchased		Not Purchased	N/A	N/A
Workplace Violence Expenses					
EPL Crisis Management Expenses					
Illegal Hiring or Harboring					
<b>FIDUCIARY LIABILITY</b>	Not Purchased		Not Purchased	N/A	N/A
Voluntary Settlement Program Costs					
HIPAA Penalties					
Section 502(c) Penalties					
Pension Protection Act of 2006 Penalties					
Affordable Care Act Penalties					
Section 4975 Tax Penalties					
Pension Crisis Management Expenses					

<b>CRIME</b>	See Attached Crime Declarations Page					
<b>CYBER</b>	See Attached Cyber Declarations Page					
<b>EMPLOYED LAWYERS LIABILITY</b>	Not Purchased		Not Purchased	N/A	N/A	
Intra-Organization Claims Defense Expenses						
General Counsel Replacement Expenses						
<b>MISCELLANEOUS PROFESSIONAL LIABILITY</b>	Not Purchased		Not Purchased	N/A	N/A	
Disciplinary Proceeding Expenses						

The following Additional Limits shall be in addition to and not part of the respective Aggregate Limits of Liability for each applicable Coverage Section, and in addition to and not part of the **POLICY AGGREGATE LIMIT OF LIABILITY** in **ITEM 2**:

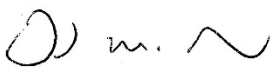

**Additional Side A Limit of Liability for Executives:** \$500,000  
**Additional Defense Expenses Limit for Employment Practices Liability:** Not Purchased  
**Additional Defense Expenses Limit for Fiduciary Liability:** Not Purchased  
**Policy Aggregate Limit for E-Discovery Consultant Services:** \$25,000

**ITEM 9 MISCELLANEOUS PROFESSIONAL LIABILITY (if purchased)**

**PROFESSIONAL SERVICES:  
RETROACTIVE DATE:**

**ITEM 10 FORMS AND ENDORSEMENTS APPLICABLE TO THIS POLICY ON THE DATE THIS POLICY IS ISSUED**

See attached Schedule of Forms and Endorsements

Professional Solutions Insurance Company, Inc.	
By:  _____ President	Date: <u>09/01/2025</u>
By:  _____ Secretary	Date: <u>09/01/2025</u>

**PRIVATE COMPANY MANAGEMENT LIABILITY POLICY  
CRIME DECLARATIONS**

**ITEM 1 COVERAGE SCHEDULE**

If any of the Insuring Agreements described below are left blank or "N/A" is indicated, such Insuring Agreement, Limit of Liability, and other reference thereto is deleted from the policy.

Insuring Agreement	Limit of Liability Per Occurrence	Deductible Per Occurrence
<b>A. Fidelity Coverage</b>		
A1. Employee Theft Coverage	\$2,000,000	\$10,000
A2. Client Property Coverage	N/A	
A3. ERISA Coverage	\$2,000,000	N/A
<b>B. Premises Coverage</b>	\$2,000,000	\$10,000
<b>C. In Transit Coverage</b>	\$2,000,000	\$10,000
<b>D. Forgery Coverage</b>	\$2,000,000	\$10,000
<b>E. Computer Crime Coverage</b>	\$2,000,000	\$10,000
E1. Computer Fraud Coverage	\$2,000,000	\$10,000
E2. Computer Data Restoration Expenses Coverage	\$100,000	\$10,000
<b>F. Funds Transfer Fraud Coverage</b>	\$2,000,000	\$10,000
<b>G. Money Orders and Counterfeit Currency Fraud Coverage</b>	\$2,000,000	\$10,000
<b>H. Credit Card Fraud Coverage</b>	\$2,000,000	\$10,000
<b>I. Social Engineering Fraud Coverage</b>	\$250,000	\$15,000
<b>J. Personal Account Protection</b>	\$25,000	\$10,000
Personal Accounts Forgery or Alteration	\$25,000	\$10,000
Identity Fraud Reimbursement	\$25,000	\$10,000
<b>K. Expense Coverage</b>	\$25,000	\$10,000

**Policy Attachments:**

Coverage: General Terms and Conditions
MPE-00002-07-19   Amend Insured Details (ITEM 1) of the Declarations
MPE-000MI-07-19   Michigan Amendatory Endorsement

Coverage: Common
MPE-01004-07-19   Pending & Prior Litigation Exclusion Split Limits
MPE-01015-07-19   Disclosure Pursuant To Terrorism Risk Insurance Act
MPE-01017-07-19   Cap On Losses From Certified Acts Of Terrorism Endorsement

Coverage: D&O
MPE-02013-07-19   Network Security and Privacy Exclusion
MPE-22015-07-19   Professional Firm Amendatory

Coverage: Crime
None



## EXCEPTIONS

At time of submission, there are no exceptions or deviations.

## FIRM STANDING

All Foster Swift attorneys are in good standing with the Michigan Bar Association. As expected with a large firm, individuals have occasionally filed grievances against Foster Swift lawyers with the State Bar of Michigan Attorney Grievance Commission over the past five years; however, none have resulted in formal disciplinary action.

The firm has not been in bankruptcy, reorganization, or receivership in the last five years or ever for that matter.

Foster Swift has not been terminated by any of our municipal clients in the last five years, however, there have been a few occasions where public entities have issued RFPs for legal services (usually due to the charter or at the request of newly elected officials) and a new attorney or law firm has been selected.

## RESPONSE TIME

Foster Swift is committed to prompt and effective communication with all clients. Client calls and e-mails are typically returned within eight business hours or one business day (and often less). Our attorneys are backed by another attorney, so emergencies can be immediately addressed even if one of the attorneys may be unavailable.

## CURRENT ISSUES

Foster Swift will begin by researching the Village online, including news articles and its social media presence, to learn about its public history. We will then schedule a meeting with key Village personnel to learn more about its operations, standard procedures, community priorities and communication protocols. For example, this session will include identifying and prioritizing projects as well as establishing the preferred format for quarterly reports.

Our team is prepared to assist with several ongoing legal matters, including the Village's relationship with the DDA, ordinance recodification, special assessment procedures, park property quit-claim issues, riparian rights, property inventory, and the Village's exploration of city incorporation.

## KNOWN CONFLICTS

As stated above, Foster Swift attorneys run conflict checks to determine whether any new or current clients' need for representation may affect one or more of the firm's former or current clients. All potential conflicts are cleared by the firm's conflicts clerk and by the firm's General Counsel.

## LEGAL SERVICES REQUEST FOR PRICING

Foster Swift will work hard to meet the Village’s budgetary needs. Our goal is to understand the scope of work and financial parameters of your projects. Over the years, we have found that hourly rates and recording are more cost efficient for our municipal and public entity clients. Our rates for this engagement are far below the rates we charge non-public entities and are as follows:

Pricing Component	Amount
A. Hourly Rate for General Legal Services	\$275
D. Hourly Rate for Prosecution Services	\$275
E. Provide or attach the firm’s complete fee schedule for all other services not included above:	\$320
1. Tax Tribunal	\$275
2. Labor and Employment (including Negotiations)	\$ To be determined based on scope
3. Public Finance and Bond	\$
4.	\$
5.	\$

### Time

Foster Swift tracks and charges time based upon tenths of an hour (six minutes).

### Other Expenses

Out-of-pocket expenses are itemized separately. Foster Swift does not charge clients separate fees for secretarial or word processing costs, overtime, or other basic overhead costs. Supplies and other materials will be billed monthly in an itemized manner at actual cost. Court filing fees, expert witness fees, and similar out-of-pocket expenses will be charged at the rates set by the entity providing the service, subject to prior approval.

### Legal Research

Foster Swift subscribes to several online legal research services, including Westlaw. We do not charge clients for any research service/subscription fees covered under our existing contracts.

### Travel

Travel time is charged at the hourly rate for the type of work being performed. However, in most instances, Foster Swift attorneys can attend meetings via video conferencing if desired by the Village, in which case the Village will not incur any travel charges. In other words, the Village will have access to the best legal services offered for municipalities, without incurring substantial expenses for travel. This is precisely how we have served clients in the northern lower peninsula and the upper peninsula for many years.

### Billing Statements

Billing statements are sent monthly and will include detailed information regarding time expended by classification and by task, as well as information regarding such items as mileage, materials, and other non-overhead cost. Payment is due upon receipt.

Our billing format is organized to allow easy tracking of fees and costs on individual matters and may be customized to provide whatever information the Village needs. Also, a factor in billing is the protection of sensitive attorney-client information. We can tailor the level of protection for each client.



## CONCLUSION

Choosing legal counsel is an important decision for every public body. All the attorneys and staff at Foster Swift are committed to providing exceptional counsel and service to every client. As a result, it is common for our attorney-client relationships to span decades. The foundation of these relationships is open communication and established processes.

Legal representation is best approached as a partnership. Through the firm's long track record of working closely with many townships, cities, counties, villages, libraries and other intragovernmental units, we have developed a culture of open channels of communication that enable successful outcomes to legal issues. Foster Swift is excited about the proposed opportunity to assist The Village of Lake Orion. We welcome a discussion to address any questions or requests for additional information.

Sincerely,

**FOSTER SWIFT COLLINS & SMITH, PC**

Courtney G. Agrusa

# LEGAL SERVICES REVIEW COMMITTEE 2025

## LEGAL SERVICES PROPOSALS RATING FORM

- 1. Areas of specialty \_\_\_\_\_ 5,3,1 x5
- 2. Years in business \_\_\_\_\_ 5,3,1 x2
- 3. Office location \_\_\_\_\_ 5,3,1 x2
- 4. Qualifications of person proposed for Village Attorney \_\_\_\_\_ 5,3,1 x5
- 5. Qualifications of person(s) proposed for prosecutions \_\_\_\_\_ 5,3,1 x5
- 6. Qualifications of person(s) proposed for civil litigation \_\_\_\_\_ 5,3,1 x5
- 7. Number of licensed attorneys at proposed office \_\_\_\_\_ 5,3,1 x2
- 8. Total number of all staff at proposed office \_\_\_\_\_ 5,3,1 x2
- 9. Firm's experience in municipal law including areas of expertise \_\_\_\_\_ 5,3,1 x5
- 10. Reasons why firm should be considered by the Village \_\_\_\_\_ 5,3,1
- 11. At least 3 municipal references provided \_\_\_\_\_ 5,0
- 12. Any existing conflicts of interest \_\_\_\_\_ 5,0
- 13. How firm will handle daily activities of contract \_\_\_\_\_ 5,3,1 x2
- 14. Evidence of comprehensive liability and workers comp insurance \_\_\_\_\_ 5,0
- 15. Exceptions or deviations to required scope of services \_\_\_\_\_ 5,0 x2
- 16. Bar Association Complaints against firm during past five years \_\_\_\_\_ 5,0 x3
- 17. Bankruptcy, reorganization, or receivership in past five years \_\_\_\_\_ 5,0 x3
- 18. Terminated by any municipal client in past five years for cause \_\_\_\_\_ 5,0 x3
- 19. Time frames for responses to inquiries from VC, VM, or Departments \_\_\_\_\_ 5,3,1 x5
- 20. How firm would familiarize self with current issues facing Village \_\_\_\_\_ 5,3,1 x2
- 21. Quality, organization, and presentation of written proposal \_\_\_\_\_ 5,3,1 x3

**SUBTOTAL POINTS:** \_\_\_\_\_

Pricing Proposal \_\_\_\_\_ 5,3,1 x3

**TOTAL POINTS:** \_\_\_\_\_



**COMMITTEE ACTION SUMMARY SHEET**

**MEETING DATE:** December 1, 2025

**TOPIC** Selection of Legal Firms for Interviews and Schedule Interview Dates and Times

**BACKGROUND BRIEF:**

The Legal Services Review Committee is scheduled to consider selecting three or four legal services firms for in-person interviews with the Committee based on the results of the Committee’s ratings of the firms’ proposals. The Committee is also requested to schedule three interview dates and times. Administration will attempt to limit the number of separate dates and times as much as possible based on the availability of the firms.

**SUMMARY OF PREVIOUS COMMITTEE ACTION:**

None

**FINANCIAL IMPACT:**

None

**RECOMMENDED MOTION:**

#1 – To select the following legal services firms for interviews with the Legal Services Review Committee: \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_.

#2 – To schedule possible dates and times for the legal services firms’ interviews as follows: \_\_\_\_\_ at \_\_\_\_; \_\_\_\_\_ at \_\_\_\_; and \_\_\_\_\_ at \_\_\_\_.



## COUNCIL ACTION SUMMARY SHEET

**MEETING DATE:** December 1, 2025

**TOPIC** Preparation of Legal Services Interview Questions

### BACKGROUND BRIEF:

The Legal Services Review Committee is scheduled to prepare and finalize interview questions for the in-person interviews with the selected legal firms. Attached are the suggested interview questions submitted by Committee members.

### SUMMARY OF PREVIOUS COUNCIL ACTION:

None

### FINANCIAL IMPACT:

None

### RECOMMENDED MOTION:

To approve the interview questions for legal firms as formulated by the Legal Services Review Committee.

Potential questions (Mark Amundson).

1. Can you describe your firm's experience handling municipal prosecutions and ordinance enforcement cases?
2. Which attorneys from your firm would represent us in court, and what is their courtroom trial experience?
3. What is your experience working with the 52/3 District Court or similar district courts?
4. Have you worked with police departments similar in size to Lake Orion? What challenges did they face and how did you support them?
5. What is your process for becoming familiar with our Village Code, zoning ordinances, and nuisance ordinances?
6. The Village of Lake Orion has ordinances that are outdated and in need of revision. What is your firm's process for reviewing, updating, and modernizing municipal ordinances to ensure they are legally sound, enforceable, and aligned with current best practices
7. How do you handle pretrial negotiations? How much input do you seek from the police department and leadership?
8. Can you describe your firm's experience litigating Fourth Amendment issues, including Miranda, search-and-seizure law, and recognized exceptions to the warrant requirement? Please provide examples of cases where you have successfully navigated these issues in court.
9. What kind of training would your firm provide for officers on report writing, courtroom testimony, search and seizure, and ordinance enforcement?
10. How would your firm handle a case where, upon review of the police report or evidence, you identify a potential clear Fourth Amendment violation by an officer? Please describe your approach to addressing the issue with the department.

11. How would your firm handle subpoenas of officers and witnesses, manage digital evidence, and coordinate timely discovery responses to defense counsel? Please describe your process.

12. What differentiates your firm from other prosecution providers?

**Darwin McClary**

---

**From:** Alex Comparoni, Jr.  
**Sent:** Friday, November 21, 2025 12:31 PM  
**To:** Darwin McClary  
**Subject:** Questions

How do you help municipal clients control and manage legal expenses to be within budget predictability? 2 . What is process for drafting a new ordinance or major contract? 3. Protocol for providing timely advice after hours. 4. How do you handle situations where the Board wants to proceed with something and you believe it's legally risky? 5Foya. How do you balance the public right to information with village confidentiality ? This is a few questions,please reword as needed.

Potential Interview Questions – Legal Services Firms – Dandalides Input

1. What process would your firm propose to get familiar with the current issues, ordinances, and staff if you were selected? How would this be billed back to the village?
2. From your experience with other municipalities, what things might you recommend looking at as a priority for the village to put us in a better position going forward? How would you prioritize them and what would be your approach? Examples (labor agreements, staff contracts, DDA agreements, ordinances and ordinance enforcement)
3. Recognizing that most of a municipality's interaction with legal counsel would be based on specific requests from the municipality, what service would your firm provide on a proactive basis? Could you provide an example of where your firm has provided proactive counsel to one of your current municipal clients.
4. Is the fee structure as outlined in your proposal negotiable?



## LEGAL FIRM INTERVIEW QUESTIONS

(McClary)

1. Could you please give us a very brief overview of your firm's experience with municipal law and how your experience can benefit the Village of Lake Orion?
2. In your opinion, what are the greatest legal challenges or issues currently facing Michigan municipalities?
3. What unique legal issues or challenges do you believe Michigan villages encounter in contrast with cities or townships?
4. Do you have experience reviewing property development agreements such as PUDs, easements, interlocal cooperation, licenses, leases, and real estate purchases? Can you provide a couple examples of major development projects for which you have prepared or reviewed agreements?
5. What experience do you have with downtown development authorities?
6. What experience do you have with tax abatements? What types of tax abatements have you worked with?
7. What experience do you have with employee discipline and termination, collective bargaining, labor contract preparation and administration, grievances, and fact-finding and arbitration?
8. What experience do you have with riparian rights laws and public lake management?
9. What experience do you have with environmental laws, including brownfields and stormwater management?

10. How do you proactively manage your clients' legal costs?
11. For those legal services which you do not provide in-house, are you able to provide recommendations when needed for outside firms who are well qualified to provide those services (e.g., bonding and public finance, employment law and collective bargaining, and tax tribunals)?
12. What makes your firm stand apart from other legal firms, and what unique value can your firm bring to the Village of Lake Orion?
13. Do you have any questions regarding the Village of Lake Orion?