



AGENDA

AD HOC LEGAL SERVICES REVIEW COMMITTEE

Monday, December 15, 2025

3:45 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. Presentations

A. Approval of Minutes of December 10, 2025 Meeting of the Legal Services Review Committee

4. Call to the Public

5. Other Items

A. Beier & Howlett 4:00 PM

B. Sherman, Sherman & Sherman 6:00 PM

C. Recommendation on Selection of Legal Services Firm

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.

Letter of Transmittal

Tab 1 Firm Name

Tab 2 Offices

Tab 3 Personnel

Tab 4 Staff

Tab 5 Experience

Tab 6 Why Beier Howlett

Tab 7 References

Tab 8 Conflict of Interest

Tab 9 Day to Day Activities

Tab 10 Insurance and Scope of Work

Tab 11 Exceptions

Tab 12 Bar Complaints

Tab 13 Bankruptcy

Tab 14 Municipal Client Termination

Tab 15 Response Time

Tab 16 Familiarizing Current Issues

Tab 17 Conflict of Interest

Tab 18 Appendix C / Pricing

Response To Request For Proposal For Legal Services To Village of Lake Orion

Presented by Co-Managing Partners:

Mary M. Kucharek, Equity Partner
248.282.1075
mkucharek@bhlaw.us.com

Michael C. Gibbons, Equity Partner
248.282.1069
mgibbons@bhlaw.us.com

Submitted Via Hand Delivery: October 22, 2025

October 22, 2025

Mr. Darwin McClary, Village Manager
Village of Lake Orion Council
21 E. Church St.
Lake Orion, MI 48362

Re: Request for Proposals for Legal Services

Dear Mr. McClary and Village
Council Members:

Enclosed you will find Beier Howlett's Proposal ("Proposal") and demonstration of qualifications to provide the Village of Lake Orion with full legal service representation in the areas of municipal law and prosecutions, excepting matters of bond counsel. Beier Howlett has proudly served its clients with quality legal services since the firm's founding in 1903. We believe our extensive history and background of serving municipalities in virtually all facets of municipal law distinguishes Beier Howlett as a provider of legal counsel and litigation services with sound, proficient legal principles that are also economical and practical. Beier Howlett has an AV rating (highest possible) in the Martindale Hubbell Law Directory which demonstrates our adherence to the highest legal and ethical standards.

Beier Howlett would like to thank the Village of Lake Orion, the Village Manager and the Council for the opportunity to demonstrate our credentials and continued commitment to our partnership with the Village of Lake Orion. These materials summarize our qualifications per your Request for Proposals for Legal Services. We would be excited to meet with you to have an open and frank discussion regarding how the law firm of Beier Howlett may serve the Village even better for years to come.

Beier Howlett is well adept at general municipal law, has extensive experience and has offered decades of advice regarding all facets of municipal law to many municipalities, including the Village of Lake Orion, since 2016. We pride ourselves on attorney accessibility and response time to our clients. Clients are able to reach us by email, and more importantly by our cell phones with quick response. **Municipal governments are expected to serve the community promptly and, therefore, your attorney should grant to you the same service.**

We have drafted hundreds of ordinances and understand we will continue to draft and enforce ordinances for the Village of Lake Orion and to assist in administrative matters and legal proceedings. We have advised, and will continue to advise, on interpretations of the Charter and Ordinance Code enforcement. We have drafted numerous contracts on behalf of every department within various municipalities. Some unique environmental issues have arisen, and we are prepared to guide the Village through environmental matters including Brownfield

development issues. We have successfully counseled and litigated cases in the federal, state and Oakland County courts regarding constitutional law, tort law and many other areas of law. We will continue to achieve winning outcomes in litigation. We have created transactional documents of all levels of complexity regarding various municipalities' interests and property and worked with our clients to negotiate and complete those transactions. We have and will continue to advise on the Freedom of Information Act, parliamentary processes, Open Meetings Act, ethics law, and all other laws and procedures germane to municipal law, as we have proudly done for the Village for years.

In subsequent pages of this proposal, with each tab corresponding to Appendix B, page 6, of the RFQ, we look forward to highlighting and describing the biographies of our accomplished attorneys and to demonstrate our vast experience in handling all facets of municipal law. We also look forward to highlighting the many municipalities, school districts, and other governmental entities we counsel.

We will demonstrate our reasonable and affordable pricing proposal as shown in Tab 18. We believe in value pricing for municipalities responsible for taxpayer dollars. We offer many negotiable options. Our response and pricing proposals are binding for at least 90 days from the date of this submission as mandated under the General Submittal Requirements.

As stated, Beier Howlett has proudly served its municipal clients for decades, and, as always, will appoint one attorney to be the lead for the Village of Lake Orion as the single-point-of-contact. Mary M. Kucharek would be the lead counsel for the Village of Lake Orion and the single-point-of-contact. Mary has extensive experience representing the Village of Lake Orion as well as other municipalities including the City of Orchard Lake, Village of Bingham Farms, and the City of Birmingham. Not only has she served as general legal counsel, but she is also quite adept in a courtroom as she has been the prosecuting attorney for our municipal clients since 1997. Her outstanding accomplishments will be highlighted later in this proposal.

The law firm of Beier Howlett has strong bench strength consisting of many experienced attorneys with outstanding accomplishments. Therefore, the firm does not intend to subcontract any portion of the work identified in the Scope of Services. Beier Howlett is ready, eager and able to offer the Village of Lake Orion continued service for all of its municipal legal needs as articulated in the Request for Proposal packet.

Please refer any questions or comments regarding our statement of qualifications to the undersigned or Mary Kucharek. We appreciate the opportunity to further discuss how Beier Howlett will provide the high quality of legal services that the Village of Lake Orion expects and

deserves. We welcome the opportunity for Mary M. Kucharek to interview personally. We look forward to hearing from you and continuing this discussion.

Very truly yours,

BEIER HOWLETT, P.C.



Michael C. Gibbons
Co-Managing Partner

Tab 1 - Identifying Beier Howlett

NAME OF FIRM: Beier Howlett, P.C.

ADDRESS AND TELEPHONE NO.: 3001 W. Big Beaver Rd., Ste. #600
Troy, MI 48084
Telephone No.: (248) 645-9400
Fax No.: (248) 645-9344
Website: www.bhlaw.us.com

PRIMARY CONTACT: Mary M. Kucharek
Telephone Line: (248) 645-9400
Direct Dial: (248) 282-1075
Facsimile: (248) 645-9344
Email: mkucharek@bhlaw.us.com

FIRM EXISTENCE: Beier Howlett has been practicing for 122 years (est. 1903)

FIRM RESOURCES: Library, computers, in-person staffing five days per week, fax machine, copiers, scanners, file room with adequate space.

STAFF PROVIDING SERVICE: Janine A. Cochran, Legal Assistant/Paralegal
Specialty: Municipal and litigation with over 35 years' experience.

Erin Miller, Legal Assistant
Specialty: Municipal and litigation

Beth Ryan, Office Manager

Types of Practice or Areas of Specialty

Beier Howlett is a general practice law firm focusing primarily in municipal, school and local governmental law, labor and employment law, construction law, banking law, business and commercial law, civil and criminal litigation and appeals, zoning and land use law, environmental law, family law, accident defense, estate planning, probate and trust administration, tax tribunal actions, and real estate law.

Firm Composition

Attorneys who will be assigned Village Matters:

It is our belief that integrity, communication and exceptional legal intellect are the cornerstones for effective client service. To that end, we envision that requests for information or direction for work from the Village Manager, Council, Boards and administration and/or employees would be directed to Mary M. Kucharek. She would evaluate the issue and, if appropriate, involve other qualified attorneys in responding and/or providing the appropriate service for the Village. It is possible that delegation to certain other attorneys for certain types of Village projects will occur, if it is in the Village's best interest. Tracy Gaudenzi, Michael C. Gibbons and Dena Keller would perform most of the delegated work. Jeffrey K. Haynes would handle all environmental and Brownfield matters. As a practical matter, it is Beier Howlett's general practice that all client calls are returned within an hour, but at the latest within 24 hours.

Our Firm's Expertise

General Municipal Knowledge:

Our law firm has represented municipal clients since 1958. We are well-equipped to provide counsel on a wide range of matters including, but certainly not limited to, attending and advising at Village Council, Zoning Board and any of the Village's other boards, commissions, or authorities. Our attorneys are adept at drafting general and zoning ordinances. We are able to draft resolutions to facilitate the Council's ability to act through its motions. Our proficiency in legal research is evidenced by the depth of our legal opinions and is a crucial tool for the Village Council, department heads, and the Village Manager. We are skilled in drafting and reviewing any and all Village contracts and RFPs and preparing instruments such as deeds, licenses, lease agreements, and the handling of various real estate issues. We conduct seminars for many departments, including the Police and Fire Departments. Our attorneys are comfortable and confident in any courtroom setting.

Freedom of Information Act and Open Meetings Act/Robert's Rules of Order:

The Freedom of Information Act, the Open Meetings Act and Robert's Rules of Order are used by all of our municipal and school district clients. We attend all City/Village Commission/Council meetings for our municipal clients as required by those engagements

and we are available for all meetings upon request. Today, we have more than 80 years of collective experience advising our governmental clients with respect to the Open Meetings Act, the Freedom of Information Act and Robert's Rules of Order. The attorneys that attend our clients' municipal and Board of Education meetings are well versed in Robert's Rules of Order and parliamentary procedures.

Other Legal Proceedings:

The lawyers at Beier Howlett are very experienced in various other legal proceedings. Our attorneys have appeared before the United States Supreme Court, Michigan Supreme Court, Michigan Court of Appeals, 6th Circuit Court of Appeals, Michigan Public Service Commission, Michigan Tax Commission, and Michigan Tax Tribunal, among others. Our attorneys have expertise in contract drafting and negotiations, drafting ordinances, construction law, municipal litigation, prosecutions, property tax appeals, zoning and land use matters, historic district law, tax tribunal representation, election procedures, intergovernmental agreements, Brownfield Authorities, Downtown Development Authorities, Principal Shopping District Authorities, Corridor Improvement Authorities, 425 Agreements, labor negotiations, liquor license matters, as well as all forms of labor and employment matters, arbitrations, grievances and fact findings. Beier Howlett attorneys have also represented public bodies in numerous MERC proceedings in the past in representing its school district and local governmental clients, as well as private sector clients.

Contracts Such As Intergovernmental Agreements, Cooperative Services Agreements and Technology:

Beier Howlett has drafted hundreds of contracts and intergovernmental agreements on behalf of our municipal and school clients. Telecommunications, cable television franchise agreements and the Internet are practice areas that we deal with on a daily basis. We represented the City of Birmingham against Coast to Coast Telecommunications before the Michigan Public Service Commission, developed Telecommunications Safe Harbor Permits and application forms, and the Michigan Telecommunications Act and the METRO Act. We have developed intergovernmental agreements with the county and various cities involving these types of matters.

In addition, we have assisted several municipalities and school districts in preparing cooperative service agreements, with one of the most recent being the Combined Dispatch Services Agreement between the Village of Lake Orion and the City of Birmingham.

Real Estate:

Beier Howlett has vast experience in real estate matters including zoning, planning, historic preservation and other land use issues. We have worked side-by-side with the Building, Engineering and Planning Departments and have a deep understanding of the nuances regarding real property issues.

Environmental and Brownfield Issues:

Jeffrey K. Haynes represents various clients including municipalities in various environmental and Brownfield issues. He is an esteemed attorney and has argued in front

of the Supreme Court. He is well respected in his field and has received many accolades. He has been intricately involved in resolving many sensitive land issues for the City of Birmingham.

Employment Matters:

Our attorneys frequently represent municipal and private sector clients, and school districts, with respect to numerous employment issues that often arise, including questions concerning civil rights matters, leave and disability law, discipline and discharge, and numerous other areas. While the goal is to address the issues proactively and avoid litigation, these matters have been before the Federal and State Courts as well as the Equal Employment Opportunity Commission and the Michigan Department of Civil Rights. Michael C. Gibbons handles these matters.

Our attorneys have frequently been called upon to advise clients with respect to many different labor issues including bargaining, contract disputes, unfair labor practice charges, and employee disciplinary matters. We have successfully and efficiently handled numerous grievance proceedings on disciplinary and discharge matters and other collective bargaining issues.

COVID-19:

Mary M. Kucharek assisted our municipalities extensively with the constant changing issues that surrounded the COVID pandemic and kept our clients up-to-date with the various Orders so they were complying with all laws. Helping municipalities navigate during those troubled times further demonstrated our relationship with all departments.

Bond Counsel:

Currently, Beier Howlett does not offer bond counsel services to any of its municipal or school district clients. We work closely with specialized bond counsel to ensure successful outcomes.

Contract Negotiations and Grievance Resolutions:

The attorneys at Beier Howlett have worked on contract negotiations, including fact finding and binding arbitration with many collective bargaining units both in the public and private sector. They have been involved in the grievance resolution process through all the grievance steps including arbitration.

Wage and Hour, OSHA, Worker's Compensation and Unemployment Compensation:

Our attorneys have appeared before the Michigan Employment Security Commission, Michigan Department of Civil Rights, the Equal Employment Opportunity Commission, the Michigan Employment Relations Commission, the National Labor Relations Board and the Michigan Occupational Safety and Health Administration with respect to wage and hour disputes, OSHA claims and worker's compensation and unemployment compensation benefits.

Intellectual Property:

Beier Howlett has represented municipal, school, business and individual clients in various intellectual property matters and contractual matters with third party providers. We regularly draft, review and negotiate agreements to protect the intellectual property rights of our clients, and litigate those matters when necessary.

Professional Development for Administration, Staff and Board Members:

The attorneys at Beier Howlett provide professional development training for administration, staff, officers and Board members upon the request of our clients. This includes general information as well as more detailed professional development regarding the numerous current legal issues and challenges for which our clients require counsel. Ms. Kucharek has provided most of these services to the municipal and school district clients.

Information on Training, Newsletters or Other Extra Services and Whether There is a Charge for These Services:

Beier Howlett does maintain a periodic email newsletter to its clients that supplies relevant information regarding timely topics of the day. This is provided at no charge.

Tab 2 – Offices

Beier Howlett is located at:

3001 W. Big Beaver Rd.
Ste. 600
Troy, MI, 48084
(248) 645-9400
www.bhlaw.us.com

Tab 3 – Personnel / Proposed Attorney, Team

Beier Howlett identifies Ms. Mary M. Kucharek as Primary Lead. She will be the primary service provider to the Village. Her current contact information is:

Mary M. Kucharek
 Beier Howlett, P.C.
 3001 W. Big Beaver Rd., Ste. #600
 Troy, MI 48084
 (248) 282.1075
 Facsimile: (248) 645-9344

Please refer to Mary's detailed resume later in this section. Mary has been with Beier Howlett since 1997. She obtained her Bachelor of Nursing Degree in 1985 and a Juris Doctor Degree from the University of Detroit in 1992. Mary has been servicing municipal clients for over 30 years. She has had close working relationships with her municipal clients and sees her role as counselor of law. Mary has earned the honor of a member of the 2017 Class of "Women in the Law" by Michigan Lawyers Weekly. Mary earned the honor of Notable Women in Law by Crain's Detroit Business for 2021, and The Marquis Who's Who 2022-2023. Mary has also been named to the list of 2024 and 2025 Best Lawyers. She has also been named in Best Lawyers of America 2026, and Lawyer of the Year 2026 for Municipal Litigation. Mary has various community activities including a previous member of the Oakland County Mental Authority Board. She has lectured at high schools regarding laws involving alcohol, drugs, and minors, and was a frequent speaker to community groups relating to under-age substance abuse.

Dena Keller would be the lead Prosecutor with Tracy Gaudenzi and Mary Kucharek as backup. All have many years of prosecution experience, including circuit and district court.

Our prosecutorial team is very active in keeping the police and fire departments for the municipalities with which she works updated on all current laws.

Mary commits that any reassignment of team members, including herself, will not occur unless consented to by the Village Manager and/or Village Council. The Village Manager and/or Village Council will be advised of any and all personnel changes, and the Village Manager and/or Village Council will have the opportunity to agree or disagree with any of the members of the team including the Primary Lead.

Outstanding Organizational & Staffing Plan To Serve the Village of Lake Orion

Legal matters rarely touch one aspect of the law, and the Village of Lake Orion needs have evolved and will continue to do so into the future. Our organization is strong and superbly qualified because of our personnel. Our integrated team is prepared to handle the complex matters that involve multiple genres of law at once.

Our commitment to client service is our number 1 goal, and in doing so, we propose the following attorney team:

Proposed Attorney Team

Primary contact: Mary M. Kucharek, Lead Counsel
Current Responsibilities: Village Attorney for the Villages of Lake Orion and Bingham Farms and City Attorney for the City of Orchard Lake Village, and one of the City Attorneys for the City of Birmingham which includes a wide range of municipal expertise such as general matters, FOIA, OMA, land use, construction and telecommunications, and various matters.

Primary Prosecutor: Dena Keller

Other Attorneys: Michael C. Gibbons, FOIA, OMA, MMLP assigned litigation, general litigation, personal injury issues representing municipal clients, Tax Tribunal work. Mike is lead counsel for the Village of Bingham Farms and the Bloomfield Village Association. He also has a wealth of experience with business and commercial law and litigation.

Tracy Gaudenzi-Backup and Prosecutions

Dena Keller – Backup and Prosecutions

Jeffrey K. Haynes – Environmental/Brownfield

Michael C. Gibbons – Labor and Employment and Litigation

Matt Haupt – Research Attorney and Litigation

Please see attached Resumes.

MARY M. KUCHARAK

Co-Managing Partner
3001 West Big Beaver Road
Suite 600
Troy, MI 48084

T: (248) 645-9400 F: (248) 282-1095
E: mkucharek@bhlaw.us.com



PROFESSIONAL EXPERIENCE

-
- | | |
|---|----------------------|
| Beier Howlett, P.C.- Troy, Michigan | 1997- present |
| <i>Shareholder, 2021-present</i> | |
| <i>Partner, 2012-2020</i> | |
| <i>Associate, 1997-2012</i> | |
| <ul style="list-style-type: none">• Village of Lake Orion, Village Attorney: 2016-present• City of Orchard Lake Village, City Attorney: 2011-present• Village of Bingham Farms, Village Attorney: 2025-present• City of Birmingham, City Attorney: 2020-present• Prosecutes ordinance violations for the Village of Lake Orion, City of Orchard Lake Village and the City of Birmingham.• Duties as prosecuting attorney include defending the Village/City ordinances, jury trials and amending, and drafting new ordinances. | |
| Law Office of Mary Kucharek- Royal Oak, Michigan | 1994-1997 |
| <i>Solo Practitioner</i> | |
| <ul style="list-style-type: none">• Practice focused on the area of criminal defense, representing clients through all facets of the criminal process (misdemeanors, felonies, OUIL, license restoration etc.). | |
| Medical Legal Consulting- Royal Oak, Michigan | 1994-1997 |
| <i>Medical Consultant</i> | |
| <ul style="list-style-type: none">• Reviewed and summarized records in medical malpractice and personal injury cases (both plaintiff and defense).• Provided detailed research and medical background for particular medical conditions• Provided analysis of the liability picture for clients. | |
| Oakland County- Pontiac, Michigan | 1992-1994 |
| <i>Assistant Prosecuting Attorney</i> | |
| <ul style="list-style-type: none">• Duties consisted of the prosecution of misdemeanor and felony cases in Oakland County District Court, including bench and jury trials, felony exams, plea bargains, sentencing's, etc. | |

Macomb Hospital **1985-1997**
Registered Nurse
• Patient care in a variety of clinical settings, including medical/surgical and rehab, among others.

EDUCATION

University of Detroit- Detroit, Michigan **1992**
Juris Doctor, Cum Laude

University of Detroit- Detroit, Michigan **1989**
Bachelor of Science in Nursing, Summa Cum Laude

Macomb Community College- Clinton Township, Michigan **1985**
Associate degree in nursing, Magna Cum Laude

ADMITTED TO PRACTICE

- Michigan- 1992
- U.S. District Court- 2020

ACCOMPLISHMENTS

- Village Attorney for the Village of Lake Orion
- City Attorney for the City of Orchard Lake Village
- Village Attorney for the Village of Bingham Farms.
- City Attorney for the City of Birmingham
- Named to Best Lawyers of America 2026
- Named as Lawyer of the Year 2026 for Municipal Litigation
- Named to 2025 Best Lawyers
- Named to 2024 Best Lawyers
- Named to 2022-2023 The Marquis Who's Who
- Named to 2021 "Notable Women in the Law" by Crain's Detroit Business
- Member of the 2017 Class of 'Women in the Law' by Michigan Lawyers Weekly
- Jerome P. Cavanaugh Academic Scholarship (University of Detroit Law School)
- Order of the Barristers (University of Detroit Law School)
- First in Class University of Detroit Nursing School

COMMUNITY ACTIVITIES

- Oakland County Mental Health Authority-Board Member
- Moot Court Board-Past President
- Local community support
- Active in personal church community
- Active member in various school clubs in community
- Oakland County Bar Association Inns of Court Mentor

- State Bar of Michigan
- Oakland County Bar Association
- District Court Bench-Bar Conference

MICHAEL C. GIBBONS

Co-Managing Partner
3001 West Big Beaver Road
Suite 600
Troy, MI 48084

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E: mgibbons@bhlaw.us.com



PROFESSIONAL EXPERIENCE

Beier Howlett, P.C.- Troy, Michigan	1994- present
<i>Shareholder</i> , January 2006-present	
<i>Partner</i> , 2001-2005	
<i>Associate</i> , 1994-2000	
<ul style="list-style-type: none">• Represents public and private sector clients including municipalities, school districts and business clients ranging in size from small, closely held businesses to large, multi-national corporations.• Experienced in municipal litigation, labor relations and employment law, FOIA and OMA issues, general municipal issues (ordinance enforcement, First Amendment issues, land use and zoning), property taxes and Tax Tribunal proceedings, and general business and commercial matters.• Significant civil litigation experience in all dispute resolution forums, including state and federal courts (trial and appellate), NLRB, MERC, EEOC, MDCR, as well as private arbitration and mediation.• Prepare and help implement policies and procedures to comply with applicable laws and reduce likelihood of claims.• Conduct workplace investigations and serve as an expert defense witness in employment discrimination claims.	

EDUCATION

Detroit College of Law (Now Michigan State University College of Law) - Detroit, Michigan	1994
<i>Juris Doctor</i>	
University of Michigan- Dearborn, Michigan	1989
<i>Bachelor of Arts-</i> Economics	

ADMITTED TO PRACTICE

- Michigan Bar- 1994
- U.S. Court of Appeals, 6th Circuit- 2004
- U.S. District Court, Eastern District of Michigan- 1994
- U.S. District Court, Western District of Michigan- 2002
- U.S. District Court, Eastern District of Wisconsin- 2007
- U. S. District Court, Northern District of Illinois- 2010

ACCOMPLISHMENTS

- Named to the 2025 Class of “Leaders in the Law” by Michigan Lawyers Weekly
- Named “Go To Lawyer” in Business Litigation by Michigan Lawyers Weekly, 2025
- Named "Notable Leader in Employment and Labor Law 2023" by Crain's Detroit Business
- Named to "Best Lawyers in America" in 2023, 2024, 2025, 2026
- Named "Go To Lawyer" In Business Law 2022 by Michigan Lawyers Weekly
- Named “Leaders in the Law” 2025 by Michigan Lawyers Weekly
- Named Top Lawyer, dbusiness Magazine
- Publications:
- Co-Author of Navigating the Legal Waters of International Commerce-Michigan Bar Journal, March 2011

COMMUNITY ACTIVITIES

- State Bar of Michigan
- Oakland County Bar Association
- Oakland County Bar Association Fellows Program
- Incorporated Society of Irish American Lawyers
- Michigan Counsel of School Attorneys
- Catholic Central Lawyers Alumni Association

TRACY GAUDENZI

Associate
3001 West Big Beaver Road
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Troy, MI 48084

T: (248) 282-1073 F: (248) 645-9344
E: tgaudenzi@bhlaw.us.com



PROFESSIONAL EXPERIENCE

Beier Howlett, P.C.- Troy, Michigan

November 2021- present

Associate Attorney

- Assistant City Attorney for the City of Birmingham, City of Orchard Lake Village, and the Village of Lake Orion.
- Prosecutes ordinance violations for the City of Birmingham, the City of Orchard Lake Village, and the Village of Lake Orion.
- Defends City ordinances, jury trials and amending, and drafting new ordinances.
- Provides updates on legal issues and concerns to law enforcement.
- Review request for issuance of warrants and prepare Complaint and Warrants for entry with the Court.

Torni Gaudenzi Law, PLLC- West Bloomfield/Farmington Hills Michigan.

2013-2021

Owner/Attorney

- General Practice: Family Law, Criminal Defense, Estate Planning and Wills.
- Court Appointed Defense Attorney-48th District Court (2013-2021), 45th District Court (2019-2021), 46th District Court (2013-2021), 47th District Court (2019-2021)
- Managed office, caseload, calendar, and client contact.
- Conducted legal research.
- Drafted pleadings and client letters.
- Interviewed and evaluated potential clients.
- Negotiated with opposing counsel and interested parties.
- Filed pleadings at Court.

Financial Services of America- Warren, Michigan

2011-2012

Associate General Counsel

- Advised the Chief Executive Officer regarding legal matters.
- Directly and solely responsible for all corporate and regulatory compliance issues related to business strategy and policies.

- Negotiated and drafted contractual documents including, in part, employment contracts, non-compete agreements, non-disclosure agreements, non-profit sponsorship agreements, leases, and purchase and sales agreements.
- Conducted legal research.
- Investigated, evaluated, and responded to unemployment insurance claims.
- Managed and prepared compliance procedures and policies.
- Pursued outstanding debts owed to a company.
- Responded to OFIR and Attorney General regulatory complaints.
- Interviewed and evaluated outside counsel.

McAvoy Law Firm- Taylor, Michigan **2009-2011**

Associate Attorney

- Litigation and trial experience.
- General Practice: Family Law, Criminal Defense, Estate Planning and Wills, and Bankruptcy.
- Managed own case-load, calendar, and client contact.
- Conducted legal research.
- Drafted pleadings and client letters.
- Interviewed and evaluated potential clients.
- Negotiated with opposing counsel and interested parties.
- Filed pleadings at Court.

Michael L. Bars & Associates-Waterford, Michigan **2004-2009**

Associate Attorney/Law Clerk

- Litigation and Second Chair trial experience.
- Managed heavy case-load and maintained close client contact.
- Conducted legal research.
- Drafted legal documents and client letters.
- Interviewed and evaluated potential clients.
- Negotiated with opposing counsel and interested parties.
- Filed pleadings at Court.

EDUCATION

University of Detroit Mercy School of Law- Detroit, Michigan **2005**
Juris Doctor

Albion College- Albion, Michigan **2002**
Bachelor of Arts

ADMITTED TO PRACTICE

- Michigan- 2005
- Eastern District of Michigan-2010

ACCOMPLISHMENTS

- Named to Best Lawyers of America 2026
- Member of the 2025 Influential Women of Law by Michigan Lawyers Weekly
- Named to 2025 Best Lawyers
- Criminal Justice Security and Privacy Certification
- Past St. Thomas More Society Board Member
- Women’s varsity soccer team for Albion College-Team inducted into Hall of Fame in 2013
- Women’s Law Caucus Member
- Studied in Venice, Italy

COMMUNITY ACTIVITIES

- National District Attorneys Association
- State Bar of Michigan
- Criminal Law Section-State Bar of Michigan
- Oakland County Bar Association
- Executive Board Member at local preschool
- PTA member and volunteer at local elementary

DENA KELLER

Associate
3001 West Big Beaver Road
Suite 600
Troy, MI 48084

T: (248) 282-1081 F: (248) 645-9344
E: dkeller@bhlaw.us.com



PROFESSIONAL EXPERIENCE

- Beier Howlett, P.C.-** Troy, Michigan **2025- present**
Associate, September 2025-present
- City Prosecutor for the City of Birmingham, City of Orchard Lake Village, and the Village of Lake Orion.
 - Advise and collaborate with opposing counsel, police officers, and victims.
 - Write, research, and argue legal briefs.
 - Conduct trials, evidentiary hearings, formal hearings, and plea negotiations.
 - Substantial trial experience.
 - Substantial experience pertaining to drug prosecution and search and seizure.
- Macomb County Prosecutors Office-** Macomb, Michigan **1998-2025**
Principal Trial Attorney
Drug Unit-Chief
Warrants Division-Deputy Chief
Family Domestic Violence Unit- Deputy Chief
Circuit Court
District Court
Juvenile Division
Appellate Unit
- Worked in conjunction with DEA, FBI, HSI, Border Patrol, and joint task forces involved in Circuit, District, Drug Unit, and Juvenile Court.
 - Conducted and prepared for probable cause conferences, pretrials, preliminary exams, evidentiary hearings, and jury trials as well as termination trials, preliminary inquiries, dispositional reviews, release of parental rights, post-termination reviews, and related hearings in abuse/neglect matters.
 - Researched, wrote, reviewed, and argued legal issues involving state and federal law.
 - Reviewed police reports to make expedient charging decisions in authorizing or denying all warrants including homicides submitted by police departments in Macomb County.
 - Vertically prosecuted drug, domestic violence, and juvenile cases from authorization of warrants through trial.

- Prosecuted homicide and multi codefendant criminal enterprise cases.
- Trained narcotics police crews as well as MSP forensic scientists, DEA, police academy cadets and interns on search and seizure, expert testimony, surveillance, drug trends, report writing, medical marijuana, and how to testify at trial.
- Trained police officers on juvenile substance abuse issues.
- Supervised, trained, and monitored second chair prosecutors and unit staff attorneys.

EDUCATION

Detroit College of Law (Now Michigan State University College of Law) - Detroit, Michigan **1995**
Juris Doctor

Michigan State University- Lansing, Michigan **1988**
Bachelor of Arts

ADMITTED TO PRACTICE

- Michigan Bar- 1995

ACCOMPLISHMENTS

- Effective leader, promoting teamwork, communication, and a positive work environment.
- Specialized knowledge of search and seizure issues.
- Exceptional interpersonal skills and ability to establish a rapport with coworkers, judges, police officers, and social service agents.

COMMUNITY ACTIVITIES

- State Bar of Michigan
- Oakland County Bar Association
- Macomb County Bar Association

JEFFREY K. HAYNES

Partner
3001 West Big Beaver Road
Suite 600
Troy, MI 48084

T: (248) 282-10070 F: (248) 645-9344
E: jkhaynes@bhlaw.us.com



PROFESSIONAL EXPERIENCE

- | | |
|---|----------------------|
| Beier Howlett, P.C.- Troy, Michigan | 2000- present |
| <i>Partner</i> | |
| <ul style="list-style-type: none">• Environmental litigation.• Environmental law.• Municipal law.• Criminal (environmental).• Appellate and general civil practice. | |
| Rentrop, VanderKloot, Haynes & Morrison- Bloomfield Hills, Michigan | 1992-2000 |
| <ul style="list-style-type: none">• Environmental litigation.• Environmental law.• Appellate and general civil practice. | |
| VanderKloot & Haynes, P.C.- Bloomfield Hills, Michigan | 1983-1992 |
| <ul style="list-style-type: none">• Environmental litigation.• Commercial litigation.• Real estate.• Probate.• Appellate and general civil practice. | |
| Siudara, Rentrop & Martin- Bloomfield Hills, Michigan | 1979-1983 |
| <ul style="list-style-type: none">• General practice with emphasis on municipal, environmental, plaintiff personal injury and labor law. | |
| Karaganis & Gail, Ltd.,- Chicago, Illinois | 1977-1979 |
| <ul style="list-style-type: none">• Complex federal environmental litigation, negligence and products liability defense litigation, and commercial and corporate law. | |

- Environmental Law Reporter-** Washington, D.C. **1976-1977**
- Associate Editor
- Municipal Affairs and Social Services Division-** State of Michigan **1975**
- Assistant Attorney General

EDUCATION

- The University of Michigan Law School-** Ann Arbor, Michigan **1975**
Juris Doctor
- The University of Michigan-** Ann Arbor, Michigan **1972**
Bachelor of Arts with high distinction

ADMITTED TO PRACTICE

- Michigan- 1975
- Illinois-1978 (to 2019)
- District of Columbia- 1979 (to 2019)
- U.S. Supreme Court- 1979
- U.S. Sixth Circuit Court of Appeals- 1988
- U.S. Seventh Circuit Court of Appeals- 1977
- U.S. Federal Circuit Court of Appeals- 2004
- U.S. Eastern District of Michigan- 1986
- U.S. Western District of Michigan- 1997
- U.S. Northern District of Illinois- 1978
- U.S. Court of Federal Claims- 1997

ACCOMPLISHMENTS

- Fellow, American College of Environmental Lawyers (2013-present)
- Fellow, Michigan State Bar Foundation
- Editor, Michigan Environmental Law Deskbook, Second Edition (2010)
- Authored chapter on Michigan Environmental Protection Act in the Michigan Environmental Law Deskbook
- Best Lawyers in America-Environmental Litigation & Environmental Law (1989-present)
- Michigan Super Lawyers (2007, 2012-present)
- Who's Who in American Law (2007-present) & Who's Who in America (2008-present)
- Michigan Department of Natural Resources and Environment, Environmental Advisory Council (2007-2010)
- State Bar of Michigan, Environmental Law Section, Distinguished Service Award (1996)

COMMUNITY ACTIVITIES

- State Bar of Michigan, Environmental Law Section (Chair 1987-1988, Council Member 1981-1985, 1989-1995, 2006-2012)
- Oakland County Bar Association, Environmental Law Committee (Chair 1990-1991)
- American Bar Association- Vice Chair, Ethics Committee, Section on Natural Resources, Energy and Environmental Law (1993-1998)
- Kiwanis Club of Royal Oak-Chair, Major Emphasis Committee (1987-1990); Chair, Youth Services Committee (1985-1990, 1997-1998); Board of Directors (1987-1989, 1995-1997, 2001-2011); Treasurer (2011-2017)
- Oakland County Bar Association- Environmental Law Committee (Chair, 1990-1991)
- East Michigan Environmental Action Council-Board of Advisors (1979-1987, 1988-2009)
- Club Scout Pack 1607- Committee Chair (1991-1996)
- Boy Scout Troop 1610- Assistant Scoutmaster (1999-2003)
- WKBD TV 50- Earthworks Advisory Board (1991-1994)
- Kirk in the Hills Presbyterian Church- Elder (2012-2014); Music Committee (2012-present); Chair, Acoustics Committee (2016); Chancel Choir (2000-2017)

SEMINARS

- Emerging Riparian Access Issues, seminar on Water (Troy, 2003)
- So Your Client Wants to Get an Injunction (Environmental Law Section, 2007)
- Speaker at numerous continuing legal education seminars and programs
- Adjunct lecturer in environmental law, The University of Michigan-Dearborn (1987-2016)

MATTHEW T. HAUPT

Associate
3001 West Big Beaver Road
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E: mhaupt@bhlaw.us.com



PROFESSIONAL EXPERIENCE

Beier Howlett, P.C.- Troy, Michigan

2025- present

Associate

- Provides comprehensive legal expertise and advises clients on estate planning strategies, including wills, trusts, deeds, and powers of attorney, to protect assets and ensure smooth transitions.
- Draft and review comprehensive estate planning documents, customizing wills, trusts, and powers of attorney to address family dynamics, asset protection, tax efficiency, and probate avoidance.
- Represent clients in probate proceedings, guiding families through estate administration and court processes to efficiently settle estates.
- Counsel personal representatives and trustees on fiduciary responsibilities, ensuring compliance with Michigan probate and trust laws.
- Assist in trust administration, including asset distribution, trust funding, and resolving beneficiary disputes.
- Handle contested probated matters, negotiating settlements and advocating for clients in probate court when necessary.
- Conduct legal research and analysis on complex estate and probate issues to provide strategic guidance to clients.

Mihelich & Kavanaugh, PLC-St. Clair Shores, Michigan

Feb. 2024-Jan. 2025

Associate

- Advise clients on the creation and execution of estate planning documents, ensuring compliance with state and federal laws.
- Represent clients in probate court and family law disputes, advocating for fair outcomes in contested matters.
- Represent clients on estate administration, including managing probate proceedings, filing required documents with the court, and ensuring proper distribution of assets to beneficiaries.
- Conduct legal research on estate law, tax implications, and asset protection, providing clients with strategic legal counsel.
- Provide comprehensive legal counsel on trust administration, including the management and modification of revocable trusts while ensuring fiduciary compliance.

Troy School District- Troy, Michigan

Jan. 2023-Present

School Board Trustee

- Advocate for equitable education policies and procedures to improve student outcomes across Troy’s diverse student body.
- Oversight of a community approved \$555 million bond to address aging infrastructure district-wide and provide modern learning environments for all students, demonstrating leadership in education policy and resource and resource equity.
- Part of the “District Policy Committee” and “Board Liaison for the District Improvement Team.”
- Collaborate with educators, parents, and community members to develop initiatives promoting deep learning within district classrooms, while fostering equity and inclusivity for all students.

Sirius XM/Pandora

Apr. 2013- Feb. 2024

Senior Manager, Client Services

- Led, developed, and managed a high-performing team of eight Account Managers and Associate Account Managers, overseeing and generating over \$50M in annual advertising revenue.
- Analyzed and assessed media-relevant contracts, including insertion orders, data privacy agreements, ad-serving agreements, and other third-party contracts.
- Excelled in a fast-moving environment, driving initiatives with substantial complexity to completion and using strong business judgment for revenue-impacting decisions.
- Empowered team members to handle internal and external conflicts and issues independently through coaching and mentoring.
- Served as the office “Culture Carrier” actively facilitating employee experience initiatives while in-office, fostering a positive and inclusive work environment.
- Involved member of culture groups such as PRIDE (LGBTQIA+) and MIXTAPE (diversity, equity, and inclusion).

EDUCATION

Wayne State University Law School-Detroit, Michigan

2022

Juris Doctor

Michigan State University- Lansing, Michigan

2007

Bachelor of Arts- Economics

ADMITTED TO PRACTICE

- Michigan Bar- 2022

ACCOMPLISHMENTS

- Board member for the Troy School District, January 2023-Present
- Received the MASB Certified Board Member Award and the MASB Award of Merit.
- Participated in the Immigration Appellate Advocacy Clinic and the Community Advocacy Clinic at Wayne State University Law School

COMMUNITY ACTIVITIES

- State Bar of Michigan
- Member of the Elder Law & Disability Rights, Probate and Estate Planning, and LGBTQ+ Law sections of the State Bar of Michigan
- Oakland County Bar Association
- Member of the Probate, Estate, and Trust Committee, New Lawyers Committee, and PALS Committee of the Oakland County Bar Association
- Macomb County Bar Association

Attorney Team And Resources

ATTORNEYS ASSIGNED TO SERVICE ACCOUNT:

Mary M. Kucharek (Primary), Tracy Gaudenzi, Michael C. Gibbons, Dena Keller

SPECIALITY ATTORNEY:

Jeffrey K. Haynes, Environmental Law and Brownfield Matters

Michael C. Gibbons, Labor and Employment related matters, Business/Commercial law, and General Litigation

Tracy Gaudenzi and Dena Keller, Prosecutorial Attorneys

FIRM RESOURCES:

Library, computers, in-person staffing five days per week, fax machine, copiers, scanners, file room with adequate space.

STAFF PROVIDING SERVICE:

Janine A. Cochran, Legal Assistant/Paralegal
Specialty: Municipal and litigation with over 35 years' experience.

Erin Miller, Legal Assistant
Specialty: Municipal and litigation

Beth Ryan, Office Manager

LICENSED ATTORNEYS:

Beier Howlett has a total of 8 attorneys who are all licensed through the State Bar of Michigan

Tab 4 – Staffing

Paralegals and Support Staff

Beier Howlett has one Legal Assistant, and one Legal Assistant/Paralegal, whose is an affiliate member of the State Bar of Michigan – Paralegal/Legal Assistants’ Section. Each can assist the Village in general municipal matters and litigation including, but not limited to maintaining court dockets, drafting and amending ordinances, contracts, warrants and complaints, legal research, drafting letters, resolutions, reports, memoranda, pleadings, and various real estate documents.

Beier Howlett also has experienced support staff as well as other partners and associates who complement our attorneys in providing legal services to our clients. The firm has an extensive library that includes State and Federal materials as well as online researching capabilities including, but not limited to the proficient use of Westlaw, Institute of Continuing Legal Education and various periodicals.

Beier Howlett is quick to respond to our municipalities through memoranda or reports addressing new laws, bills, or concerns our clients may have.

Beier Howlett has adequate staff to serve the Village and will not have to add personnel.

Tab 5 – Statement of Qualifications and Experience

General Municipal Law Experience

Our attorneys are experienced in reviewing, drafting and amending ordinances, and we are proficient in advising our clients regarding:

- Drafting, amending ordinances;
- Contract negotiations;
- Construction law;
- Municipal litigation;
- Municipal Prosecutions;
- FOIA and Open Meetings Act issues;
- Property tax appeals;
- Zoning and land use matters;
- Historic district law;
- Tax tribunal representation;
- Election procedures;
- Inter-governmental agreements;
- Brownfield Authorities;
- Downtown Development Authorities;
- Principal Shopping Districts;
- Corridor Improvement Districts;
- 425 Agreements;
- Cable television and telecommunications;
- Labor negotiations;
- Liquor License Matters;
- Tenure matters;
- Library matters; and,
- Cemetery laws.

Our municipal attorneys have substantial experience in attending all types of public meetings (including City Commission, Planning Commission, Board of Zoning Appeals and Historic District Board) and are familiar with Robert’s Rules of Order and the preparation of motions and resolutions to assist council in conducting its business.

Labor and Employment Law Experience

Our attorneys are experienced in various facets of labor law including, but not limited to:

- Labor Negotiations;
- Contract Administration;
- Labor & Employment Grievances;
- FMLA and State Leave Law requirements and interrelationship between FMLA, ADA and Worker’s Compensation;
- COBRA;
- Worker’s Compensation;
- Unemployment Insurance appeals;
- Unemployment litigation;
- Unfair Labor practice;
- Contract negotiations;
- Wage/Hour issues;
- Civil Rights Claims;
- Grievance Arbitrations;
- Public sector employment relations law (including state and federal wage and hour FLSA law);
- Fair Employment laws and regulations;
- HIPAA;
- Employee/Employer relationship from hiring to termination;
- Personnel policy and testing requirements;
- State/federal EEO issues;
- Whistleblower Complaints;
- Internal Investigations;

- State and local drug testing requirements;
- Mediation and interest arbitrations;
- Affordable Care Act;
- Separation Agreements and other employment agreements;
- Employee health and welfare benefits.

Real Estate Law

- Municipal Acquisition of Property;
- Purchases & Sales;
- Leases;
- Easements;
- Construction Contracts; and
- Building Code;
- Construction Litigation.

Court Experience of Attorneys Assigned To Village Matters

Our attorneys have appeared before:

- Michigan District and Circuit Courts, Court of Appeals and Supreme Court;
- Federal District and Circuit Courts, and United States Supreme Court;
- Sixth Circuit Court of Appeals;
- Michigan Employment Security Commission;
- Michigan Department of Civil Rights; and,
- Equal Employment Opportunity Commission.
- Michigan Employment Relations Commission;
- National Labor Relations Board;
- Michigan Occupational Safety and Health Administration;
- Michigan Public Service Commission;
- Michigan State Tax Commission; and,
- Michigan Tax Tribunal.

Executive Summary: Attorneys – A Seasoned Team

Beier Howlett Firm Benefit - Beier Howlett operates as a partnership amongst its attorneys, and we treat all clients as clients of the firm rather than one particular lawyer. While you will always have a single point of contact, having the entire firm available provides you with the bench strength the Village of Lake Orion requires. This interdisciplinary collaborative approach has earned Beier Howlett the highest accolades for our legal services and client relations time and time again.

Passion and Commitment – Beyond experience and professional skill, each of the attorneys at Beier Howlett is also passionate and dedicated to continuing to produce excellent results for the Village of Lake Orion. We are deeply committed to continue working collaboratively with the Village of Lake Orion and all of its stakeholders to protect the Village, find solutions to the Village's most difficult problems, and ensure the Village of Lake Orion remains as strong as possible long into the future.

Long History - Beier Howlett has served its clients in Michigan's tri-county area, across the state and nationally, since the firm's founding in 1903. Our attorneys are committed to the strictest personal and professional ethics as evidenced by the firm's AV rating in the Martindale Hubbell Law Directory. Our attorneys are passionately committed to the needs of our clients and focus on each client's background, circumstances and aspirations with respect to each matter and service provided. Our firm is organized as a professional corporation and currently has 8 attorneys, 2 of whom are shareholders. While Beier Howlett is a full service law firm, specializing in numerous areas, the remainder of this summary will be focused on municipal and other public sector areas.

Clients We Serve - Beier Howlett currently serves as Village Attorneys to the Village of Lake Orion and the Village of Bingham Farms, and City Attorney to the City of Orchard Lake Village and to the City of Birmingham. We also represent Dearborn Public Schools and Lincoln Consolidated Schools. Our attorneys are experienced in providing legal opinions to municipal clients, and we are proficient in ordinance drafting, contract negotiations, construction law, municipal litigation, prosecution, property tax appeals, zoning and land use matters, historic district law, tax tribunal representation, election procedures, intergovernmental agreements, Brownfield Authorities, Downtown Development Authorities, Principal Shopping Districts, Corridor Improvement Districts, 425 Agreements, FOIA and Open Meetings Act issues, cable television and telecommunications, and labor and employment matters. Our municipal attorneys have substantial experience in attending all types of public meetings (including City/Village Council, City Commission, Planning Commission, Board of Zoning Appeals and Historic District Board) and are familiar with Robert's Rules of Order and the preparation of motions and resolutions to assist the Village in conducting its business.

Seasoned Attorneys - Our attorneys have appeared before the United States Supreme Court, Michigan Supreme Court, Michigan Court of Appeals, and Sixth Circuit Court of Appeals, as well as the U.S. District Courts, numerous State of Michigan Circuit and District Courts, Michigan Employment Security Commission, the Michigan Department of Civil Rights, the Equal Employment Opportunity Commission, Michigan Employment Relations Commission, the National Labor Relations Board, the Michigan Occupational Safety and Health Administration, the Michigan Public Service Commission, Michigan State Tax Commission and the Michigan Tax Tribunal.

Other Experience, Important References & Reputation

We are proud to bring to your attention the relevant experience and unique attributes Beier Howlett attorneys can offer the Village of Lake Orion. All of our attorneys engage in the Oakland County Bar Association activities and continuing education. We are encouraged to participate in the Institute for Continuing Legal Education (ICLE) seminars. The firm also subscribes to Lawyers Weekly and Crain's publications and receives periodic training on legal research. Beier Howlett maintains an extensive law library with regular updates on relevant topics of law, as well as staying current with the latest technological advances to streamline office functions.

Mary Kucharek takes great time and effort to know her clients on a very deep level. Probably her proudest moment is when her clients offered statements which, as a result, named her a Crain's Most Notable Women in Law.

"As a Board Member of our Oakland Community Health Network (OCHN), which provides services & supports to 27,000 persons in Oakland County who are developmentally disabled, suffer from Substance use, mental illness, or children with severe emotional disturbances or autism, Mary has worked tirelessly, with exceptional energy, in helping us evolve how we provide our services and in how we work with the various court, the guardians, the jails, and in introducing and driving evolutionary change in how we collaborate to better coordinate services to help these people we all serve with the intent to improve effectiveness and reduce recidivism. She really is amazing."

~ Jonathan Landsman, Board Chairman ~
Oakland Community Health Network

"Mary has an incredible depth of knowledge, always ready with valuable resources needed for efficient and effective deliberation. She is the epitome of the "caring Lawyer", with a professional and intelligent style, a sharp wit, and a confident presence so critical to a body of decision makers."

~ Ken Van Portfliet ~

Michael C. Gibbons has successfully defended and advised municipalities regarding numerous torts that have occurred throughout the years. Mike is also very familiar with the Tax Tribunal work and has created a great working relationship with the Oakland County taxing authorities, thereby helping municipalities to be in the best position possible when dealing with tax appellate actions.

In addition to labor and employment laws, Mike Gibbons is highly experienced in business and commercial transactions which the Village likely engages in every day, and litigation of disputes that may arise in those areas. Commercial issues regularly arise with respect to termination issues, contract/warranty breaches, required notices, cure rights, exculpatory contract provisions, just to name a few. Mike's work in both the public and private sectors definitely positions him to advise the Village of all business and commercial transactions.

Jeff Haynes has unique environmental law knowledge and experience like no other. Working as a professor at U of M Dearborn and contributing to many environmental law books used widely by other attorneys, empowers Jeff to be one of the greatest foremost environmental attorneys in the state, if not the country. Jeff has argued before the United States Supreme Court and has used his abilities to obtain favorable outcomes for many legal battles of municipalities.

- ❖ For decades, Beier Howlett has maintained the highest rating of “AV” in Martindale Hubbell.
- ❖ Our firm has been named “Best Lawyers, Best Firm” by U.S. News & World Report 2020-2021.
- ❖ Our firm has been named “Best Law Firm” 2024 by Best Lawyers.

* * * * *

“Beier Howlett, P.C. provides the City with excellent and timely legal advice on all matters related to governmental functions. What a great team of municipal lawyers to have on your side.”

*~ Gerry McCallum ~
City of Orchard Lake Village
Director of City Services*

Tab 6 – Reasons Why Beier Howlett should be considered

Specific reasons why the Village of Lake Orion should continue legal services with the law offices of Beier Howlett is because we are uniquely positioned to know and understand the Village and its needs. We have served the Village of Lake Orion since 2016 with appreciation for the economy and limited resources of the Village of Lake Orion. Our attorneys, especially Mary Kucharek, have served the Village with exceptional care, diligence, and thoughtfulness, consistently mindful of the legal fees charged to the Village. Over the years of serving the Village, the law offices of Beier Howlett has addressed a variety of unique issues, consistently striving to meet the specific needs of both residents and the Council with thoughtful care and consideration, particularly in a community distinguished by its historic and unique properties. The Village's needs will remain unique, particularly in recognizing and addressing land ownership as it relates to the lake and lakefront property owners. The Village will continue to have unique needs regarding the relationship with the DDA and its Board of Directors. The Village will continue to have unique needs regarding the potential to become a City and all that will be needed to navigate that change. The Village will continue to have unique needs in maintaining the historic preservation of all of its areas and sites that have been designated historic landmarks or districts.

Beier Howlett, through its attorneys, specifically Mary Kucharek, has a thorough knowledge and unique position to know the Village's concerns, priorities, and players. Over the years, the law offices of Beier Howlett have had the privilege of serving the Village of Lake Orion, gaining a unique understanding of its distinct character, valuable assets, and vibrant community, recognizing that it stands apart from other municipalities while it sits within the larger Township. By continuing a relationship with Beier Howlett, the Village will save not only time, but financial resources as Beier Howlett will not require a learning curve because we have already been walking with you for the past 9 years.

Finally, we have the unique opportunity to continue a relationship working with not only the Village Council, but the Village Manager. The Lead Attorney and the Village Manager have a familiarity with a great working relationship which at the end of the day saves the Village financially and with time expediency.

Tab 7 - Client References

City of Orchard Lake Village

3955 Orchard Lake Rd., Orchard Lake, MI., 48323
(248) 682-2400

Mr. Gerry McCallum, Director of City Services
Email: DCS@CityofOrchardLake.com

Police Chief Jeffrey Gomez
Email: policechief@cityoforchardlake.com

Contract Start Date & Duration: 2011 to present
Type of contract: Full municipal legal services
Role in representation: City Attorney

Village of Bingham Farms

2455 Thirteen Mile Rd., Suite 190, Bingham Farms, MI 48025
(248) 644-0044

Ms. Jamie Moore, Village Manager
Email: jmoore@binghamfarms.org

Contract Start Date & Duration: 2025 to present
Type of contract: Full general municipal legal services
Role in representation: Village Attorney

City of Birmingham

151 Martin Street, Birmingham, MI 48009
(248) 530-1800

Ms. Jana L. Ecker, City Manager
Email: jecker@bhamgov.org

Police Chief Scott Grewe
Email: sgrewe@bhamgov.org

Contract Start Date & Duration: 1958 to present
Type of contract: Full municipal legal services
Role in representation: City Attorney

Dearborn Public Schools

18700 Audette St., Dearborn, MI 48124
(313) 827-3021

Dr. Glenn Maleyko, Superintendent
Email: maleykg@dearbornschools.org

Contract Start Date & Duration: 2003 to present
Type of contract: Full school legal services
Role in representation: General Counsel and Labor/Employment Counsel

Bloomfield Village Association

3595 Bradway Boulevard, Bloomfield Village, MI 48301
(248) 594-8376

Ms. Cathy Weissenborn, Village Manager
Email: villagemanager@bloomfieldvillage.net

Contract Start Date & Duration: 2012 to present
Type and size of contract: Full association legal services
Role in representation: Legal Counsel

Additional references available upon request.

Tab 8– Conflict of Interest / Qualifications

Beier Howlett currently serves as Village Attorneys for the Village of Lake Orion and Village of Bingham Farms and City Attorney for the City of Orchard Lake Village and City of Birmingham. Additionally, we represent Dearborn Public Schools and Lincoln Consolidated Schools. Our attorneys are experienced in providing legal opinions to municipal clients, and we are proficient in ordinance drafting, contract negotiations, construction law, municipal litigation, prosecution, property tax appeals, zoning and land use matters, historic district law, tax tribunal representation, election procedures, inter-governmental agreements, Brownfield Authorities, Downtown Development Authorities, Principal Shopping Districts, Corridor Improvement Districts, 425 Agreements, FOIA and Open Meetings Act issues, cable television and telecommunications, and labor negotiations and tenure matters. Our municipal attorneys have substantial experience in attending all types of public meetings (including City/Village, Council, City Commission, Planning Commission, Board of Zoning Appeals and Historic District Board) and are familiar with Robert’s Rules of Order and the preparation of motions and resolutions to assist the Village in conducting its business.

Beier Howlett does not currently represent any client where we believe our representation would conflict with our ability to serve the Village of Lake Orion, nor has the firm represented any such client at any time in the past.

If we believe there is a potential conflict of interest, our attorneys will, at the first notion, determine carefully whether a conflict exists. If one potentially exists, we will discuss the issue with the Village Manager and/or Village Council as necessary and find a solution acceptable to the Village. We believe our team’s strong ethics and commitment to integrity makes ours a respected law firm. Because we firmly believe in the importance of ethics, we voluntarily drafted an Ethics Ordinance for the Village, gratis, after consulting with the Village of Lake Orion.

Our firm does not represent any real estate developers doing business with or anticipated doing business with the Village of Lake Orion.

To ensure we are proactive, we continually work to identify any potential conflicts of interest by utilizing a billing software program to search for conflicts. When new cases arise, we contact each member of our firm as to any potential conflicts.

We believe Beier Howlett has no adverse interest to the Village of Lake Orion.

Tab 9– Day-to-Day Activities

Mary Kucharek: Beier Howlett identifies Ms. Mary M. Kucharek as Primary Lead for all day-to-day activities. It is our belief that integrity, communication and exceptional legal intellect are the cornerstones for effective client service. To that end, we envision that all work to be performed for the Village of Lake Orion comes from the direction and collaboration from the Village Manager, Council, and as directed, Boards and administration and/or employees of the Village. Mary will conduct legal research and draft opinions as directed by the Village. It is anticipated that as Lead Attorney for the Village, she will attend meetings on behalf of the Village as directed by the Village Manager.

Tracy Gaudenzi and Dena Keller: Tracy Gaudenzi and Dena Keller will handle all day-to-day activities involving prosecutorial matters. This includes, but is not an exhaustive list, communicating with the Police Chief and Police Officers to discuss cases and provide education. The two attorneys will also be prepared for all court appearances on behalf of the Police Department and attend any meetings or educational meetings at the direction of the Police Chief and/or Village Manager.

Other Attorneys: At times it is best to delegate certain types of Village projects for specialty legal work. In this case, Mike Gibbons would perform most of the delegated work regarding labor and employment issues and complex contract issues. Tracy Gaudenzi and Matt Haupt would also provide backup services for legal research and, if needed, to attend meetings if Ms. Kucharek has a conflict.

As a practical matter, if Mary Kucharek could not return a call or discuss an issue of immediacy with the Village within 24 hours, she would assure that another Beier Howlett attorney is there to answer all of the needs of the Village in a timely manner.

Tab 10- Insurance

Worker's Compensation and Unemployment Compensation Insurance Coverage

Beier Howlett guarantees to maintain worker's compensation and unemployment compensation insurance coverage for our employees at all times while providing legal services to the Village of Lake Orion. Please see attached Certificate of Insurance.

General Liability and Professional Liability Malpractice Coverage

Beier Howlett guarantees to maintain general liability and professional liability malpractice coverage for its employees of not less than \$1 million at all times and general liability insurance for not less than \$1 million per occurrence while providing legal services to the Village. Please see attached.

Please see attached.



CERTIFICATE OF LIABILITY INSURANCE

Section 5, Item A.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Arthur J. Gallagher Risk Management Services, LLC 300 S Riverside Plaza Ste 1500 Chicago IL 60606	CONTACT NAME: Abbi Vannatter PHONE (A/C, No, Ext): 312-704-0100 E-MAIL ADDRESS: abbi_vannatter@ajg.com	FAX (A/C, No): 312-803-7443	
	INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Beier Howlett, P.C. 3001 W Big Beaver Suite 600 Troy MI 48084	License#: 0D69293 PCBE00001	INSURER A: CorePointe Insurance Company INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	10499

COVERAGES **CERTIFICATE NUMBER:** 1537735011 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Lawyers Professional Liability			WPP1024528-13	10/19/2025	10/19/2026	Each Claim/Aggregate Deductible \$5M/\$5M \$25k

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
This is a claims-made policy.

CERTIFICATE HOLDER For Informational Purposes Only	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE

Tab 11- Scope of Work and Exceptions

Beier Howlett agrees to the Scope of Work and General Specifications outlined in the Request for Qualifications/Proposal and looks forward to continuing to provide legal services consistent with those requirements, as we have since 2016. Beier Howlett's sole exception is bond counsel services, which we believe requires highly specialized expertise. In our view, the Village should always retain separate bond counsel for such matters.

Tab 12- Bar Complaints

June 2025

A party in a decedent's estate submitted a request for investigation to the State Bar of Michigan, naming an attorney in our office. Beier Howlett's attorney represented the Personal Representative of the Estate. The sister of the Personal Representative refused to vacate the decedent's residence, prompting the initiation of eviction proceedings. After multiple unsuccessful attempts to remain in the home, the party filed a request for investigation. Following a review, the State Bar found no basis to take any action against our estate attorney and the matter was dismissed.

Tab 13- Bankruptcy

Beier Howlett has not been in bankruptcy, reorganization or receivership in the past five (5) years.

Tab 14- Has the term been terminated by any municipal client in the last 5 years?

Beier Howlett has not been terminated by any municipal client in the last five (5) years.

Tab 15 – Responsiveness and Accessibility

Beier Howlett prides itself on accessibility of our attorneys and professional staff to our clients. Not only do our clients have accessibility to the attorney and paralegal staff email addresses, but our clients are also given our personal cell phone numbers and are encouraged to call or text with the promise of responsiveness as quickly as possible. Even if a conversation cannot be had immediately, a response of availability and the schedule is provided so that you will never have to wonder whether or not your attorney is aware of your needs. We aim to respond within an hour, but certainly within 24 hours for extreme cases.

We are ready and accessible to attend the Village's meetings.

We also believe communication of needs and expectations is paramount to a united relationship of attorney and client. To that end, we strive to complete projects and assignments promptly with articulation to meet the timing needs of the Village.

While Mary M. Kucharek will be your primary contact, Tracy Gaudenzi and the other professional attorneys in the firm work as a team to continuously support our clients in the case of illness, turnover, or loss of personnel. Beier Howlett has been able to maintain relationships with our clients, some for as long as 80 years, because of this availability and commitment to partnership with our municipal clients.

Tab 16 – Familiarize with Current Issues

Mary M. Kucharek, as the current Village Attorney for the Village of Lake Orion, is familiar with all current issues of the Village and would again articulate that we have served the Village of Lake Orion since 2016 with appreciation for the economy and limited resources of the Village of Lake Orion. Our attorneys, especially Mary Kucharek, have served the Village with exceptional care, diligence, and thoughtfulness, consistently mindful of the legal fees charged to the Village. Over the years of serving the Village, the law offices of Beier Howlett has addressed a variety of unique issues, consistently striving to meet the specific needs of both residents and the Council with thoughtful care and consideration, particularly in a community distinguished by its historic and unique properties. The Village's needs will remain unique, particularly in recognizing and addressing land ownership as it relates to the lake and lakefront property owners. The Village will continue to have unique needs regarding the relationship with the DDA and its Board of Directors.

The Village will continue to have unique needs regarding the potential to become a City and all that will be needed to navigate that change. The Village will continue to have unique needs in maintaining the historic preservation of all of its areas and sites that have been designated historic landmarks or districts.

Beier Howlett, through its attorneys, specifically Mary Kucharek, has a thorough knowledge and unique position to know the Village's concerns, priorities, and players. Over the years, the law offices of Beier Howlett have had the privilege of serving the Village of Lake Orion, gaining a unique understanding of its distinct character, valuable assets, and vibrant community, recognizing that it stands apart from other municipalities while it sits within the larger Township. By continuing a relationship with Beier Howlett, the Village will save not only time, but financial resources as Beier Howlett will not require a learning curve because we have already been walking with you for the past 9 years.

We have the unique opportunity to continue a relationship working with not only the Village Council, but the Village Manager. The Lead Attorney and the Village Manager have a familiarity with a great working relationship which at the end of the day saves the Village financially and with time expediency.

Tab 17 – Conflict of Interest

Beier Howlett does not currently represent any client where we believe our representation would conflict with our ability to serve the Village of Lake Orion, nor has the firm represented any such client at any time in the past.

If we believe there is a potential conflict of interest, our attorneys will, at the first notion, determine carefully whether a conflict exists. If one potentially exists, we will discuss the issue with the Village Manager and/or Village Council as necessary and find a solution acceptable to the Village. We believe our team's strong ethics and commitment to integrity makes ours a respected law firm. Because we firmly believe in the importance of ethics, we voluntarily drafted an Ethics Ordinance for the Village, gratis, after consulting with the Village of Lake Orion.

Our firm does not represent any real estate developers doing business with or anticipated doing business with the Village of Lake Orion.

To ensure we are proactive, we continually work to identify any potential conflicts of interest by utilizing a billing software program to search for conflicts. When new cases arise, we contact each member of our firm as to any potential conflicts.

We believe Beier Howlett has no adverse interest to the Village of Lake Orion.

Appendix C

Legal Services Request for Pricing

Pricing Component	Amount
A. *Hourly Rate for General Legal Services	\$175.00
B. **Hourly Rate for Prosecution Services	\$175.00
C. ***Provide or attach the firm's complete fee schedule for all other services not included above: 1. Environmental/Brownfield 2. Labor 3. Litigation	\$250.00 \$175.00 \$175.00

Fee Schedule

A. *Hourly Rate

\$175.00 per hour. Our hourly rates include, but are not limited to contract drafting and negotiations, drafting and amended ordinances and resolutions, general litigation and court matters, laws against discrimination, housing, subdivision and land use law, economic development activities including development and redevelopment, public disclosure issues, franchise law, arbitration and administrative hearings, property tax appeal matters, collective bargaining matters, annexation and real estate matters.

B. *Prosecution Services**

\$175.00 per hour. Our hourly rates include but are not limited to prosecuting violations of the Village's ordinances, which include, but are not limited to appearances in 52-3 District Court, representing the Village in all aspects of appeal, reviewing police case files, video and conversations with officers regarding cases, providing discovery, preparing ordinance amendments as needed.

C. *Litigation Hourly Rate \$175.00 per hour.**


D. *Environmental and Brownfield Rate \$250.00 per hour.**

E. Additional Costs. In addition, the Village would be billed for any out-of-pocket expenses such as filing fees, recording fees, certification fees, appraisal fees and travel expenses. Fully detailed billings of fees and expenses will be submitted monthly and are payable monthly upon receipt.

Each month we provide legal services to the Village; we would provide the Village with a computer-generated statement itemizing the services and reflecting the time expended in increments of one-tenth (1/10) an hour. Costs advanced are also itemized in the monthly statement. Separate matter codes are utilized for easy reference and tracking to particular projects.

Depending on the volume and nature of the work needed by the Village, Beier Howlett is prepared to work with the Village to develop a different, creative fee approach, if that is the preference of the Village.

BEIER HOWLETT, P.C.

By: 
Michael C. Gibbons, CEO
Dated: 10-16-2025

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
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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 43rd Judicial District Court (Hon. Keith Hunt) and the West Bloomfield Township Prosecutions take place at the 48th 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

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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
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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 48th 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

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

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Hon. Keith Hunt, 43rd 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



CERTIFICATE OF LIABILITY INSURANCE

11/25/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Acrisure Great Lakes Partners Insurance Services, LLC 223 West Grand River Ave #1 Howell, MI 48843	CONTACT NAME: Jenna McGuinness PHONE (A/C, No, Ext): (616) 221-4963 FAX (A/C, No):	
	E-MAIL ADDRESS: jmcguinness@acrisure.com	
INSURED Sherman & Sherman P.C. 30700 Telegraph Rd-Ste 3420 Bingham Farms, MI 48025	INSURER(S) AFFORDING COVERAGE NAIC #	
	INSURER A: Michigan Millers Mutual Insurance Company 14508	
	INSURER B: Michigan Insurance Company 10857	
	INSURER C:	
	INSURER D:	
	INSURER E:	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	X		B0203607 14	12/20/2024	12/20/2025	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 50,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			1000245906	10/24/2024	10/24/2025	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
							\$	
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
							\$	\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below			W0101722 23	12/20/2024	12/20/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	\$
							E.L. EACH ACCIDENT	\$ 100,000
							E.L. DISEASE - EA EMPLOYEE	\$ 100,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000
							\$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Farbman Group LLC/Bingham Center LLC are recognized as additional insured in regards to general liability.

CERTIFICATE HOLDER Farbman Group LLC/Bingham Center LLC c/o Farbman Group LLC 28400 Northwestern Hwy #400 Southfield, MI 48034	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 



Michigan Millers Mutual Insurance Company

Lansing, Michigan

WORKERS COMP & EMPLOYERS LIABILITY

Section 5, Item B.

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

Total Estimated Annual Premium	625
Expense Constant	250
Premium Discount	
Deposit Premium	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 43rd District Court, 200 W. Thirteen Mile Road, Madison Heights, MI 48071, Telephone: 248-583-1800, Email: kph43rdhp@aol.com**
 - (iv) **Hon. Kimberly Small, 48th 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**
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 52-3rd 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

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

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COUNCIL ACTION SUMMARY SHEET

MEETING DATE: December 15, 2025

TOPIC Recommendation on Selection of Legal Services Firm

BACKGROUND BRIEF:

The Legal Services Review Committee is scheduled to complete the interviews of legal firm finalists and to select a firm for recommendation to the Village Council. If the Council accepts the Committee’s recommendation, the Council will authorize the Committee to negotiate the terms and conditions of an acceptable legal services contract for subsequent approval by the Council. The Committee should be prepared to discuss any terms or conditions which the Committee believes should be subject to negotiation, such as hourly rates.

Attached is the legal services contract for our current legal firm for the Committee’s information.

SUMMARY OF PREVIOUS COUNCIL ACTION:

None

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

To recommend to the Village Council that the law firm of _____ of _____, Michigan, be selected to provide general, prosecution, litigation, and other legal services for the Village of Lake Orion subject to the Committee’s negotiation of an acceptable services contract with the firm and subsequent approval of the contract by the Village Council.

**PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE VILLAGE OF LAKE ORION AND BEIER HOWLETT, P.C.**

THIS AGREEMENT, made and entered into this 1st day of September, 2016 between **VILLAGE OF LAKE ORION**, ("Village") located in the County of Oakland, State of Michigan and **BEIER HOWLETT P.C.**, a Michigan Professional Corporation ("Beier Howlett") located in the County of Oakland, State of Michigan.

WITNESSETH:

WHEREAS, the Village issued a Request for Proposal for Legal Services and Beier Howlett submitted a Proposal to provide legal services; and,

WHEREAS, the Village and Beier Howlett are now desirous of entering into an agreement for Beier Howlett to represent the Village in certain legal areas (not including representation as bond counsel) on an hourly basis.

NOW, THEREFORE, the Village and Beier Howlett agree as follows:

1. This Agreement for legal services (which shall not include representation as bond counsel) is to be effective on the date set forth above. Beier Howlett shall provide legal services until further notice from the Village Council.

2. Beier Howlett will receive communications and provide legal opinions, prosecute and defend lawsuits involving the Village, appear and provide legal opinions at Council meetings and provide all other legal representation on behalf of the Village which is requested by the Village.

3. Beier Howlett shall be compensated by the Village at the hourly rate of One Hundred Twenty-five Dollars (\$125.00) for general legal services and litigation services, One Hundred Fifteen Dollars (\$115.00) for prosecution services and Two Hundred Fifty Dollars (\$250.00) for environmental issues. Beier Howlett shall submit monthly statements itemizing the following: date, attorney's name or initials, brief summary of services rendered, total hours charged for the date and corresponding rate and all other allowable expenses. Allowable expenses shall include court filing fees, transcript fees, expert witness fees, significant photocopying costs as well as other similar costs. An administrative charge of two percent (2%) of the total bill for photocopying, facsimile transmissions and long distance telephone charges shall be itemized on each invoice.

4. Beier Howlett agrees to conform to all applicable federal, state and local laws.

5. During the term of this contract, Beier Howlett agrees to maintain professional, comprehensive liability and workers compensation insurance policy for all staff assigned to work for the Village. A copy of the Certificate of Insurance is attached.

6. The parties agree that this is an "at will" Agreement and the Village reserves the right to terminate the relationship at any time and Beier Howlett shall be entitled to reimbursement for any services rendered prior to the date of termination. Beier Howlett agrees to continue to provide legal representation to the Village at the Village's sole discretion until a successor or successors are retained by the Village and the Village has provided notice of such event to Beier Howlett.

7. Beier Howlett may also terminate this Agreement by providing thirty (30) days written notice of termination to the Village.

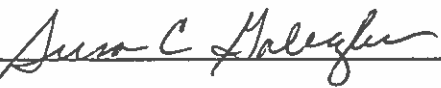
8. This Agreement shall not be modified or amended other than by an agreement in writing signed by both parties.

9. This Agreement may be executed in multiple counterparts, each of which when so executed shall be deemed an original, and such counterparts when taken together shall constitute one and the same instrument.

VILLAGE OF LAKE ORION

By: 

Its: Council President

By: 

Its: Village Clerk

BEIER HOWLETT, P.C.

By: 

Its: Chief Executive Officer

PLEASE READ CAREFULLY. THIS PROFESSIONAL SERVICES AGREEMENT IS CREATED TO PROTECT YOU AGAINST POSSIBLE MISUNDERSTANDING. IF YOU DO NOT UNDERSTAND THIS AGREEMENT, OR IF IT DOES NOT CONTAIN ALL OF THE AGREEMENTS DISCUSSED, PLEASE BRING IT TO OUR ATTENTION. DO NOT SIGN THIS AGREEMENT UNTIL YOU FULLY UNDERSTAND IT AND ALL QUESTIONS CONCERNING THIS AGREEMENT HAVE BEEN ANSWERED TO YOUR SATISFACTION.



CERTIFICATE OF LIABILITY INSURANCE

BEIEHOW-01

Section 5, Item C.

DATE (MM/DD/YYYY)
2/25/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).


PRODUCER Oswald Companies - Detroit, MI 39572 Woodward Ave., Suite 201 Bloomfield Hills, MI 48304 (248) 433-1466	CONTACT NAME: Wanda Mondry PHONE (A/C, No, Ext): (248) 433-7616 FAX (A/C, No): (248) 433-1711 E-MAIL ADDRESS:													
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INSURED Beler Howlett, P.C. 200 E LONG LAKE RD Bloomfield Hills, MI 48304														

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	N	N	35SBAPP5852	3/1/2016	3/1/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	N	N	35SBAPP5852	3/1/2016	3/1/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000	N	N	35SBAPP5852	3/1/2016	3/1/2017	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	35WECEBU5315	3/1/2016	3/1/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER 	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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