



AGENDA

AD HOC LEGAL SERVICES REVIEW COMMITTEE

Monday, November 17, 2025

5:00 PM

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

(248) 693-8391 ext. 102

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

1. Call to Order

2. Roll Call and Determination of Quorum

3. Minute Approval

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

4. Call to the Public

5. Other Items

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

6. Adjournment

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

En el espíritu de la observancia de la Ley de Estadounidenses con Discapacidades, las personas con discapacidad debe sentirse libre para ponerse en contacto con el pueblo, por lo menos tres (3) días hábiles de antelación a la fecha de la reunión, si se solicitan alojamiento. El municipio de Lake Orion proporcionará idioma extranjero o personas con problemas de audición servicios de interpretación para las personas que

se ponen en contacto con el pueblo de solicitar dichos servicios con no menos de siete (7) días antes de la reunión.



MINUTES

AD HOC LEGAL SERVICES REVIEW COMMITTEE

Monday, November 03, 2025

5:00 PM

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

(248) 693-8391 ext. 102

1. Call to Order

The November 3, 2025, Ad Hoc Legal Services Review Committee meeting was called to order at 5:00 PM by Village Manager McClary.

2. Roll Call and Determination of Quorum

PRESENT

Village Manager Darwin McClary

Chief Mark Amundson

Council Member George Dandalides

Council Member Alex Comparoni Jr

Council Member Eric Papacek

STAFF PRESENT

Clerk/Treasurer Sonja Stout

3. Call to the Public

None.

4. Other Items

A. Election of Chairperson

MOTION made by Council Member Dandalides, Seconded by Chief Amundson to nominate Village Manager McClary as Chairperson.

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

VOTING NAY: None

MOTION: Carried

B. Review of Purpose of Committee

Village Manager McClary explained that the purpose of the Ad Hoc Legal Services Committee is to develop a rating system for the legal services proposals received on October 22, 2025, review and evaluate those proposals, prepare interview questions, conduct firm interviews, and present a recommendation to Council by the first meeting in December 2025.

C. Process for Review and Selection of Legal Services Firm

Village Manager McClary reviewed the previous process, noting that no formal rating system had been used in prior years and that all firms were interviewed. He recommended implementing a weighted rating system based on the Request for Qualifications/Proposals criteria and suggested interviewing the top three to four firms, with a recommendation to Council at the first meeting in December.

Council member Dandalides asked whether charges for services such as on-site libraries should be part of the rating system. Village Manager McClary advised that such topics would be better addressed during interviews.

Chief Amundson asked if the weighting was consistent with past practice. Village Manager McClary stated there had been no formal weighting previously. Chief Amundson also raised concern about pricing being weighted too heavily; Village Manager McClary said pricing could be adjusted and was not a major factor. Council member Dandalides noted pricing currently represented about 9% of total points and is typically negotiable.

Discussion was held regarding the rationale for the weighted system and the specific requirements outlined in the Request for Proposal. Council member Papacek asked about areas of specialty, and Village Manager McClary noted that broader areas of specialty were preferable.

MOTION made by Chief Amundson, Seconded by Council member Comparoni, Jr to change the pricing proposal multiplier from 5 to 3.

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

VOTING NAY: Papacek

MOTION: Carried

MOTION made by Council member Dandalides, seconded by Council member Papacek, to approve the proposed legal services rating form with the current revision adjusting the pricing multiplier from 5 to 3.

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

VOTING NAY: None

MOTION: Carried

Village Manager McClary suggested that at the next meeting, each committee member bring back the completed rating forms for all proposals. The committee will then schedule interview dates and finalize questions for the top three firms. Council member Dandalides asked whether the ratings should be done individually or collectively. Village Manager McClary clarified that

members would review proposals individually and then rate the firms collectively at the next meeting(s).

Chief Amundson stated he intends to recommend the current firm, Beier and Howlett, and noted that selecting any firm with additional costs would require a budget amendment from the Police Department. Council member Papacek noted the value of reviewing a few firms at a time rather than individually. Discussion followed regarding scheduling the next meeting.

MOTION made by Council member Comparoni, Jr., seconded by Council member Papacek, to schedule the next meeting for November 17, 2025, at 5:00 PM as a hybrid meeting, with in-person attendance in the Conference Room for those who can attend and Zoom access for those who cannot. The meeting will include review of the firms Beier & Howlett, Secrest Ward, and GMH.

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

VOTING NAY: None

MOTION: Carried

Chief Amundson stated he had no complaints with the current firm, Beier & Howlett, and would be recommending that firm because the Police Department has an effective working relationship with them. He noted that they provide additional training to the department and emphasized that problems should be identified before solutions are pursued.

MOTION made by Chief Amundson, seconded by Council member Comparoni, Jr., to recommend Beier & Howlett to Village Council.

Council member Dandalides stated that while a change may not be necessary, it is important to review the process to ensure the current arrangement is appropriate. He noted that even if nothing is broken, the review is a valuable confirmation and stopping the process would contradict Council’s intentions. Council member Papacek agreed with this sentiment.

Council member Comparoni, Jr., expressed concern that the process would be a waste of time if Beier & Howlett were selected. Council member Dandalides suggested that he could switch with another council member if he felt it was a waste of time. Village Manager McClary emphasized that the process is beneficial and fulfills the Council’s desire for periodic review.

Chief Amundson added that feedback from other municipalities highlights the importance of strong relationships between prosecutors and municipalities. Village Manager McClary noted that it is also owed to the firms that submitted proposals to review them thoroughly.

MOTION withdrawn by Chief Amundson, seconded by Council member Comparoni, Jr.

Village Manager McClary stated that he would send the PDF of the legal services proposal rating form to each committee member.

5. Adjournment

MOTION made by Council Member Comparoni Jr., seconded by Chief Amundson to adjourn the November 3, 2025 Ad Hoc Legal Services Review Committee meeting.

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

VOTING NAY: None

MOTION: Carried

The November 3, 2025 Legal Services Review Committee meeting adjourned at 6:04 PM.

Darwin McClary
Chairperson

Sonja Stout
Clerk/Treasurer

Date Approved: as presented on November 17, 2025



COMMITTEE ACTION SUMMARY SHEET

MEETING DATE: November 17, 2025

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

BACKGROUND BRIEF:

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

- Beier Howlett
- Secrest Wardle
- Giarmarco, Mullins & Horton

The purpose of reviewing and rating these proposals is, in part, to determine if the rating system approved by the Committee at its November 3 meeting is appropriate.

SUMMARY OF PREVIOUS COMMITTEE ACTION:

None

FINANCIAL IMPACT:

None

RECOMMENDED MOTION:

None

LEGAL SERVICES REVIEW COMMITTEE 2025

LEGAL SERVICES PROPOSALS RATING FORM

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

SUBTOTAL POINTS: _____

Pricing Proposal _____ 5,3,1 x3

TOTAL POINTS: _____



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

Overview

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

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

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

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

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

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

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

The tentative timeline for selection is:

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

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

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

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

Minimum Qualifications

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

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

About the Village of Lake Orion

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

Appendix A

Legal Services Scope of Services

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

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

General Counsel

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

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

The scope of services may also include the following:

Prosecution Services

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

Civil Cases

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

Other Specialty Services

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

Estimated Workload

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

Appendix B

Legal Services Request for Qualifications

1. Firm name
 - a. Areas of specialty.
 - b. Years in business.

2. Offices
 - a. Office location where the majority of the work will be performed.
 - b. Name and address of parent firm (if applicable).

3. Personnel
 - a. Principal contact (name, phone number, email) of the firm.
 - b. Proposed personnel for legal services to be provided for each discipline. Please provide the specific name of the individual who will handle each discipline (e.g., general, prosecution, civil litigation) and **attach a current resume for each individual.**
 - c. Other key personnel names who will be used for Village business.
 - d. Total number of licensed attorneys at office listed in 2a. above.
 - e. Total number of all staff at office listed in 2a. above.

4. Does firm have adequate staff to handle another municipal client or will staff need to be hired?

5. Experience - provide a short narrative (no more than five (5) pages) detailing experience in municipal law including areas of expertise. Be sure to include any information on items identified as specialty services in Appendix A as well.

6. List specific reasons (no more than two (2) pages) why your firm should be considered by the Village of Lake Orion for legal representation.

7. Provide three (3) or more municipal references from prior or current clients, including contact name, title, municipality name, telephone number, and E-mail address.

8. Disclose any clients or interests that may reasonably be foreseen to constitute a conflict of interest when representing the Village (such as other local governments, developers, bidders, etc.).

9. Describe how your firm will handle the day to day activities (general counsel, prosecutions and court appearances, and attendance at meetings) of this contract. This is particularly important if you do not have a local office.

10. Provide evidence of a comprehensive liability and workers compensation insurance policy for all staff assigned to work for the Village.

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

Appendix C

Legal Services Request for Pricing

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

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
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Troy, MI 48084

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E: mkucharek@bhlaw.us.com



PROFESSIONAL EXPERIENCE

- Beier Howlett, P.C.- Troy, Michigan** **1997- present**
Shareholder, 2021-present
Partner, 2012-2020
Associate, 1997-2012
- 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**
Solo Practitioner
- 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**
Medical Consultant
- 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**
Assistant Prosecuting Attorney
- 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

T: (248) 282-1069 F: (248) 645-9344
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
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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
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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
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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**
Partner
- Environmental litigation.
 - Environmental law.
 - Municipal law.
 - Criminal (environmental).
 - Appellate and general civil practice.
- Rentrop, VanderKloot, Haynes & Morrison-** Bloomfield Hills, Michigan **1992-2000**
- Environmental litigation.
 - Environmental law.
 - Appellate and general civil practice.
- VanderKloot & Haynes, P.C.-** Bloomfield Hills, Michigan **1983-1992**
- Environmental litigation.
 - Commercial litigation.
 - Real estate.
 - Probate.
 - Appellate and general civil practice.
- Siudara, Rentrop & Martin-** Bloomfield Hills, Michigan **1979-1983**
- General practice with emphasis on municipal, environmental, plaintiff personal injury and labor law.
- Karaganis & Gail, Ltd.,-**Chicago, Illinois **1977-1979**
- 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

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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.

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.

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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

GIARMARCO, MULLINS & HORTON, P.C.

**101 West Big Beaver Road
Tenth Floor Columbia Center
Troy, MI 48084**

**Attorneys and Counselors at Law
Providing Legal Services to
Cities, Townships, School Districts, and
Municipalities throughout Michigan**

**John C. Clark
(248) 457-7023**

**Presented to:
Village of Lake Orion, Michigan**

**REQUEST FOR QUALIFICATIONS/PROPOSALS
LEGAL SERVICES**

Due: October 22, 2025, 2:00 PM

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

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1. FIRM NAME**a. Areas of Specialty**

Giarmarco, Mullins & Horton, P.C. (“GMH”) represents a wide variety of public and private entities throughout the State of Michigan. The firm’s commitment to the representation of local governments has been a primary focus of the firm throughout its 40+ year history. Primary areas of practice include municipal/public sector, education law, labor and employment, environmental, automotive, business, transactional, government-related services, international law, immigration law, taxes, mergers and acquisitions, telecommunications, real estate, probate and estate planning, tax tribunal, and election law. The firm’s litigation services include all areas of civil, commercial, criminal, workers’ compensation, and regulatory litigation.

b. Years in Business

GMH ranks in the top twelve largest law firms in Michigan and was founded in 1973.

2. OFFICE LOCATIONS

a. Office Location Where the Majority of the Work Will Be Performed.

The Firm's primary office is located in at the corner of Big Beaver and Livernois in Troy, Michigan. While GMH also has offices in Okemos and Munising, the attorneys providing services to the Village will be located in the Troy office.

b. Name and Address of Parent Firm (if applicable)

Giarmarco, Mullins & Horton, P.C.
101 West Big Beaver Road, 10th Floor
Troy, Michigan 48084

3. PERSONNEL

a. Principal Contact of the Firm

GMH proposes John C. Clark as the lead counsel and contact for the Village of Lake Orion. John can be reached directly at:

John C. Clark
Email: jclark@gmhlaw.com
Office: (248) 457-7023; Cell: (248) 310-1968

b. Proposed Personnel for Legal Services

Our Municipal practice group partners, John Clark, Anthony Chubb, and Stephen Hitchcock, are all Martindale-Hubbell AV rated and offer more than 50 years' cumulative experience in representing municipalities and public entities in their day-to-day operations, litigation, and other related issues.

The attorneys who will be assigned to work with the Village of Lake Orion are as follows:

- John C. Clark
(248) 457-7023; Cell: (248) 310-1968; Email: jclark@gmhlaw.com
- Anthony K. Chubb
(248) 457-7054; Cell: (734) 834-1906; Email: achubb@gmhlaw.com
- Steven J. Hitchcock
(248) 457-7024; Cell: (248) 320-8196; Email: sjh@gmhlaw.com
- Anne R. Gabbert
(248) 457-7053; Cell: (248) 765-9207; Email: agabbert@gmhlaw.com
- Karie Miller
(248) 457-7027; Cell: (248) 4420-5425; Email: kmiller@gmhlaw.com
- Michael Bosnic
(248) 457-7026; Cell: (248) 568-5461; Email: mbosnic@gmhlaw.com

- George Contis
(248) 457-7063; Cell: (248) 890-6256; Email: gcontis@gmhlaw.com

c. Other Key Personnel

GMH employees year-round law clerks who will assist in providing exceptional legal services to the Village.

d. Total Number of Licensed Attorneys at Primary Office

There is a total of 52 licensed attorneys at the Primary Office.

e. Total Number of All Staff at Office at Primary Office

There is a total of 107 individuals employed at GMH's Primary Office, inclusive of the highest quality support staff and attorneys.

4. STAFFING

GMH is adequately staffed to provide high quality, effective, and efficient legal services to the Village of Lake Orion. Our Firm has been fortunate to expand its client base and should the need arise to hire additional staff, GMH is prepared and excited to integrate competent attorneys and staff to meet those needs. All GMH attorneys are fully licensed with the State Bar of Michigan. In addition, the Firm is constantly updating its information technology systems and legal research platforms, offering state-of-the-art resources to provide exceptional legal services to its clients. Attorneys and staff undergo not only cybersecurity training several times a year, but also receive continued educational training for software applications, programs, and cybersecurity measures.

GMH has a full and complete understanding of the scope of work to be provided to the Village of Lake Orion as set forth in the RFP. In addition, GMH believes that its public sector clients are unique, and the relationships must be based upon trust, good communication, and straightforward advice. Municipal officials have several constituencies to serve, and unlike the private sector, a Village attorney is viewed almost as a part of the Village of Lake Orion's "team." It is important that the perception and communication with the public, press, and Village employees is consistent with the goals and objectives of the Village Council. GMH recognizes that it is a political process, which is far different than representing a CEO or owner of a privately held company. In addition to the Village of Lake Orion's lead attorney, many of GMH's lawyers have held elected or appointed positions on governmental boards.

The entire firm of GMH is committed to providing quality legal representation to the Village of Lake Orion. The firm has the experience and resources in all areas necessary for effective and efficient legal services. We are committed to our public sector representation and to the local area. Our goal is to develop a long-term relationship with the Village. We are excited by the opportunity to become part of the Village of Lake Orion' team. Of note, GMH has been accredited by the Detroit Free Press with the Top Work Places award and by Best Lawyers with the Best Law Firms award.



Attorneys

GMH proposes **John C. Clark** as the lead attorney to serve the Village of Lake Orion. Mr. Clark is an equity partner with the firm and currently serves on the GMH Board of Directors. He chairs the firm's Municipal/Labor Law practice group and has over 30 years of experience in Municipal and Public Sector law. John has represented numerous townships, cities, villages, and other governmental entities in day-to-day general representation.

Mr. Clark is a certified employment arbitrator through the American Arbitration Association overseeing complicated employment matters litigated by both public and private sector claimants. John has vast experience in labor and employment law, including contract negotiations, arbitrations, employment discrimination claims, wrongful discharge matters, civil rights complaints, proceedings in State and federal court, as well as matters pending before the Michigan Employment Relations Commission, the Michigan Department of Civil Rights, and the National Labor Relations Board.

Mr. Clark represents a variety of public and private sector clients, including several high-profile Metro Detroit cities, townships, and villages, private sector manufacturing companies, non-profit organizations, as well as public and charter schools. Mr. Clark is a long-standing member of several national, State, and local legal organizations. He has authored papers and has been a presenter of a variety of labor and employment topics, as well as addressing the complicated process and procedures surrounding the appointment of Emergency Managers. His most recent accolade is serving as a lecturer for the Public Sector Labor and Employee Relations class offered through the Master of Public Administration Program at Oakland University.

At the discretion of the Village of Lake Orion, other attorneys with significant municipal and specialized experience may be called in to assist the Village. Such attorneys include Anthony Chubb, Steve Hitchcock, Karie Miller, Michael Bosnic, and Anne R. Gabbert.

Anthony K. Chubb has over a decade of experience representing municipalities and governmental entities. As the Deputy Chief Legal Officer and subsequently the Chief Legal Officer for the City of Flint, Mr. Chubb argued in state and federal courts, including an issue of governmental immunity before the Michigan Supreme Court. He further honed his labor and employment and collective bargaining agreement negotiation and implementation skills as the City's Director of Human Resources and Labor Relations. He previously served as Assistant General Counsel for the SMART

regional transit authority in Detroit, where he focused his practice on labor and employment issues and commercial litigation. Mr. Chubb's extensive background working in-house for municipalities has given him a broad knowledge of both the legal and administrative sides of resolving complex cases.

In addition to labor and employment matters, Mr. Chubb has experience in counseling and advising clients on a wide array of topics including, FOIA, OMA, employee agreements, employment policies and practices, FMLA & ADA compliance, and best practices for municipal risk management.

Stephen J. Hitchcock concentrates in the areas of municipal law, litigation, employee benefits, and business transactions. Mr. Hitchcock has extensive experience in municipal matters over the past fifty years, handling municipal government and school board issues. He also represents a number of insurance companies in litigation defense, fringe benefits, disability, and other employment-related litigation. Mr. Hitchcock has previously served on the Zoning Board of Appeals and the School Board in Novi. He is former trustee on the Novi Educational Foundation.

Mr. Hitchcock has an "AV" Peer Review rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability. He represented the City of Romulus as city attorney from 1995 to 2001, and 2013 to present, and he continues to represent the City on retained matters.

Karie Miller will also assist and advise the Village of Lake Orion. Ms. Miller worked as an Assistant Prosecuting Attorney for Oakland County. There she litigated numerous criminal and civil cases on behalf of the People of the State of Michigan and developed extensive trial, motion and preliminary examination experience. She served in warrants, district court, juvenile and circuit court special units. She completed the Prosecuting Attorneys Association of Michigan (PAAM) prosecutor trial advocacy training, the National Institute of Trial Attorney (NITA) trial advocacy training, and numerous other litigation and law enforcement training on topics such as cross examination, money laundering, asset forfeiture, forensic interviewing, and operating while intoxicated investigations. Karie has experience in labor law and is proficient in the investigation of complaints regarding harassment and discrimination. She is familiar with the development and implementation of employee policies that strive to promote efficiency and assist in the fostering of a positive work environment. Karie served as an Instructor for the Oakland Police Academy, teaching basic and advanced training of law enforcement officers in the areas of Criminal Law, Criminal Procedure, Contraband, Civil Procedure, Juvenile Law, Testimony and Court Structure. Following law school, Karie clerked for the Honorable Edward Sosnick in 6th Circuit Court of Oakland County. Karie gained invaluable insight into the practice of law and developed a passion

for litigation. Karie also believes in serving and giving back to her community. She has served as an executive board member of the Berkley Youth Assistance, the Tri-Community Coalition, and the PTA.

Anne Gabbert has served as an assistant prosecutor in both Wayne and Oakland Counties. She has handled criminal matters as serious as capital crimes and as complex as white-collar crime and money laundering. Her practice has, in tandem, included a civil practice of asset forfeiture. Ms. Gabbert's experience in the civil practice of asset forfeiture for nearly thirteen years has given her expertise in the field. Anne has also worked closely with crime victims and places great value in her ability to listen and have those she represents feel both seen and heard. Ms. Gabbert is experienced in labor law and has developed departmental employee policies. She is knowledgeable in the investigation of employee complaints in the workplace, including those involving harassment and discrimination.

Ms. Gabbert has completed the National Institute of Trial Attorney Trial Advocacy Training (NITA), the Prosecuting Attorneys Association of Michigan (PAAM) trial advocacy training, money laundering, and civil asset forfeiture trainings. She has also served as an instructor on civil asset forfeiture for police agencies across the state of Michigan. Ms. Gabbert served as an instructor for the Oakland County Police Academy for a decade, teaching law enforcement officers in the areas of Civil Procedure, Criminal Procedure, Contraband, and Court Functions. Ms. Gabbert has served as a volunteer for the Redford Goodfellows Organization, Capital Area Humane Society, and as a speaker at Career Fairs for numerous local area schools.

Mike Bosnic concentrates his practice in the areas of school and municipal representation and litigation. He has successfully represented a number of communities in District and Circuit Courts, and is currently involved with numerous municipalities through his judicially appointed work with Drug Treatment/Sobriety Courts in Troy, Novi, and Waterford. He is deeply involved in the Veterans Court in Redford Township. Mike has extensive experience in the area of Property Tax Appeals. He has presented across the State on this practice area, at the request of numerous public officials. He also successfully represents clients in Federal Court, having prosecuted their claims for age and gender discrimination. He obtained a record jury verdict against the Internal Revenue Service, and was featured on the cover of the February 10, 2003 edition of *Michigan Lawyers Weekly*.

Mr. Bosnic currently serves as a magistrate judge in the 52-1 District Court in Novi. Mike has an "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability.

Current profiles for each attorney to be assigned to the Village are provided at *Attachment A*.

Support Staff

Giarmarco, Mullins & Horton has experienced legal assistants and paralegals on the ready to assist the municipal law practice group at all times. Each support staff member is trained and experienced in the legal field. Experienced legal assistants, Joan Sidlauskas, who has been a legal assistant/paralegal since 1991 and employed at GMH since 2000, and Shyraw Smith, who has been a legal assistant with the firm since 2020, proficiently provide timely and efficient support to the municipal law practice group. The firm also employs law clerks throughout the year, whose services will not be billed to the Village of Lake Orion.

5. FIRM EXPERIENCE

The Municipal Law practice group has been retained by over 25 cities and townships, including the Cities of Keego Harbor, Northville, Saline, East Lansing, Westland, Pontiac, Mount Clemens, Flint, Hamtramck, Saginaw, Benton Harbor, Belleville, Inkster, Melvindale, Warren, Highland Park, Ecorse, Trenton, Romulus, Taylor, Alpena, and Dearborn Heights and the Charter Townships of Northville, Independence, Bloomfield, Orion, Oakland, Oxford, Commerce, Royal Oak, Plymouth, Redford, Brownstown, Canton, Clinton, Van Buren, and Shelby.

Our municipal law specialists devote virtually all of their time to representation of public sector employers in connection with problems associated with the employer-employee relationship. This work involves substantial contact with numerous governmental agencies, including the Michigan Employment Relations Commission, the Michigan Department of Civil Rights, the Department of Labor, the Equal Employment Opportunity Commission, the Bureau of Workers' Disability Compensation, and the National Labor Relations Board. In short, we have attorneys that are experts in all of the areas in which the Village of Lake Orion would seek legal advice.

Throughout its history, GMH has employed an entrepreneurial philosophy in the delivery of legal services. By keeping its internal cost structure low, the firm has been able to provide quality legal services at a fair rate. Internally, GMH has created a competitive entrepreneurial environment which benefits our clients.

Not surprisingly, under the above management style, GMH has continued to grow despite the tough economic times in which we live. When budgets get tight, our clients have found we have the flexibility to work with them in reducing costs. The Village of Lake Orion can rest assured that it will be given the highest level of priority at GMH and that each attorney of the firm is committed to providing quality legal services to the Village.

6. WHY GMH SHOULD BE CONSIDERED

Throughout its history, GMH has enjoyed the highest rating awarded by Martindale Hubbell in its ranking of quality law firms. Many GMH attorneys are selected as court appointed mediators and guest speakers in their particular areas of expertise. Our continued growth in these challenging times is a result of our commitment to providing quality legal services on a timely basis and at a reasonable price.

How GMH Meets or Exceeds the Minimum Qualifications

Client Commitment

The Village of Lake Orion will be given the highest priority by the attorneys of GMH. Our policy is to respond quickly and effectively to all client inquiries. We will make available all contact information, including email addresses, work, cell, and home telephone numbers, and will be available virtually all hours of the day, night, or weekend. GMH understands the importance of the client relationship and that we are a partner with the Village.

Results

GMH understands that the bottom line in providing quality legal services is the results obtained. The firm welcomes accountability in its advice and services provided. We understand that clients seek straightforward, experienced advice. Legal advice designed to protect the lawyer is no advice at all. Many areas of the law are unclear and the results uncertain, however, GMH understands that the decision-maker must ultimately “make the decision.” We provide advice based upon our experience and knowledge and not based upon whether we will look good or be protected if an unanticipated result occurs.

Cost Effectiveness

The culture of GMH is a businesslike approach to providing legal services. We do not pursue issues for the academic fun of it or to increase the firm’s status. We work closely with our clients to understand their goals and objectives. Together, we then implement the most cost-efficient strategy for success. While setting precedence or new law for an attorney may be rewarding, we do not do so at the expense of our clients. GMH bills its clients hourly, in increments of 0.10 hours, providing a detailed monthly invoice for legal services rendered. Clients are billed for reimbursable charges such as filing fees, court reporters, overnight delivery, and milage at the statutory IRS rate.

GMH offers the Village of Lake Orion a three-prong approach towards providing proactive legal services to minimize expenses.

1. GMH offers comprehensive training on a variety of topics for all Village staff, including areas of discrimination, harassment, confidentiality, employee discipline and counseling. Additionally, the Firm offers training to Village Council, as well as Village Boards and Commissions on important topics including meeting decorum, Robert's Rules of Order, Open Meetings Act, Freedom of Information Act requests, and handling issues of public concern.
2. The Firm constantly monitors both State and federal legislation that could have an impact on the operations of the Village, including legislation that could affect Village finances, Open Meetings Act, Freedom of Information Act requests, environmental, zoning, planning, and taxation.
3. We closely monitor recent court decisions that again could have a direct impact on Village operations, similar to an overview of pending legislation. The Firm monitors recent court filings through *Detroit Report*, which sets forth recent Circuit Court and Federal Court filings.

Philosophy on Attorney-Client Relationship

GMH believes that its public sector clients are unique and the relationships must be based upon trust, effective communication, and straightforward advice. Government officials have many constituencies to serve, and unlike the private sector, a municipal attorney is viewed almost as a part of the government's "team." It is important that the perception and communication with the public, press, and Village employees is consistent with the goals and objectives of the client. GMH recognizes that it is a political process, which is far different than representing a CEO or owner of a privately held company. In addition to the Village's lead attorney, many of GMH's lawyers have held elected or appointed positions on governmental boards.

Summary

The entire firm of GMH is committed to providing quality legal representation to the Village of Lake Orion. The firm has the experience and resources in all areas necessary for effective and efficient legal services. We are committed to our public sector representation and to the local area. Our goal is to develop a long-term relationship with the Village. We are excited by the opportunity to become part of the Village of Lake Orion's team.

7. MUNICIPAL REFERENCES

Charter Township of Redford
Pat McRae, Superintendent
15145 Beech Daly Road Redford, MI 48239
(313) 387-2750
pmcrae@redfordtwp.com

General municipal, labor and employment, litigation, District Court prosecutions, real estate, and Michigan Tax Tribunal appeals

City of Northville
George Lahanas, City Manager
General municipal, labor and employment, litigation, District Court prosecutions, real estate, and Michigan Tax Tribunal appeals

City of Saline
Dan Swallow, City Manager
100 N. Harris Street
Saline, Michigan 48176
(734) 476-3961
dswallow@cityofsaline.org
General municipal, labor and employment

Charter Township of Bloomfield
Mike McCready, Township Supervisor
4200 Telegraph Road
Bloomfield Hills, MI 48303
(248) 433-7755
mmccready@bloomfieldtwp.org
General municipal and labor and employment

City of Keego Harbor
Tammy Neeb, Clerk and City Manager
2025 Beechmont Street
Keego Harbor, Michigan 48320
(248) 682-1930, Ext. 1
manager@keegoharbor.com
General municipal, labor and employment, litigation, District Court prosecutions, real estate, and Michigan Tax Tribunal appeals

City of Taylor
Dan Bzura, Chief of Staff
23555 Goddard Rd.
Taylor, MI 48180
(734) 374-1452
dbzura@ci.taylor.mi.us
General municipal, labor and employment, and litigation

Charter Township of Northville
Todd Mutchler, Township Manager
44405 Six Mile Road
Northville, MI 48168
(248) 348-5800
tmutchler@twp.northville.mi.us
General municipal and labor and employment

City of Saginaw
Tim Morales, City Manager
1315 S. Washington Avenue
Saginaw, MI 48601
(989) 759-1401
TMorales@saginaw-mi.com
Labor and employment and litigation

Charter Township of Plymouth
Chuck Curmi, Township Supervisor
9955 N. Haggerty Road
Plymouth, MI 48170-4673
(734) 354-3201 Office
ccurmi@plymouthtwp.org
General municipal and labor and employment

8. CLIENT CONFLICTS OF INTEREST

Giarmarco, Mullins and Horton has been retained by over 25 cities, villages, and townships. It has been our experience that representation of other municipalities generally provides opportunities for collaboration rather than conflicts. However, should any potential conflict arise, we would timely notify the Village and provide a proposed path moving forward. Prior to handling any new matter, an internal conflict check is routed to all staff in the firm, including the firm's billing system, which will show conflicts of any past and current client representation, including any real estate developers doing business with or anticipating doing business with the Village of Lake Orion.

9. DAY-TO-DAY ACTIVITIES

The GMH Municipal Group is staffed to allow for integration of the Village of Lake Orion's legal needs. The Village of Lake Orion will be given the highest priority by the attorneys of GMH. Our policy is to respond quickly and effectively to all client inquiries. We will make available all contact information, including email addresses, work, cell, and home telephone numbers, and will be available virtually all hours of the day, night, or weekend. GMH understands the importance of the client relationship and that we are a partner with the Village.

GMH understands that the bottom line in providing quality legal services is the results obtained. The firm welcomes accountability in its advice and services provided. We understand that clients seek straightforward, experienced advice. Legal advice designed to protect the lawyer is no advice at all. Many areas of the law are unclear and the results uncertain; however, GMH understands that the decision-maker must ultimately "make the decision." We provide advice based upon our experience and knowledge and not based upon whether we will look good or be protected if an unanticipated result occurs.

The culture of GMH is a businesslike approach to providing legal services. We do not pursue issues for the academic fun of it or to increase the firm's status. We work closely with our clients to understand their goals and objectives. Together, we then implement the most cost-efficient strategy for success. While setting precedence or new law for an attorney may be rewarding, we do not do so at the expense of our clients.

10. INSURANCE

GMH maintains Workers' Compensation, comprehensive general liability, and vehicle insurance as required by the Village of Lake Orion. Should GMH be awarded this contract, it will purchase and maintain, throughout the term of the Contract, insurance from an insurance company authorized to do business in the State of Michigan that will protect Contractors, subcontractors, and the owner from all liability claims under the Contract. The insurance will name the Village of Lake Orion as additional insured party on appropriate coverage(s) where possible.

11. EXCEPTIONS

GMH does not foresee any exceptions or conflicts of interest in its representation of the Village of Lake Orion.

12. BAR ASSOCIATION COMPLAINTS

Giarmarco, Mullins and Horton, P.C. has not been the subject of any Bar Association complaints within the past five years.

13. BANKRUPTCY OR REORGANIZATION

GMH's financial condition is stellar. All vendor invoices are paid within 30 days of submission and maintains a D&B "Good" rating. GMH has never filed for bankruptcy and is extremely proud of its commitment and reputation in the legal community.

14. TERMINATION

The City of Hamtramck ceased using the services of Giarmarco, Mullins and Horton, P.C. in 2018 after a change in City leadership.

The Charter Township of Royal Oak ceased using the services of Giarmarco, Mullins and Horton, P.C. in 2019 after a change in Township leadership. However, GMH was rehired as the Township’s general and prosecutorial counsel in 2021.

The City of Wayne ceased using the services of Giarmarco, Mullins and Horton, P.C. for its labor and employment legal services in 2024 after a change in City leadership. However, GMH remains the City’s general and prosecutorial counsel.

15. RESPONSE TIME

The Village of Lake Orion will be provided the direct contact information for all GMH personnel working for the Village. GMH staff will correspond directly with Village personnel upon engagement of an assignment or task when presented to them. Depending on the assignment, the average response time to a verbal inquiry or contact is one day, the average response time for written tasks is three days. This schedule of course is subject to the time-sensitive nature of the task.

Based upon our commitment to our clients, GMH makes it a priority to respond to all inquiries in a timely and efficient manner. Attorneys of the firm can be reached by phone, cell phone, email, text, or any other manner desired by the Village of Lake Orion. The Village's lead attorney will be available and responsive by any of the above means at any time of the day or evening, including weekends and vacations. All meetings, conferences, court appearances or other important events will be the priority in the lead attorney's schedule. As part of this client communication, GMH also will provide free municipal updates on emerging issues or cases, as well as seminars on relevant issues to the Village of Lake Orion and its employees. We take pride in our accessibility and recognize that emergencies do not respect a nine-to-five schedule.

16. FAMILIARIZATION WITH CURRENT VILLAGE ISSUES

The GMH Municipal Group is staffed to allow for integration of the Village of Lake Orion's legal needs. The Village will be given the highest priority by the attorneys of GMH. Our policy is to respond quickly and effectively to all client inquiries. We will make available all contact information, including email addresses, work, cell, and home telephone numbers, and will be available virtually all hours of the day, night, or weekend. GMH understands the importance of the client relationship and that we are a partner with the Village of Lake Orion.

GMH understands that the bottom line in providing quality legal services is the results obtained. The firm welcomes accountability in its advice and services provided. We understand that clients seek straightforward, experienced advice. Legal advice designed to protect the lawyer is no advice at all. Many areas of the law are unclear and the results uncertain, however, GMH understands that the decision-maker must ultimately "make the decision." We provide advice based upon our experience and knowledge and not based upon whether we will look good or be protected if an unanticipated result occurs.

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17. FIRM CONFLICTS OF INTEREST

GMH does not foresee any exceptions or conflicts of interest in its representation of the Village of Lake Orion.

As stated above, prior to handling any new matter, an internal conflict check is routed to all staff in the firm, including the firm's billing system, which will show conflicts of any past and current client representation, including any real estate developers doing business with or anticipating doing business with the Village of Lake Orion.

17. PRICING

A preliminary estimate or range of overall anticipated annual costs can only be ascertained based on the need for legal services by the Village of Lake Orion. However, GMH offers the following as its proposed compensation for legal services:

	Pricing Component	Amount
1.	Hourly Rate – Prosecution of Building/Code/Zoning Violations	\$ 165.00
2.	Hourly Rate – Civil Litigation and Litigation of Non-Insurance Cases	\$ 175.00
3.	Hourly Rate – Board of Review (if necessary)	\$ 175.00
4.	Hourly Rate (All Other Legal Services)	\$ 175.00
5.	Expenses: The Village will pay GMH for all expenses and court costs resulting from the Village’s legal services, including photocopying at \$0.20/page, overnight and express mail, courier fees, filing fees, and mileage fees (at the IRS annual rate).	

Any client telephone conferences less than 15 minutes and brief client email exchanges will not be billed. Also, the Village of Lake Orion will not be charged for law clerk or legal assistant services.

SIGNATURE PAGE AND ACKNOWLEDGMENT

Firm name: Giarmarco, Mullins & Horton, P.C.

Address: 101 West Big Beaver Road, 10th Floor

City/State/Zip Code: Troy, Michigan 48084-5280

Telephone Number: (248) 457-7023

Fax Number: (248) 457-7001

Email Address: jclark@gmhlaw.com

SIGNATURE/DATE:  October 21, 2025
John C. Clark (P51356)

ATTACHMENT A – ATTORNEY PROFILES

GIARMARCO, MULLINS & HORTON, P.C.

ATTORNEYS & COUNSELORS AT LAW

EMAIL: JCLARK@GMHLAW.COM

TENTH FLOOR COLUMBIA CENTER

101 WEST BIG BEAVER ROAD

TROY, MI 48084-5280

DIRECT PHONE: (248) 457-7023

JOHN C. CLARK
EXPERIENCE

Mr. John Clark concentrates his practice in the areas of labor and employment law, servicing clients in both the public and private sector. Mr. Clark has been a member of the firm since 1995 and currently sits on the firm's Board of Directors. Mr. Clark also chairs the firm's municipal/labor and employment section. In addition, Mr. Clark is a certified employment arbitrator through the American Arbitration Association overseeing complicated employment matters litigated by both public and private sector claimants.

Mr. Clark has vast experience in labor and employment law, including contract negotiations, arbitrations, Act 312 proceedings, fact-findings, employment discrimination claims, wrongful discharge matters, civil rights complaints, proceedings in state and federal court, as well as matters pending before the Michigan Employment Relations Commission, the Michigan Department of Civil Rights and the National Labor Relations Board.

Mr. Clark represents a variety of public and private sector clients, including several high profile Metro Detroit cities and townships, private sector manufacturing companies, non-profit organizations as well as public and charter schools.

Mr. Clark is an expert in employee and management training on such topics as discrimination, harassment, bias, progressive discipline, Open Meetings Act, collective bargaining, and privacy. Mr. Clark also develops employee policies that strive to promote efficiency and aid in fostering a positive work environment.

Mr. Clark is a long-standing member of several National, State and local legal organizations. He has authored papers and has been a presenter of a variety of labor and employment topics, as well as addressing the complicated process and procedures surrounding the creation of positive labor relations between management and organized labor.

Mr. Clark's most recent accolade is serving as a lecturer for the Public Sector Labor and Employment Relations class offered through the Masters of Public Administration program at Oakland University. Mr. Clark also serves as a Trustee for an Oakland County Township.

PRACTICE AREAS

- Governmental Law
- Employment & Labor Law
- Litigation
- Municipal & Government
- Education Law
- Police Liability/Excessive Force Matters

**EDUCATION**

- Michigan State University, B.A.
- University of Detroit, J.D.
- American Arbitration Association, Certified

ADMITTED TO PRACTICE

- Michigan: 1994

**PROFESSIONAL LEADERSHIP/
MEMBERSHIPS**

- American Bar Association
- State Bar of Michigan
- Oakland County Bar Association
- American Arbitration Association: Certified Employment Arbitrator
- Department of Treasury Government Turnaround Association Founding Member and Presenter

HONORS/AWARDS

- Voted Top Lawyers 2021, 2022, and 2023 by DBusiness Magazine
- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- Leading Lawyer

Martindale-Hubbell®
Leading Lawyers™

ANTHONY CHUBB EXPERIENCE

Anthony K. Chubb is an equity shareholder in the firm's municipal group and has dedicated his career to representing cities, townships, and governmental entities. He currently serves as City Attorney for the cities of East Lansing, Northville, Keego Harbor, and Saline, as well as General Counsel for Grand Blanc and Redford Townships and the Genesee County 911 Consortium.

Mr. Chubb has over 15 years of experience representing municipalities and governmental entities as general counsel, including election law, governmental immunity, prosecution, water quality and rate setting defense, medical and recreational marijuana regulation, and administrative law. Before joining GMH, Mr. Chubb was the Deputy Chief Legal Officer and, subsequently, the Chief Legal Officer for the City of Flint and the City's Director of Human Resources and Labor Relations. He previously served as Assistant General Counsel for the SMART regional transit authority in Detroit, where he focused his practice on labor and employment issues and commercial litigation. Mr. Chubb's extensive background in municipal law, including working in-house for municipalities, has given him a broad knowledge of both the legal and administrative sides of resolving complex cases.

In addition to his professional background, Mr. Chubb has a history of public and community service. He was elected to the Michigan Bar Association Government Law Council (2023-2026) and serves on the Board of Directors of the Grosse Pointe Animal Adoption Society as pro-bono legal counsel (for which he has fostered dozens of dogs.) Mr. Chubb was previously elected to two terms (2017-2020, 2020-2023) to the Genesee County Bar Association Board of Directors.

PRACTICE AREAS

- Municipal Law
- Employment & Labor Law
- Medical and Recreational Marijuana Regulation
- Water Quality and Rate Setting Defense
- Election and Ballot Initiative Matters
- Police Liability/Excessive Force Matters

EDUCATION

- Wayne State University Law School, Detroit, Michigan, 2008, J.D.
- University of Michigan, Ann Arbor, Michigan, 2003, B.A.



PROFESSIONAL LEADERSHIPS

- State Bar of Michigan Government Law Section Council 2023-2026
- Genesee County Bar Association Board of Directors 2017-2020; 2020-2023
- Board of Directors, Grosse Pointe Animal Adoption Society

MEMBERSHIPS

- State Bar of Michigan
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Western District of Michigan
- U.S. Bankruptcy Court for the Eastern District of Michigan
- U.S. Court of Appeals for the Sixth Circuit

HONORS/AWARDS

- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- 2019 Super Lawyers "Rising Star" in state, local & municipal law

Martindale-Hubbell®
Super Lawyers

STEPHEN J. HITCHCOCK
EXPERIENCE

Mr. Stephen Hitchcock concentrates in the areas of municipal law, litigation, employment law, employee benefits and business transactions. Mr. Hitchcock has extensive experience in municipal matters over the past thirty years, handling municipal government and school board issues. He also represents a number of insurance companies in litigation defense, fringe benefits, disability and other employment related litigation.

Mr. Hitchcock has previously served on the Zoning Board of Appeals and the School Board in Novi. He is former trustee on the Novi Educational Foundation.

Mr. Hitchcock has an "AV" Peer Review rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability.

GENERAL MUNICIPAL EXPERIENCE

- Represented local cities and townships for over thirty years in matters related to water/sewer, zoning, planning, land use, ordinance drafting, contract negotiations and municipal litigation.
- Represented the City of Romulus as city attorney – 1995 to 2001, 2013 to present.
- Belleville city attorney – 2012 to present.
- Representing the Charter Township of Brownstown – 2004 to Present.
- Represented Kochville Township on various legal matters – 2000 to 2005.
- Provided legal services for the City of Pontiac, City of Belleville, Charter Township of Redford, City of Taylor, City of Trenton, City of Montrose, City of Wayne and other municipalities on specific retained basis.

PRACTICE AREAS

- Employment and Labor Law
- Government Law
- Litigation
- Municipal

EDUCATION

- University of Michigan and Western Michigan University, B.A.
- Detroit College of Law, J.D.



ADMITTED TO PRACTICE

- Michigan: 1973
- Michigan Supreme Court
- U.S. Court of Appeals
- U.S. Supreme Court

**PROFESSIONAL LEADERSHIP/
MEMBERSHIPS**

- State Bar of Michigan
- Oakland County Bar Association
- Oakland County Bar Association Federal Court Committee, Former Chairman
- Michigan Association of Municipal Attorneys
- International Municipal Lawyers Association

HONORS/AWARDS

- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- Michigan Super Lawyer
- dBusiness "Top Lawyer"
- Leading Lawyers

KARIE MILLER
EXPERIENCE

Karie Miller has joined Giarmarco, Mullins & Horton in the Municipal Section. Karie worked as an Assistant Prosecuting Attorney for Oakland County. There she litigated numerous criminal and civil cases on behalf of the People of the State of Michigan and developed extensive trial, motion and preliminary examination experience. She served in warrants, district court, juvenile and circuit court special units. She completed the Prosecuting Attorneys Association of Michigan (PAAM) prosecutor trial advocacy training, the National Institute of Trial Attorney (NITA) trial advocacy training, and numerous other litigation and law enforcement training on topics such as cross examination, money laundering, asset forfeiture, forensic interviewing, and operating while intoxicated investigations.

Karie has experience in labor law and is proficient in the investigation of complaints regarding harassment and discrimination. She is familiar with the development and implementation of employee policies that strive to promote efficiency and assist in the fostering of a positive work environment.

Karie served as an Instructor for the Oakland Police Academy, teaching basic and advanced training of law enforcement officers in the areas of Criminal Law, Criminal Procedure, Contraband, Civil Procedure, Juvenile Law, Testimony and Court Structure.

Following law school, Karie clerked for the Honorable Edward Sosnick in 6th Circuit Court of Oakland County. Karie gained invaluable insight into the practice of law and developed a passion for litigation.

Karie also believes in serving and giving back to her community. She has served as an executive board member of the Berkley Youth Assistance, the Tri-Community Coalition and the PTA.



EDUCATION

- Wayne State University School of Law, J.D.(2004)
- Central Michigan University, B.S. (2000)

ADMITTED TO PRACTICE

- Oakland County Prosecutor Assistant Prosecuting Attorney 2006 - 2018
- Judicial Law Clerk 2004 - 2006
- Judicial Internship 3rd Circuit Court Frank Murphy Hall of Justice, Wayne County, MI
- Social Worker, Oakland Family Services

ANNE GABBERT

EXPERIENCE

Ms. Gabbert has served as an assistant prosecutor in both Wayne and Oakland Counties. She has handled criminal matters as serious as capital crimes and as complex as white-collar crime and money laundering. Her practice has, in tandem, included a civil practice of asset forfeiture.

Ms. Gabbert's experience in the civil practice of asset forfeiture for nearly 13 years has given her expertise in the field. Anne has also worked closely with crime victims and places great value in her ability to listen and have those she represents feel both seen and heard.

Ms. Gabbert is experienced in labor law and has developed departmental employee policies. She is knowledgeable in the investigation of employee complaints in the workplace, including those involving harassment and discrimination.

Ms. Gabbert has completed the National Institute of Trial Attorney Trial Advocacy Training (NITA), the Prosecuting Attorneys Association of Michigan (PAAM) trial advocacy training, money laundering, and civil asset forfeiture trainings. She has also served as an instructor on civil asset forfeiture for police agencies across the state of Michigan.

Ms. Gabbert served as an instructor for the Oakland County Police Academy for a decade, teaching law enforcement officers in the areas of Civil Procedure, Criminal Procedure, Contraband, and Court Functions.

Ms. Gabbert has served as a volunteer for the Redford Goodfellows Organization, Capital Area Humane Society, and as a speaker at Career Fairs for numerous local area schools.



PRACTICE AREAS

- Municipal Law
- Employment and Labor Law
- Civil Law
- Criminal Law
- Asset Forfeiture Law

EDUCATION

- Michigan State University, graduating with high honor
- University of Detroit Mercy School of Law

MICHAEL L. BOSNIC
EXPERIENCE

Mr. Bosnic concentrates his practice in the areas of school and municipal representation and litigation. He has successfully represented a number of communities in District and Circuit Courts, and is currently involved with numerous municipalities through his judicially appointed work with Drug Treatment/Sobriety Courts in Troy, Novi and Waterford.

Mike has extensive experience in the area of Property Tax Appeals. He has presented across the state on this practice area, at the request of numerous public officials. He also successfully represents clients in Federal Court, having prosecuted their claims for age and gender discrimination. He obtained a record jury verdict against the Internal Revenue Service, and was featured on the cover of the February 10, 2003 edition of Michigan Lawyers Weekly.

Mr. Bosnic has an "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability.

PRACTICE AREAS

- School District and Municipal Representation
- Litigation
- Governmental Law

EDUCATION

- Michigan State University, B.A.
- Notre Dame Law School, J.D.

**PROFESSIONAL LEADERSHIP/
MEMBERSHIPS**

- State Bar of Michigan
- U.S. District Court, Eastern District of Michigan
- U.S. Court of Appeals, 6th Circuit



HONORS/AWARDS

- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- Award of Merit: Michigan Association of School Boards
- "Drug Court Hero" award from MADCP

Martindale-Hubbell®

GEORGE A. CONTIS
EXPERIENCE

Mr. George Contis concentrates his practice in the areas of, real estate acquisition and development, construction, mortgage and end-loan lending, participation loans, commercial and industrial leasing for landlords and tenants (including master leases, ground leases and subleases) and business planning.

Mr. Contis regularly works with lenders, owners and court appointed receivers in the sale of distressed office, commercial and industrial properties and manufactured home communities. He represented LA Fitness International and negotiated leases on its behalf for the establishment of its first six fitness facilities in Southeastern Michigan.

Mr. Contis earned his Bachelor of Arts Degree in Economics from the University of Pittsburgh in 1982 and received his Juris Doctor Degree from the University of Detroit in 1985. While at the University of Detroit, Mr. Contis participated in several local and national Moot Court competitions and was selected for membership to the Order of Barristers.

His publications include: Tax Aspects of Divorce in Michigan, Michigan Tax Law Journal, 1984; Bring a Weapon to School, Get Expelled 370 Laches 8, Nov. 1996; and Year End Planning Considerations for 1031 Exchanges, Bar Briefs, December 2000.

Mr. Contis has an "AV" Peer Review rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability.

PRACTICE AREAS

- Business Law & Commercial Transactions
- Banking and Finance
- Real Estate
- Construction Law

EDUCATION

- University of Detroit Law School, J.D., 1985
- University of Pittsburgh, B.A., 1982.

ADMITTED TO PRACTICE

- Michigan 1985



**PROFESSIONAL LEADERSHIP/
MEMBERSHIPS**

- State Bar of Michigan
- Macomb County Bar Association

HONORS/AWARDS

- "AV" Peer Review Rating from Martindale-Hubbell, the highest ranking by peers for general ethical standards and legal ability
- dBusiness "Top Lawyer"
- Leading Lawyer



S E C R E S T
SW
W A R D L E

**Proposal for General Counsel Legal Services
For
Village of Lake Orion**

Submitted by:



Mark S. Roberts, Esq.

Secret Wardle

Executive Partner and Managing Partner of the
Municipal Law Practice Group

SECRET WARDLE
PROPOSAL
SUBMITTED TO
Village of Lake Orion

**21 East Church Street
Lake Orion, MI 48362**

Wednesday, October 22, 2025

2600 Troy Center Drive
P.O. Box 5025
Troy, MI 48007-5025

Mark S. Roberts, Esq.
Telephone (248) 539-2815
Fax (248) 251-1806
E-Mail: mroberts@secrestwardle.com

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THANK YOU! for the opportunity to provide Secrest Wardle's Proposal for General Village Legal Services for the consideration of the Village of Lake Orion. The Firm acknowledges that if awarded, the contract is anticipated to commence on or before January 1, 2026.

Secrest Wardle Executive Partner, Mark S. Roberts, heads up the firm's Municipal Practice Group. He has practiced municipal law exclusively for the past 30 years and currently serves as general counsel to the Charter Township of West Bloomfield and the City of Bloomfield Hills. He is also retained to provide legal services to the Charter Township of Bloomfield's Planning, Building, and Ordinance Department, assisting with land development issues and ordinance enforcement matters. Mr. Roberts has also performed special counsel work for a number of townships, villages, and/or cities, ranging from constitutional challenges to water/sewer rates, building fee challenges, and zoning enforcement matters.

The Secrest Wardle Municipal Practice Group includes municipal attorneys capable of providing a wide range of municipal legal services. The attorneys of the group also possess some specialized skill sets that complement the team to effectively provide the full range of service our municipal clients require. Specifically, Alana E. Knox provides services for ordinance enforcement, tax tribunal, METRO Act and cellular service industry issues. Nancy Cooper Green provides expertise in contract analysis and negotiation, land development, ordinance drafting, and issues arising from relationships between municipalities and related boards, administrations, and commissions, bringing more than 30 years' experience in municipal law to the team. L. Charlynn Turner comes to the team from the Oakland County Prosecutor's Office, and provides effective and efficient prosecution services, including regularly prosecuting for communities in the 52/3 District Court. Matthew Nicols supplies appellate law expertise, proven to be an excellent asset to the Municipal Practice Group, as well as general civil litigation experience. Proposed Lead Attorney Mark S. Roberts would be managing legal services to the Village and taking the primary role of its representation, supported by the aforementioned team.

Our Mission:

Secrest Wardle: A law firm where competence and commitment combine every day to exceed clients' expectations in every way.

1. Scope of Services - General Village Legal Services

The Secrest Wardle Municipal Law Practice Group is one of the most effective in Michigan, currently representing numerous cities, villages, and townships. Over the years, Secrest Wardle has provided services to municipalities located in Wayne, Oakland, Macomb, Washtenaw, and Ingham counties. Our Municipal Law Practice Group is, in our view, unique in that the attributes of our attorneys have been broadly recognized in a way other firms providing similar services don't match.

Because of the Group's concentration on municipal law, we work hard at keeping current on legal issues that affect our clients. This includes not only attending seminars and presentations by the Public Corporation Section of the State Bar, the Michigan Association of Municipal Attorneys, and other groups, but participating in them as presenters.

Recognized for their experience and commitment to the area of municipal law, attorneys in the Municipal Law Practice Group have been asked to participate in other professional activities by groups such as the Michigan Municipal League (MML) and the Michigan Townships Association (MTA.) Presentations by Municipal Group attorneys include participation in panels on medical marijuana regulations (Oakland County Bar Association Municipal Law Committee and Michigan Association of Code Enforcement Officers), sign ordinance issues following the United States Supreme Court decision in *Reed v Town of Gilbert, Arizona* (MAMA and MTA), dealing with "zombie" developments (Michigan Local Government Managers Association, or MLGMA), the mechanics of the state's constitutional convention process (MLGMA), an overview of the 2008 Planning Enabling Act (MTA,) and a review of recent case law regarding challenges to local land use decisions (Institute of Continuing Legal Education, or ICLE).

This Scope of Services section of Secrest Wardle's proposal, Addendum 1, aligns well with the Legal Services Scope of Services, Appendix A of the Village's RFP.

If selected, our knowledge and experience with ordinances, agreements and contracts will serve the Village well. Secrest Wardle's Municipal Law Practice Group possesses a wealth of knowledge and experience developing ordinances and codes. In addition to working with staff, our attorneys bring ideas and concepts used by municipalities state-wide and nation-wide, providing some real-world guidance to new regulatory concepts.

Similarly, our experience with contract review and agreements will serve the Village well, as we know where to look for possible areas of concern and can effectively counsel the Village where modifications may be needed. We are also adept at legal action to enforce contracts, should the need arise.

Our attorneys are also skilled in the negotiation of agreements and reaching resolutions to differences. Whether dealing with a contract, negotiating a resolution to a zoning dispute, or addressing an issue with another municipal organization, we have been successful in resolving

conflicts quickly and efficiently. Where an issue cannot be resolved amicably, however, we are capable of enforcing the Village's interests.

We routinely assist with the transfer of real property interests, sale or acquisition. Our attorneys can prepare the necessary documents, deeds, easements, utility transfers, land contracts, to accomplish the objective.

Our Practice Group will work closely with the Village Manager, providing guidance and recommendations when requested to ensure the Village's goals are being met legally and effectively. Our attorneys regularly provide opinion letters to the public body on topics of interest or concern and will be ready to meet with the Village Council to discuss the opinions in greater detail if needed. We have the experience to foresee issues developing and can communicate the opinions effectively to Council. We pride ourselves in being proactive in avoiding legal issues, prior to the onset of adverse consequences.

Our Municipal Law Practice Group attorneys are available 365/24/7 to address the requirements of the Village of Lake Orion Manager, Clerk, Treasurer, Department Heads, Village Consultants, and the Village Council that may occur day-to-day, as well as in more urgent situations. Strict confidentiality and a quick response time to all inquiries are standard procedure at Secrest Wardle. We can also offer regular office hours, 3 hours per day, 2 or 3 days per week depending on your needs. We find that having regular office hours keeps us on top of matters pending at the Village and makes meeting with staff a more predictable occurrence.

We welcome the opportunity to be present, at the request of Village Manager Darwin McClary or his colleagues and representatives, for all regularly scheduled meetings, special meetings, executive sessions, as well as meetings of the various boards, departments, and commissions that convene to oversee Village business. Our Firm, and proposed Primary Lead Attorney, Mark S. Roberts, are available to attend all regularly scheduled Village Council meetings on the second and fourth Monday of each month, at 6:30 p.m.

All attorneys in the Municipal Department are well versed in the Home Rule Village Act, Open Meetings Act, Freedom of Information Act, and public improvement special assessment procedures and requirements. Our team is comprised of attorneys focused on serving the legal needs of municipalities. As such, all possess a thorough understanding of all statutes affecting the Village of Lake Orion. Mr. Roberts has worked extensively with public improvement financing structures, as well as reviewing proposals for private developments.

The Group is well-seasoned in the preparation, revision, and review of resolutions and ordinances, notices, purchase and sale documents concerning real and personal property, special assessment resolutions and documents, preparation of deeds and the interpretation of public acts, and explaining the implications of same. Our experienced legal staff possesses the legal acumen and requisite experience to provide exemplary legal services to the Village of Lake Orion in these areas as well as those set out in more detail below.

Aside from zoning ordinances, the Firm has worked with municipal officials in varied and diverse municipalities to assist in the development, administration, enforcement, and defense of codes and ordinances on every subject of municipal regulation, ranging from the routine to the very innovative. Attorneys in the Municipal Law Practice Group prepared one of the first wetlands ordinances in Michigan (1973) and have prepared many environmentally based ordinances since. Our experience includes enforcement, injunctive remedies and re-remediation of wetlands, woodlands, zoning and building code violations. The Firm has also prepared ordinances for municipalities providing for “single waste haulers” in said municipalities.

We are involved on a continual basis in the review, drafting, negotiation, and administration of contracts for our municipal clients on a wide variety of subjects, including contracts with people and entities providing goods and/or services to the community; intergovernmental agreements; development and maintenance agreements with developers; contracts with architects and general contractors; and, permits for right-of-way use. We have prepared agreements with waste hauling companies for our municipalities. The Municipal Department is skilled in the drafting and negotiation of intergovernmental agreements, having prepared and reviewed a number of such agreements for the municipal clients of the firm.

We regularly assist municipalities in planning, zoning, and environmental matters. If desired, we would welcome the opportunity to provide the Village of Lake Orion Board of Zoning Appeals and Planning Commission periodic training sessions. Secrest Wardle firmly believes in maintaining a cooperative learning environment with its clients and informational seminars are regularly provided for Secrest Wardle clients.

We participate in the preparation of master plans, capital improvement plans, and strategic planning studies, including several innovative provisions such as overlay district, historic preservation, and open space planning concepts. We also assist in the preparation of complete zoning ordinances and have worked with planning commissions, boards, councils, administrative officials, and planning consultants in the preparation of countless zoning ordinance amendments, including drafting resource preservation regulations; drafting senior housing provisions; drafting provisions to accomplish special community objectives, such as urban and rural development districts, and special land use provisions to protect existing commercial or industrial uses within an area deemed to be sensitive in terms of surrounding uses; establishing overlay districts to achieve community objectives; preparing Planned Unit Development (PUD) provisions and agreements; and, preparing provisions to allow for a rational administration of the Federal Fair Housing Act requirements. We regularly provide municipal clients with legal consultation and representation in matters involving review, approval, and defense of special land uses, CPD/PUD and site plan approvals/denials. We have also been involved in assisting municipalities in matters pertaining to landfills, incinerators, Brownfields, and waste hauling. Secrest Wardle has also been involved in assisting municipalities in implementing PACE programs per state law.

Our experience in planning and zoning has also included extensive litigation in the circuit and appellate courts. Some relevant published appellate court cases are noted in the Synopsis of Cases section of this Proposal.

Our attorneys routinely advise the Firm's municipal clients on a broad spectrum of election law issues including preparation and certification of ballot proposals, candidate qualifications, charter requirements, polling issues, petitions, political signs, and special election requirements.

Secret Wardle's Municipal Law Practice Group is also experienced with issues concerning bonds, annuities, and financial matters of its clients. Members of the Municipal Law Practice Group, while not serving as Bond Counsel, work regularly with Bond Counsel to support and assist as needed. The Group has also successfully defended a number of complex *Headlee Amendment* tax and/or fee claims.

Secret Wardle's municipal attorneys are well-versed in the review and preparation of resolutions for special assessments and the creation of special assessment districts, and are available to assist the Village when necessary. Secret Wardle is capable of advising the Village in matters pertaining to the various Boards and Commissions at the request of the Village Council, representing the Village as directed by the Village Council, reviewing and providing consultation to the Village on various insurance matters; providing bankruptcy and foreclosure assistance regarding rehabilitation loans and tax collections, and otherwise representing the Village as specifically requested and/or approved by the Village Council.

The Municipal Department is experienced dealing cooperatively with other attorneys working with the Village on specific projects. Our attorneys have worked with Bond Counsel, assigned counsel handling insurance defense matters, and with labor counsel.

The Municipal Law Practice Group has substantial experience and expertise in trial and appellate litigation involving a wide range of client issues. Our attorneys have positive relationships in the county and federal court systems. Firm attorneys are appointed by courts as special mediators and facilitators. The Municipal Group has represented municipalities and municipal associations in a multitude of lawsuits significant to state law over the past several years, some of which are listed in the Synopsis of Cases section of this Proposal.

2. Background of Law Firm

For more than 100 years, since 1912, Secrest Wardle has specialized in defense litigation and counseling for commercial, municipal, and insurance clients. The Firm has represented countless municipal entities, including several prominent Oakland County municipalities, at present and in the past, and in a multitude of legal scenarios. Secrest Wardle's Appellate Practice Group has vast experience in promoting our clients' interests at a profound level. Our appellate attorneys possess the legal expertise to shape laws in ways that can benefit entire communities and protect our clients for years to come.

Established over a century ago with a single office in Detroit, Secrest Wardle has grown consistently over the years through a commitment to providing the best legal expertise available. The key to our growth and success has been an ongoing commitment to provide each and every unique client with exceptional value. By delivering results quickly and effectively, we have built an impressive record and developed long-standing relationships with clients who depend on us. We are now one of Michigan's largest firms offering excellent legal services in a broad range of specialties.

Secrest Wardle is a full-service law firm which is AV Preeminent® Peer Review Rated by Martindale-Hubbell (www.martindale.com/ratings; AV®, BV®, AV Preeminent® and BV Distinguished® are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedures, standards and policies).

We have been recognized as one of the "Largest Law Firms" ranked by number of attorneys in Southeast Michigan by *Crain's Detroit Business*. Secrest Wardle has been named in *U.S. News - Best Lawyers* to the list of "Best Law Firms" in the following categories: Metropolitan Tier 1 - Troy - Municipal Law; Metropolitan Tier 2 - Troy - Insurance Law, Land Use & Zoning Law, Litigation – Municipal; and Metropolitan Tier 3 - Troy - Personal Injury Litigation – Defendants.

Several of our attorneys have been named to the Michigan Super Lawyers and Rising Stars lists in *Super Lawyers* magazine. Additionally, several of our attorneys have been selected to the list of Michigan "Top Lawyers in Metro Detroit" as published in *DBusiness* magazine.

We are quite proud of our over 100-year tradition of providing superior legal services to our clients and consider this to be a competitive advantage when our offerings are stacked up against those of other firms. We have built our reputation by providing our clients with the services they need by acknowledging the unique requisites of each individual client we serve. We are cognizant of the importance of economy and efficiency in providing legal services inherent in the municipal law arena.

Our Firm believes in maintaining a proactive stance; identifying risks before they become issues and therefore reducing exposure to potential liability or litigation pertaining to issues arising in matters affecting communities such as the Village of Lake Orion. Our attorneys possess extensive experience, and an enviable success rate, in matters before courts at all levels across the state.

Secret Wardle's legal staff is well-versed in direct dealings with elected and appointed officials, staffs, boards, and commissions as are expected to be encountered with representation of municipal entities, and have extensive experience in dealings in a variety of applicable situations.

As part of the duties of serving the Village of Lake Orion, Secret Wardle has an open-door policy for addressing legal questions and concerns that may arise at any time. While our regular business hours at each office location are from 8:30 a.m. to 5:00 p.m., the Firm provides cell phone contact information to promptly reach our attorneys when such issues may occur (Primary Lead Attorney Mark S. Roberts' cell – (810) 429-1109; Support Attorneys Alana E. Knox's cell – (586) 718-0314, and Nancy Cooper Green's cell – (586) 214-8523). Our Firm is available for your legal needs around the clock, each and every day of the year. Each of our attorneys is equipped with a cell phone with internet access for a more expedient and economic means of communication when a face-to-face meeting is not necessary.

In the unlikely event an attorney assigned as a principal contact for the Village of Lake Orion cannot be reached, provisions would always be put in place for another attorney to act in their absence.

Our attorneys collectively possess experience handling a variety of matters and are well-versed in representation of entities from individuals to small businesses to large corporations, manufacturers, and municipalities, providing a full range of legal services. Secret Wardle's twenty-one (21) main Practice Groups are comprised of attorneys with years of expertise pertaining to a multitude of areas of the law. Our Practice Groups are as follows, while many of our attorneys concentrate on niche areas of the law in sub-practice groups falling under these broad categories:

- Alternative Dispute Resolution
- Amusement and Leisure
- Appellate
- Commercial and Business Law
- Construction
- Drug and Medical Device
- Employment
- Environmental and Toxic Tort
- Family Law
- General Negligence
- Governmental Litigation
- Insurance Coverage
- Intellectual Property / Advertising Injury
- Malpractice / Professional Liability
- Motor Vehicle Litigation
- Municipal
- Premises Liability

- Product Liability
- Property, Fire and Casualty
- Real Estate
- Trucking/Commercial Vehicle Litigation

Our clients face many challenges on a daily basis. We provide realistic solutions to their legal challenges to make their lives simpler. Secrest Wardle provides a creative and collaborative approach to solving our clients' legal issues inside and outside the courtroom.

Secrest Wardle is committed to client advocacy. Using teams of legal specialists, we leverage the intellectual capital of our entire Firm to provide extensive insight without sacrificing personal attention. Our collaborative environment enables clients to take advantage of the combined knowledge and experience of attorneys and support staff dedicated to aggressively representing their interests. Our entire approach to counseling and litigation is explicitly structured to meet our clients' needs. Whether defending your lawsuit, helping to identify, manage, and eliminate legal risk, or offering other consultative services, we seek the most direct solution possible, minimizing costs and expended time.

Our first objective is to understand our clients' needs and goals. Secrest Wardle's extensive litigation experience allows us to quickly and economically identify methods of achieving those goals while avoiding legal pitfalls. When litigation is the only available solution, we believe it is a collaborative effort involving our clients and our attorneys. Secrest Wardle's guiding principle is that each case should be resolved as quickly and efficiently as is reasonably possible. We will develop a negotiation strategy designed to produce the fastest successful resolution. If a hearing is the best solution to the problem, results cannot be guaranteed. However, our clients can rest assured that our extensive experience will serve them well.

In assigning files and tasks to attorneys in the Municipal Law Practice Group and throughout the Firm, we perform the following analysis:

- Consider the nature of the case and its level of complexity
- Identify the applicable practice group best suited to handle the matter
- Consider the expertise and experience (number of trials, years of experience) of the attorney and his/her current work load to assure that the assigned attorney has both the competence and time to aggressively handle the matter

The Firm's main office, from which work would be performed for the Village of Lake Orion, is located in the City of Troy. We also have offices throughout the State of Michigan, in Lansing and Grand Rapids. The addresses of the Firm's three locations are:

Troy - Main Office

2600 Troy Center Drive
P.O. Box 5025
Troy, MI 48007-5025
(248) 851-9500

Grand Rapids Office

2025 East Beltline S. E., Suite 600
Grand Rapids, MI 49546
(616) 285-0143

Employed in the Troy office are 62 attorneys. Executive Partner, and Managing Partner of the Municipal Practice Group, Mark S. Roberts, located in the Troy office, would be the Primary Lead Attorney to oversee legal services provided to the Village. Across our two office locations, the Firm employs approximately 67 attorneys. Attorneys from each of our Practice Groups are available for their expertise and experience in specialty areas of the law to meet the requirements outlined by the Village on a case-by-case basis. Mr. Roberts will have the resources of the entire Firm available to assist in providing exceptional legal services to the Village of Lake Orion.

Resumes for the qualified lawyers proposed to perform services on behalf of the Village are contained in section 3 below, Resumes and Work-Related References for Proposed Village Attorneys.

3. Resumes and Work-Related References for Proposed Village Attorneys

Secret Wardle proposes dedicating five seasoned municipal and appellate attorneys, each with specific and extensive village and general municipal experience, to be assigned to provide legal services to the Village of Lake Orion. All the attorneys hold juris doctor degrees from American Bar Association accredited schools, hold valid licenses to practice law in Michigan, and have been practicing for a minimum of five years.

The following attorneys are proposed to serve the Village on an ongoing basis: Mark Roberts is an Executive Partner and serves as the Managing Partner of the Municipal Law Practice Group, overseeing the day-to-day functions of the group. Alana E. Knox and Nancy Cooper Green are Partners with the Firm and members of the Municipal Practice Group. L. Charlynn Turner is a partner and the municipal prosecutor for the Group. Matthew Nicols is a partner in the firm and is its lead appellate attorney. Mark Roberts is proposed to be Primary Lead Attorney while Alana Knox, Nancy Green, and Matthew Nicols are proposed to be Support Attorneys. L. Charlynn Turner will provide prosecution services. Secret Wardle is most proud of the camaraderie and work ethic shared between counsel proposed to represent the Village of Lake Orion, and all the attorneys and staff within the Municipal Law Practice Group. Mark Roberts proposes to take an active role in representing the Village, along with this hand-picked team.

Secret Wardle assures the Village that our Firm is presently well-staffed and well-prepared to accommodate its legal needs. In the unlikely event a conflict should arise for an assigned attorney to attend a meeting or hearing, our Municipal Law Practice Group is equipped to provide an equally experienced attorney to fill in if Mr. Roberts should become unavailable due to an unforeseen illness, or other scheduling conflict.

Our highly trained support staff is expert at anticipating conflicts and resolving them before they become an issue. The collaborative work environment of our entire Municipal Law Practice Group, and additionally, the availability of several seasoned municipal attorneys, allows for seamless coverage for all of our clients' needs. The attorneys and staff in our Municipal Law Practice Group are a tight-knit group, working collaboratively across practice areas for many years.

Secret Wardle will commit to providing the Village of Lake Orion with either Mr. Roberts, Ms. Knox, or Ms. Green being present at the Village for on-site office hours for 2-3 days per week, 3 hours per day, should the Village wish to take advantage of this service. Mr. Roberts will be available to attend two regularly scheduled Village Council meetings. Mr. Roberts, Ms. Knox, and Ms. Green, or other attorneys in our Municipal Law Practice Group as approved by the Village administration, are available to attend additional Village meetings as requested and/or required.



Proposed Primary Lead Attorney - Mark S. Roberts
Executive Partner, Managing Partner of the Municipal Law Practice Group

Direct Phone: (248) 539-2815

Cell Phone: (810) 429-1109

E-mail: mroberts@secretwardle.com

Mark Roberts is proposed as the Primary Lead Attorney in providing the Village of Lake Orion with General Village Legal Services. Mr. Roberts joined Secret Wardle’s Municipal Law Practice Group in 1996. He handles general litigation matters for the Firm’s municipal clients, including ordinance enforcement matters, eminent domain actions, contract claims, *Headlee Amendment* claims, and defending claims against the Firm’s municipal clients arising from prosecutions and ordinance enforcement matters. He serves as counsel for West Bloomfield Township and the City of Bloomfield Hills, as well to numerous lake improvement boards, supervising the establishment and operation of the lake boards, as well as defending claims filed against them. Mr. Roberts handles cases and appeals in the State District and Circuit Courts, Court of Appeals, Supreme Court, and in the Federal District Court and the Sixth Circuit Court of Appeals.

Mr. Roberts has obtained favorable outcomes in cases involving alleged First and Fourth Amendment constitutional violations, Religious Land Use and Institutionalized Persons Act (RLUIPA), Adult Entertainment/First Amendment cases, and *Headlee Amendment* cases for the Firm’s municipal clients. He has also obtained favorable results on behalf of municipal clients in land use cases involving lake front property rights, docking regulations, challenges to special assessment districts, dangerous building demolition, as well as property maintenance and/or zoning enforcement matters. In addition to litigation, he has regularly attended city commission, village council, lake improvement board, township board, zoning board of appeals, and planning commission meetings on behalf of Firm clients, providing guidance on procedural and substantive issues, and drafting ordinances.

Mr. Roberts has presented seminars on the issue of sign regulation following a landmark ruling by the United States Supreme Court in *Reed v Town of Gilbert*. Additionally he has provided training presentations to zoning board of appeals and planning commissions. He is also well acquainted with *Open Meetings Act* and *Freedom of Information Act* requirements, and has successfully litigated these issues in court. Mr. Roberts is also experienced in zoning and planning matters, having worked with communities in the master planning process, the adoption of new zoning ordinance codes, as well as developing amendments to existing ordinance code provisions.

Prior to entering private practice, Mr. Roberts worked as a court clerk and subsequently as a staff attorney in the Oakland County Circuit Court where he became well-versed in court procedures. His experience as a litigation attorney and municipal prosecutor, coupled with his work within the court system and familiarity with zoning theories and procedures, make him uniquely qualified to effectively handle zoning and building code enforcement actions.

Mr. Roberts graduated from Wayne State University in 1987. He earned his law degree from The Detroit College of Law in 1990 where he also served on the Detroit College of Law Review while pursuing his degree. He was admitted to the Michigan Bar in 1990. Prior to joining Secrest Wardle, Mr. Roberts served as the staff attorney to the Hon. David F. Breck. He is currently admitted to practice in all Michigan state courts (P44382) as well as in the United States District Court, Eastern District of Michigan and the United States Sixth Circuit Court of Appeals. Mr. Roberts enjoys a 5.0 “Preeminent” rating by Martindale-Hubble®.

Mr. Roberts has served his community as a member of its Zoning Board of Appeals and on its Board of Review.

The following are representative matters handled by Mr. Roberts:

Charter Township of West Bloomfield v UGARS and Vanmeerbeeck – Code enforcement action seeking abatement of zoning violation. Prevailed in the trial court on motion for summary disposition, order entered for demolition of residence built without permits after removal of a preexisting legal nonconforming use. Decision affirmed by Court of Appeals, February 14, 2025.

Dezman/Geiger v Charter Township of Bloomfield – Appeal from Zoning Board of Appeals decision denying request to keep chickens on residential property in the Township. The ZBA’s denial was affirmed by the Circuit Court, but the Court of Appeals initially reversed. The Supreme Court reversed the decision of the Court of Appeals, remanding the case for further consideration. On remand the Court of Appeals affirmed the ZBA’s decision on June 27, 2024.

Ruman v City of Warren – Mr. Roberts represented the City on this class action lawsuit alleging the City’s Act 345 millage, supporting its police and fire retirement benefits, violated the *Headlee Amendment*. The case was dismissed on motion for summary disposition, Plaintiff appealed to the Court of Appeals and Supreme Court, affirmed by an August 17, 2023, published opinion of the Court of Appeals, and leave to appeal denied by the Supreme Court’s December 23, 2024, Order following oral argument.

Youmans v Charter Township of Bloomfield – a class action lawsuit alleging the Township’s water and sewer rates violated the *Headlee Amendment*. Adverse decision following bench trial reversed and remanded for entry of no cause of action against Township by Court of Appeals opinion approved for publication March 2, 2021, leave to appeal denied by Supreme Court on July 6, 2021.

Kas Dalaly v Charter Township of West Bloomfield – Zoning Board of Appeals denial was appealed to Circuit Court, which reversed and ordered the ZBA to grant the variances. Variances were granted but expired when the Developer failed to timely obtain permits or commence construction. After almost ten years, Developer sought to develop the property and filed a motion for a contempt order when Township refused to issue permits. The Circuit Court ordered variances to be granted. The Township appealed to the Court of Appeals, which reversed and dismissed the case by its opinion issued February 10, 2025.

Brodeur v RCOC – trip and fall on public road – Motion for Summary Disposition granted on governmental immunity defense.

Dorr v City of Ecorse – claim of unconstitutional taking of private property dismissed on Motion for Summary Disposition, affirmed in the Court of Appeals.

Frank Lawrence v Bloomfield Township – various constitutional claims alleged in a number of state and federal court actions, all dismissed on Motions for Summary Disposition or Summary Judgment, all affirmed in the Sixth Circuit Court of Appeals and state appellate courts

RCOC v Gateway Center, LLC – condemnation, favorable resolution following case evaluation

Top Flight, et al v City of Inkster – successful defense of the City’s adult use regulation in federal court

West Bloomfield Township v Cedar Creek Landscaping – property maintenance/environmental damage – prevailed following trial

Dearborn Heights v Nasser Abunab – property maintenance lawsuit – Motion for Summary Disposition granted, dismissal of constitutional counter-complaint

TC Spann Bible Institute v Inkster – federal court RLUIPA claim - obtained dismissal

Karkoukli v Dohany, et al – 42 U.S.C. §1983 civil rights notice claim stemming from property tax foreclosure– dismissed on Motion for Summary Judgment – affirmed in the Sixth Circuit Court of Appeals in a May 17, 2005, published opinion

Mr. Roberts’ References:

Steven Kaplan, former West Bloomfield Township Supervisor
 Wayne County Prosecutor’s Office
 5301 Russell St
 Detroit, MI 48211
skaplan@waynecountymi.gov

Mike McCready, Supervisor
 Charter Township of Bloomfield
 4200 Telegraph Rd., P.O. Box 489
 Bloomfield Hills, MI 48303
mmccready@bloomfieldtwp.org

Lynne M. Senia, City Clerk
 City of Dearborn Heights
 6045 Fenton
 Dearborn Heights, MI 48127
lsenia@dearbornheightsmi.gov

Teri Weingarden, Treasurer
 Charter Township of West Bloomfield
 4550 Walnut Lake Road
 West Bloomfield, MI 48323
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Proposed Support Attorney – Alana Ballantyne Knox
Partner, Municipal Law Practice Group
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Alana Knox joined the Municipal Law Practice Group in 2022. Since joining the Municipal Law Practice Group, she has provided legal services to the Charter Township of West Bloomfield, the City of Bloomfield Hills, the City of Auburn Hills, the City of Warren, Bloomfield Township, Pittsfield Township, and Southfield Township.

Prior to joining Secrest Wardle, Ms. Knox worked for Fahey, Schultz, Burzych, Rhodes PLLC, a firm focused on municipal law located in East Lansing, Michigan. There, she provided legal services to over twenty (20) Michigan communities including cities, townships, and villages. During law school, Ms. Knox clerked for Judge Wanda Stokes in the 30th District Court. There, Ms. Knox managed the judge's administrative appeal docket, drafting orders and opinions on appeals from state agencies, local governments, and prisons. Ms. Knox also worked for the American Civil Liberties Union (ACLU) on its SMART Justice Reform Policy, aimed at reforming Michigan prisons and sentencing guidelines for non-violent offenses.

Ms. Knox has developed a specialty in small cell, cable, and METRO act regulation and implementation, assisting communities across Michigan in drafting appropriate ordinances, negotiating relevant contracts and agreements, and guiding communities through the application and implementation of small cell wireless and fiber.

Ms. Knox has successfully litigated on behalf of her clients in district and circuit court, as well as in the Michigan Court of Appeals on a wide variety of issues, from civil rights complaints, Michigan Tax Tribunal matters (MTT), to zoning appeals. She has served as general counsel to large and small communities across the state, advising communities on issues such as ordinance enforcement, marijuana ordinance enforcement and policy changes, election law, FOIA appeals, environmental appeals, worker's compensation claims, employee investigations and terminations, and intergovernmental cooperation between communities and agencies.

Alana Knox has also conducted several employee investigations on behalf of municipal clients. These investigations examine the conduct of both appointed/elected officials and employees of municipalities and recommend appropriate disciplinary action. This disciplinary action may include censure for elected officials, termination for employees, or referral for criminal investigations, if appropriate. In addition to her labor and employment work for various municipalities Alana also provides support to prosecutor L. Charlynn Turner.

In addition to her expertise in small cell, fiber cable, and METRO Act, Ms. Knox has experience drafting comprehensive municipal ordinances related to the administration and enforcement of the State Construction Code, zoning ordinance amendments, mobile food vending, stormwater management, erosion and sedimentation control (SESC), waste hauler operations, the implementation of municipal civil infractions, the implementation of recreational marijuana, and

wetland protection and management. When drafting ordinances and advising on their implementation, Ms. Knox strives to strike a balance between individual community policy goals, compliance with state and federal law, and risk mitigation.

Ms. Knox has extensive experience in zoning and land use management. She has drafted numerous zoning ordinances for communities which had never before had a zoning ordinance of their own. She has also negotiated and drafted Planned Unit Development Agreement (PUDs), drafted hold harmless agreements, created special assessment districts (SADs), negotiated and drafted development deeds between municipal clients and developers, reviewed and drafted Master Deeds for PDD and PUD developments, drafted wireless facility site maintenance agreements, and drafted intergovernmental agreements, including those creating intergovernmental commissions. She has advised and defended Zoning Boards of Appeal and Planning Commissions across the state and has provided communities with advice and guidance on Master Plan updates.

Additionally, Ms. Knox has experience in the areas of worker's compensation, labor and employment law, election law, county and municipal drainage issues (including lake improvements), labor and collective bargaining actions, liquor licensing, property acquisition - including eminent domain and condemnation actions, and municipal authorities, including sanitary sewer systems, and water systems, and emergency services.

Ms. Knox is a member of the State Bar of Michigan (P85859) and the Ingham County Bar Association. Ms. Knox received her Bachelor of Arts degree from Loyola University Chicago and her Juris Doctor, *magna cum laude*, from Michigan State College of Law. Alana graduated from Michigan State College of Law's Trial Practice Institute. She was a member of multiple moot court teams including a semi-finalist for the ABA national competition, was a member of the executive board of Michigan State's International Law Review, the Appellate Director for the Board of Advocates, and served as a teaching assistant for Judge David McKeague of the 6th Circuit. Her article, *Film in Crisis: Why Pushing Back Against Censorship Should be a Central Component of US Trade Policy with China and Saudi Arabia* was selected for publication in the 2021 edition of the Michigan State International Law Review. She was admitted to the State Bar of Michigan in 2021.

The following are representative of matters handled by Ms. Knox:

Litigation

- *Clark v Charter Township Bloomfield*, Oakland County Circuit Court, Case. No. 24-210605-AA (appeal from a zoning board of appeals decision)
- *Sidney Barrett vs. Lake Pro Inc.*, Worker's Disability Compensation Agency's Board of Magistrates (Forrest Lake Board was a third-party defendant in a Worker's Compensation case)

- *12 Mound Development LLC et. Al, vs. City of Warren*, Macomb Circuit Court, Case No. 2023-001732-CZ (zoning amendment denial procedure challenged)
- *Butcher vs. City of Auburn Hills*, Case No. 23-203333-AV (appeal arising from a final order on a municipal civil infraction)
- *Charter Township of West Bloomfield vs. Nick Yono and Real Property Located at 6229 Golden Lane, West Bloomfield, Michigan*, Oakland County Circuit Court, Case No. PB 13-1-1120-181935-CE (code enforcement / permit issue)
- *Vlachos vs. Charter Township of West Bloomfield*, Oakland County Circuit Court, Case No. 2023-201017-AA (appeal from a zoning board of appeals decision)
- *Shinn vs. Yaldo*, Oakland County Circuit Court, Case No. 2024-207659-CZ (defamation case with the Township as a third-party defendant)
- *Vlachos vs. Charter Township of West Bloomfield*, Oakland County Circuit Court Case No. 24-211439-CZ (injunctive civil action to stop Township demolition of pole barn)
- *Charter Township of West Bloomfield vs. Jacob Kalo*, Oakland County Circuit Court, Case No. 2024-207-356-CE (cross-litigation regarding an environmental violation on lake-front property)
- *Fletcher-Parks v West Bloomfield Township Police Dept*, Michigan Department of Civil Rights, MDCR 635116 (civil rights complaint stemming from emergency call)
- *Granitz-Chottiner vs. Charter Township of West Bloomfield*, Michigan Department of Civil Rights, MDCR 641084 (civil rights complaint stemming from interaction with supervisor’s office)
- *McKeldin vs West Bloomfield Township Fire Station No. 5*, Michigan Department of Civil Rights, MDCR 632149 (civil rights complaint stemming from emergency call)
- *Charter Township of West Bloomfield vs. Vanmeerbeeck*, Oakland County Circuit Court, Case No. 20-183280-CE (cross-litigation on a code enforcement issue)
- *People of West Bloomfield Township vs. Janelle Dierof*, 48th District Court, Case No. 24WB06357 (misdemeanor action related to ticket)

Appeals to the Michigan Court of Appeals

- *Dezman and Geiger vs. Charter Township of Bloomfield and the Charter Township of Bloomfield Zoning Board of Appeals*, Case No. 360406 (appeal from a decision by the zoning board of appeals)
- *Charter Township of West Bloomfield vs. Nick Yono*, Case No. 373753 (appeal from the enforcement of a settlement agreement by the Township)

Sample Advisory Opinion Topics

- Right to Farm Act
- Metro Act application, extensions, and renewals
- Small Cell Wireless statute, applications, and processes
- Recreational marihuana policy for Adult Use Marihuana Establishments
- Termination of municipal employees
- Censure of elected officials
- Freedom of Information Act
- Open Meetings Act
- Environmental Appeals
- First Amendment considerations regarding handbills on public property
- Police Interaction and documentation domestic violence
- Wetland maintenance
- Woodland restoration
- Lake access rights

Sample List of Ordinances and Amendments

- City of Auburn Hills, Adult Use Marijuana Establishments
- West Bloomfield Ordinance C-562, Solid Waste Management
- West Bloomfield Ordinance No. C-735-B, Vacant Property
- West Bloomfield Ordinance No. C-249, Mobile Food Vending
- West Bloomfield Ordinance No. C-746-D, Rental Property
- West Bloomfield Ordinance No. C- 731, Case Investment Policy
- West Bloomfield Ordinance No. C-874, Cultural and Community Engagement
- West Bloomfield Township Ordinance No. C-265, Auto Related Uses
- West Bloomfield Township Ordinance No. C-832, Handbills

Ms. Knox's references:

Matthew Kuschel, Esq.
Municipal Attorney;
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Lansing, Michigan
(517) 927-7300

Erik Beauchamp
Code Enforcement Department Head
Charter Township of West Bloomfield
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Proposed Support Attorney - Nancy Cooper Green
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Nancy Cooper Green joined the Municipal Law Practice Group in 2012. Since joining the Municipal Law Practice Group she has provided legal services to the Charter Township of West Bloomfield, the City of Oak Park, the City of Bloomfield Hills, Bloomfield Township, and Wayne County. Ms. Green has over 35 years of municipal experience. Prior to joining the Firm, Ms. Green was the Chief Assistant City Attorney for the City of Warren. Ms. Green has been general counsel providing comprehensive legal services for every facet of the municipality. She has successfully litigated civil cases in all state courts and prosecuted ordinance violations in district and circuit court. She has argued and won many cases in the Michigan Court of Appeals, litigated a political speech case in the United States Court of Appeals, and litigated land use cases in the United States District Court.

Ms. Green has considerable experience advising the governing body, the administration, the various municipal Boards, Commissions, and Authorities on compliance with the Charter, Code of Ordinances, state and federal statutes, and the Michigan and United States Constitutions providing risk assessment and recommended courses of action to minimize and manage legal risk.

Ms. Green also has considerable experience drafting legislation and providing legal guidance in the legislative process. She has drafted comprehensive regulations to address the secondary impacts of oil and gas activities, smoking lounges, massage establishments; environmental protection, and sexually oriented businesses. She also drafted municipal ordinances to ensure compliance with federal and state regulations.

Ms. Green also has experience advising the municipal client with environmental issues. She wrote the ordinance and assisted in implementing the National Pollutant Discharge Elimination System (NPDES) program to comply with the Warren Waste Water Treatment Plant's obligations under their NPDES license, Clean Water Act Regulations and spoke on enforcement at the EPA Region 5 NPDES Enforcement Seminar at the request of the EPA. Since joining the Firm, Ms. Green has provided legal advice and defense to the Environmental Division of the Charter Township of West Bloomfield.

Nancy Cooper Green has developed a strong reputation for her work in the area of zoning and land use regulation, drafting numerous zoning ordinances including but not limited to a downtown mixed use, planned unit development, zoning board of appeals, signage, and wireless facilities regulations. She regularly conducts in-house training sessions related to ordinance application and enforcement and the role of the Zoning Board of Appeals and has provided advice and defense services to Planning Commissions and the Zoning Board of Appeals for many years.

Additionally, Ms. Green has experience in the areas of public employment law, contract law, municipal real estate law, and the application of constitutional protections as it relates to

municipalities under the First Amendment, Freedom of Speech and Freedom of Association protections; and the Fourth Amendment protection against unreasonable searches and seizures.

Ms. Green is a member of the State Bar of Michigan (P39215) and Oakland County Bar Association. Ms. Green received her Bachelor of Arts degree from Michigan State University and her Juris Doctor, *cum laude*, from Michigan State College of Law. She was admitted to the State Bar of Michigan and the United States District Court in 1986 and the United States Court of Appeals in 1996. Ms. Green has received an AV Preeminent® Peer Review Rating by Martindale-Hubbell.

Ms. Green's references:

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248-409-1581

Debbie Binder
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248-251-4848

Teri Weingarden
West Bloomfield Township Clerk
4550 Walnut Lake Road
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248-251-4840



Proposed Support Attorney – Matthew T. Nicols
Partner, Appellate Law Practice Group Chair
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Mr. Nicols joined Secrest Wardle in March 2023. He is the Chair of the Firm’s Appellate Law Practice Group, which is his main focus of practice. Mr. Nicols handles appeals in the Michigan Court of Appeals and Supreme Court, as well as in the United States Court of Appeals for the Sixth Circuit. Mr. Nicols is licensed to practice law in all state and federal courts within the State of Michigan, as well as the United States Court of Appeals for the Sixth Circuit and the United States Supreme Court. Mr. Nicols has been named to the Michigan Super Lawyers’ Rising Stars lists in Super Lawyers magazine, for Appellate Law, from 2020 – 2024 and was recognized as a “Top Lawyers in Metro Detroit” as published in DBusiness magazine for Appellate Law in 2025.

In addition to appellate practice, Mr. Nicols also handles a variety of civil litigation matters for the Firm’s municipal, insurance and business clients, involving general negligence, premises liability, automobile negligence and No-Fault Act claims, wrongful death, contract disputes and insurance coverage, indemnification claims, and defends claims against the Firm’s municipal clients arising from alleged civil rights violations, alleged police officer misconduct, takings claims, § 1983 and due process matters. As part of the Appellate Practice Group, Mr. Nicols and the Firm’s appellate attorneys provide Secrest Wardle’s trial attorneys with critical legal analyses, caselaw input, and drafting and arguing motions for summary disposition, motions in limine, and post-judgment/post-verdict motions. The Firm’s appellate attorneys, at times, are embedded with our attorneys at trial in order to assist in the jury trial process and to preserve issues for appellate purposes.

Mr. Nicols regularly appears in court and has handled cases in both state and federal trial courts and appellate courts. He has obtained favorable outcomes in cases involving alleged Fourth, Fifth, Eighth, and Fourteenth Amendment constitutional violations, federal takings claims, police officer misconduct/excessive force cases, and property forfeiture claims for the Firm’s municipal clients. He has also obtained favorable results on behalf of the Firm’s clients in automobile negligence, No-Fault Act, and premises liability cases before the Court of Appeals. Mr. Nicols has also obtained successful decisions in the United States Court of Appeals for the Sixth Circuit involving municipal right of first refusal tax foreclosure purchases, civil conspiracy, RICO Act, employment discrimination matters, and excessive force claims.

Prior to joining Secrest Wardle, Mr. Nicols was an attorney at the law firm of Pentiuk, Couvreur & Kobiljak, P.C., located in Wyandotte, Michigan. There, his practice focused in representing municipalities, businesses, condominiums, housing cooperatives, and apartment complexes in real estate litigation, general civil litigation, and appeals. He provided legal representation in several tax foreclosure litigation and appellate cases involving the municipal right of first refusal under the General Property Tax Act (GPTA) and redevelopment companies that rehabilitate tax-foreclosed homes in an effort to revitalize the municipalities neighborhoods. Prior to his

employment at Pentiuik, Couvreur & Kobiljak, P.C., Mr. Nicols was a staff attorney for approximately six years at Legal Aid & Defender Association and Lakeshore Legal Aid, where he represented indigent litigants in landlord-tenant matters and consumer defense cases, and appeals. Throughout Mr. Nicols' twelve years as an attorney, he has successfully represented clients from all walks of life, from individuals and small businesses to municipalities and large corporations.

Mr. Nicols graduated from the University of Detroit Mercy School of Law in 2013, where he also served on the Law School's Mortgage Foreclosure Defense Clinic while pursuing his degree. He was admitted to the Michigan Bar in 2014. Mr. Nicols received his Bachelor of Arts degree from Arizona State University in 2008, magna cum laude, in Justice Studies and Social Inquiry.

Notable cases and opinions:

Hayes v. Clariant Plastics & Coatings USA, Inc., 144 F.4th 850 (6th Cir. 2025) (Title VII, employment discrimination, wrongful termination) (successfully reversing district court's grant of summary judgment in favor of defendant-employer and remanding plaintiff's Title VII sex/gender discrimination and Equal Pay Act claims for trial.)

Lashbrook v Grask, ___ Mich App ___; ___ NW3d ___ (2025), Docket No. 369669, 2025 WL 223486 (Automobile Negligence) (obtained published Court of Appeals opinion affirming dismissal of plaintiff's auto negligence case based on statute of limitations and improper service for failure to substitute plaintiffs' decedents' estates following their death at scene of accident.)

A2C2 Pship, LLC v Loch Alpine Improvement Ass'n, unpublished opinion of the Court of Appeals, issued April 16, 2019 (Docket No. 342743), 2019 WL 1644975 (Real Estate and Restrictive Covenants) (successfully obtained Court of Appeals' opinion affirming Homeowners Association's deed restrictions that prevented residential development on subdivision lots specifically reserved for use/employment of a golf course or parks and recreation area.)

Bronson Health Care Group, Inc v Progressive Michigan Ins Co, unpublished opinion of the Court of Appeals, issued July 23, 2025 (Docket No. 368835), 2025 WL 2078322 (obtained reversal of million-dollar-plus judgment against defendant, and determination from Court of Appeals pertaining to No-Fault Act requirements for insureds opting out of personal injury protection ("PIP") benefits and effect of opt-out on insured's spouse and other qualified persons.)

Brown v King Custom Design, Inc, unpublished opinion of the Court of Appeals, issued June 23, 2025 (Docket No. 368602), 2025 WL 1739763 (Wrongful Death and Premises Liability) (obtained opinion affirming summary disposition in favor of defendant premises owner involving alleged wrongful death action, where premises owner lacked notice of hazardous condition.)

Scott v EAN Holdings, LLC, unpublished opinion of the Court of Appeals, issued November 20, 2024 (Docket No. 366706), 2024 WL 4847759 (Automobile Negligence) (obtained opinion affirming trial court's grant of summary disposition in favor of defendant in automobile negligence and uninsured motorist benefits claim, where plaintiff failed to prove threshold injury pursuant to *McCormick v Carrier*, 487 Mich 180; 795 NW2d 517 (2010).)

Shade v. City of Warren, No. 24-CV-10623, 2025 WL 901255 (E.D. Mich., March 25, 2025) (Unlawful Arrest, Excessive Force, Fourth and Fifth Amendment) (Obtained dismissal of federal lawsuit alleging Warren Police Officers committed wrongful arrest and used excessive force against arrestee.)

De Gortari v. Warren Police Department, No. 23-12578 (E.D. Mich., Aug. 28, 2024) (Civil Rights, § 1983, Takings, Property Forfeiture, *Monell* Claim) (Obtained dismissal of federal lawsuit against Warren Police Department alleging unlawful seizure and forfeiture of currency following traffic stop.)

Estate of Moore v. City of Warren, No. 21-12267, 2024 WL 329129, at *1 (E.D. Mich., Jan. 29, 2024) (Civil Rights, Federal Takings, Property Forfeiture, Due Process, § 1983, and *Monell* Claim) (Obtained dismissal of 8 of 10 claims alleging the Warren Police Department unlawfully retained and forfeited personal property and currency during search.)

Levitan v. Warren Police Dept, No. 22-CV-10162, 2023 WL 8437611 (E.D. Mich., Dec. 5, 2023) (Police Officer Excessive Force Claim, *Monell* Claim) (Obtained dismissal of federal lawsuit alleging Warren Police Officers committed wrongful arrest and used excessive force against arrestee.)

Tawanda Hall, et. al. v. Andrew Meisner, et. al., 51 F.4th 185 (6th Cir. 2022) and No 21-1700, 2022 WL 7478163 (6th Cir Oct. 13, 2022) (Affirming dismissal of constitutional, conspiracy and common law claims against purchaser of tax-foreclosed properties.)

Jackson v. Southfield Neighborhood Revitalization Initiative, No. 344058, 2019 WL 6977831, at *1 (Mich. Ct. App. Dec. 19, 2019), *judgment vacated in part, appeal denied in part*, 953 N.W.2d 402 (Mich. 2021) (Affirming dismissal of constitutional, conspiracy and common law claims against purchaser of tax-foreclosed properties.)

City of Riverview v Prudential Sec Inc, unpublished opinion of the Court of Appeals, issued July 15, 2021 (Docket No. 353950), 2021 WL 3009747 (Municipality Contract, Landfill Operations and Security) (Obtained opinion affirming trial court's grant of summary disposition in favor of municipality in breach of security contract dispute).

Hixon v Westwick Square Coop, unpublished opinion of the Court of Appeals, issued March 25, 2021 (Docket No. 351825), app denied, 924 N.W.2d 582, (Mich. 2019) (Real Estate, Housing Cooperative, Corporate Shares and Counterclaims challenging eviction and sale of shares) (Obtained opinion affirming judgment in favor of housing cooperative corporation and affirming dismissal of defendant's counterclaims).



**Proposed Prosecuting Attorney – L. Charlynn Turner
 Partner**

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L. Charlynn Turner joined Secrest Wardle’s Troy office as a Partner in 2024 and she is a member of the Firm’s Appellate and Municipal Practice Groups. She handles some civil appeals, along with city criminal prosecutions and other related matters for the City of Auburn Hills, City of Bloomfield Hills, and Waterford Township.

Charlynn is admitted to practice in the State of Michigan and is also licensed to practice in the U.S. Court of Appeals for the Sixth Circuit and the U.S. District Court for the Eastern District of Michigan.

Prior to joining Secrest Wardle, Charlynn worked in various roles at Oakland County since law school, including the Water Resource Commissioner’s Office, Corporation Counsel, and the Prosecutor’s Office. While an Assistant Prosecuting Attorney at the Oakland County Prosecutor’s Office, she conducted over 12 bench and jury trials in several jurisdictions such as Pontiac, Novi, Rochester, Royal Oak, Oak Park, Madison Heights, and Clarkston. Charlynn began her post-law school career as a research attorney at the Michigan Court of Appeals and then as a judicial clerk to former Justice Kurtis T. Wilder of the Michigan Supreme Court.

During law school, Charlynn served as a member of the Law Review Editorial Board, Mock Trial Board, and Moot Court Board. She was regularly on the Dean’s list and received several “book” awards in classes such as Advanced Legal Writing, Pretrial Skills, and State and Local Government. And she externed at the Genesee County Prosecutor’s Office in the Major Crimes Unit, assisting in multiple high profile murder cases while she was there. Charlynn graduated from Western Michigan University Thomas M. Cooley Law School *magna cum laude* in 2016.

Before law school, Charlynn worked in various roles in all three levels of government and all three branches of government, including policy work for former Governor Pat Quinn of the State of Illinois and former Brad Ellsworth, U.S. Congressman for the State of Indiana.

4. Synopses of Cases

Some relevant court cases involving Secrest Wardle's municipal representation include:

- 1) *Gordon v City of Bloomfield Hills* - Secrest Wardle (former Senior Partner and Managing Partner of the Municipal Law Practice Group, William P. Hampton) successfully defended the City of Bloomfield Hills in a case in which the Court of Appeals upheld compatibility standards for lot splits.
- 2) *Dezman/Geiger v Charter Township of Bloomfield* – Mr. Roberts, assisted by Ms. Knox, defended an appeal from a Zoning Board of Appeals decision denying request to keep chickens on residential property in the Township. The ZBA's denial was affirmed by the Circuit Court, but the Court of Appeals initially reversed. Mr. Roberts sought leave to appeal to the Supreme Court, which reversed the decision of the Court of Appeals, remanding the case for further consideration. On remand the Court of Appeals affirmed the ZBA's decision.
- 3) *Daimler Chrysler Corporation v City of Auburn Hills, et al.* – Derk Beckerleg successfully represented the City of Auburn Hills in this 2008 Michigan Supreme Court case in which the Michigan Supreme Court denied Daimler Chrysler Corporation's request for a pollution control tax exemption for the Chrysler Technology Center.
- 4) *Ruman v City of Warren* (2024) – class action lawsuit alleging the City's Act 345 millage, supporting its police and fire retirement benefits, violated the *Headlee Amendment*. Case dismissed on motion for summary disposition, briefed and argued by Mark Roberts before the Court of Appeals and Supreme Court, affirmed by an August 17, 2023, published opinion of the Court of Appeals, leave to appeal denied by the Supreme Court's December 23, 2024, Order following oral argument.
- 5) *Youmans v Charter Township of Bloomfield* (2021) – class action lawsuit alleging the Township's water and sewer rates violated the *Headlee Amendment* defended by Mr. Roberts. An adverse decision following the bench trial was reversed and remanded for entry of no cause of action against Township by Court of Appeals opinion approved for publication March 2, 2021. An application for leave to appeal was denied by the Supreme Court on July 6, 2021.
- 6) *City of Huntington Woods and City of Pleasant Ridge v City of Oak Park and the 45th District Court* (2015), Ms. Green successfully defended the City of Oak Park in a District Court funding dispute.
- 7) *Frank Lawrence v Bloomfield Township* – various constitutional claims alleged in a number of state and federal court actions, all dismissed on Motions for Summary Disposition or Summary Judgment, all affirmed in the Sixth Circuit Court of Appeals and state appellate courts

5. Sample Billing Statements

The following sample is representative of Secrest Wardle's detailed billing statements issued to the Firm's municipal clients. We understand that the statement required by the Village of Lake Orion shall include a breakdown of the legal services costs by legal issue, time spent on each issue, prosecution and defense time spent in district court, circuit court, and on general legal work, and other relevant billing detail. Secrest Wardle is prepared to accommodate the Village's request for submittal of such statements on a monthly basis.

Representative sample attached as Addendum 2.

6. Statement of Fee Schedule

Secrest Wardle is cognizant of the Village’s anticipation of entering into a fee-based agreement for a period of two years, with the Village’s right to extend such an agreement for additional one-year periods based upon written mutual consent. We understand that such an agreement would be terminable upon 30 days’ written notice by either party, without cause. We understand that billable time and expenses are to be paid in accordance with the Village’s current policy. Our Firm is in general agreement with such arrangements.

The Village may expect an attorney-client relationship with Secrest Wardle to be transparent and collaborative in nature. Our Firm is appreciative of the opportunity to submit our Proposal to provide Legal Services to the Village. We propose to provide legal services as General Village Counsel and as Village Prosecutor and Code Enforcement. Secrest Wardle is proposing an hourly rate for all legal services to be provided to the Village.

Secrest Wardle proposes the following straight hourly rate plus costs in providing legal services to the Village of Lake Orion as listed in the Scope of Work contained in the Request for Proposal for General Counsel Legal Services for the Village of Lake Orion:

General Village Legal Services:

- Attorneys - \$165 per hour plus costs for attorney Mark S. Roberts,
 \$160 per hour plus costs for attorneys Alana E. Knox, Matthew Nicols, L. Charlynn Turner, and Nancy Cooper Green
- \$90 per hour, plus costs, for paralegals

Costs would consist of mileage, court filing fees, overnight mail services, long-distance telephone charges, facsimile, and copy charges.

As part of the Firm’s general duties, we are able to accommodate the Village in the selection and management of the services of any special outside counsel that may be deemed necessary.

Billing Requirements

Detailed monthly billing statements (refer to sample attached as required in above section) would be provided, specifying the attorney or paralegal performing the service, the date performed, description and time expended for each service, and an itemization of expenses to be reimbursed, such as:

- Mileage @ .70 cents per mile (or current IRS rate)
- Overnight mail services (actual cost)
- Advanced costs: long distance telephone charges, facsimile (\$1.50 per page), copy charges (@ .20 cents per page/\$1.00 per page for color copies or actual cost if using a copy service)

Expenses would be billed at cost, without an add-on multiplier or administrative fee. This method would be applied to all types of services provided. We do not charge for administrative tasks performed by secretarial staff (e.g., file maintenance, invoicing, verifying date/time/location of events, etc.).

Secret Wardle is open to discussing and likely capable of accommodating other billing methods. Accordingly, if it is determined at any point in this process that the Village's preference is for, or its needs may be better served by way of such a proposal, we would appreciate an opportunity to supplement our proposal in a manner to address same

Proposed Primary Lead Attorney for the Village, Mark Roberts, supported by Ms. Knox and Ms. Green, shall be available to attend all meetings of the Village Council. Mr. Roberts will appear at most Village Council meetings and will have either Ms. Knox or Ms. Green available to appear if Mr. Roberts is unavailable. The Village's other Boards and Commissions will be attended at the request of the Village Board, the Village Manager, or their designees. Either Mr. Roberts, Ms. Knox, or Ms. Green will attend the meeting of the Village's other Boards and Commissions. As an optional service, Secret Wardle will commit to Mr. Roberts, Ms. Knox, or Ms. Green being present for 3 hours at the Village of Lake Orion offices for 2-3 days, or other schedule as negotiated, for regular office hours.

As indicated previously in this Proposal for Legal Services, Secret Wardle anticipates no conflicts in having either Mr. Roberts, Ms. Knox, or Ms. Green attending Village meetings.

7. Statement Pertaining to Worker's Compensation and Unemployment Compensation Insurance

Secret Wardle guarantees to the Village of Lake Orion that the Firm shall 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.

8. Statement Pertaining to General Liability and Professional Liability Malpractice Insurance

Secret Wardle guarantees to the Village of Lake Orion that the Firm shall maintain general liability and professional malpractice coverage for its employees of not less than \$2 million at all times and general liability insurance for not less than \$2 million per occurrence while providing legal services for the Village of Lake Orion.

Additional Information

Conflict

We are aware of no existing or potential conflicts of interest with proposed representation of the Village for General Village Legal Services requested in the current RFP. Because Secrest Wardle represents several communities, the Firm has on occasion had to address potential conflict situations. If such a situation should arise, the Firm strictly follows the guidelines set forth in the Michigan Rules of Professional Conduct, which generally calls for disclosure to all parties and withdrawal as to the matter in conflict, unless waived by all parties.

Licensing Requirements

All Secrest Wardle legal staff possess a valid license to practice law within the State of Michigan as evidenced within their individual biographies, as well as Certificates of Good Standing.

Legal and Professional Associations

Secrest Wardle and its members belong to the following legal and professional associations:

- American Arbitration Association
- American Bar Association
- American College of Trial Lawyers
- American Intellectual Property Law Association
- Armenian American Bar Association
- Association of Defense Trial Counsel
- Association of General Contractors of Greater Detroit and Michigan
- Bond Buyer, list of Municipal Bond Attorneys (Red Book)
- Brother Rice Warrior Bar Association
- Building Owners and Managers Association of West Michigan
- Chaldean American Bar Association
- Defense Research Institute
- Detroit Bar Association
- Eaton County Bar Association
- Federal Bar Association
- Grand Rapids Bar Association
- Ingham County Bar Association
- Insurance Institute of Michigan
- Livingston County Bar Association
- Macomb County Bar Association
- Michigan Association of Municipal Attorneys
- Michigan Association of School Boards
- Michigan Defense Trial Counsel
- Michigan Judges Association
- Michigan Municipal League

National Association of Telecommunications Officials and Advisors
 National College of District Attorneys
 National School Board Association, Council of School Attorneys
 National Society of Professional Insurance Investigators
 Oakland County Bar Association
 Public Corporations Section of the State Bar of Michigan
 Rotary Club of Mt. Clemens
 St. Clair County Bar Association
 State Bar of Michigan
 State Bar of Ohio
 Who’s Who in American Law
 Women’s Lawyers Association of Michigan

About Secret Wardle

With two locations in Michigan, we have been recognized as one of the “Largest Law Firms” ranked by number of attorneys in Southeast Michigan by *Crain’s Detroit Business*. Secret Wardle has been named in *U.S. News - Best Lawyers* to the list of “Best Law Firms” in the following categories: Metropolitan Tier 1 - Troy - Municipal Law; Metropolitan Tier 2 - Troy - Insurance Law, Land Use & Zoning Law, Litigation – Municipal; and Metropolitan Tier 3 - Troy - Personal Injury Litigation – Defendants.

Several of our attorneys have been named to the Michigan Super Lawyers and Rising Stars lists in *Super Lawyers* magazine. Additionally, several of our attorneys have been selected to the list of Michigan “Top Lawyers in Metro Detroit” as published in *DBusiness* magazine.

Secret Wardle is also proud to give back to the community. Employees submit ideas for different charitable organizations to support.

For more information regarding Secret Wardle please feel free to visit our website at www.secretwardle.com. A comprehensive view of the Firm may be obtained, including access to our newsletters, webinars, white papers, and press releases.



ADDENDUM 1 SUMMARY OF PROPOSAL

1. Secret Wardle
 - a. Areas of specialty:
 - Alternative Dispute Resolution
 - Amusement and Leisure
 - Appellate
 - Commercial and Business Law
 - Construction
 - Drug and Medical Device
 - Employment
 - Environmental and Toxic Tort
 - Family Law
 - General Negligence
 - Governmental Litigation
 - Insurance Coverage
 - Intellectual Property / Advertising Injury
 - Malpractice / Professional Liability
 - Motor Vehicle Litigation
 - Municipal
 - Premises Liability
 - Product Liability
 - Property, Fire and Casualty
 - Real Estate
 - Trucking/Commercial Vehicle Litigation
 - b. 112 years
2. Offices
 - a. Troy, Michigan
 - b. No parent firm, second office in Grand Rapids, Michigan
3. Personnel
 - a. Mark S. Roberts, (248) 539-2815, mroberts@secrestwardle.com
 - b. General counsel services, Mak S. Roberts, Alana E. Knox, Nancy Cooper-Green
 Prosecution services, L. Charlynn Turnner
 General civil defense, Mattew Nicols
 - c. Associate, Maxwell Cavellier
 Legal assistant, Gail Fuller
 Legal assistant, Tamera Briggs
 Legal assistant, Arnela Ahmetovic
 - d. There is 62 licensed attorneys in the Troy office of Secret Wardle
 - e. There is a total staff of 130 at Secret Wardle's Troy office

4. The current staff will be sufficient to handle the work generated by lake Orion and Secrest Wardle will not need to add staff to handle this new client. Secrest Wardle is, however, looking to expand its Municipal department and has recently hired a new associate to grow into the Municipal practice group at Secrest Wardle.

5. Statement of experience – see Section 3 of proposal

6. In reviewing the description of the Village of Lake Orion and its needs for legal counsel, it appears that the Secrest Wardle’s Municipal practice group is a good fit for the Village needs. As outlined in Section 3 of this proposal, our attorneys are well versed in the review of development documents including condominiums, business development, as well as the required infrastructure improvements associated with redevelopment. Our firm has prepared numerous development agreements, financing documentation for infrastructure improvements as well as reviewing and enforcing contractual requirements for this work. Secrest Wardle has a strong background in zoning and planning, with decades of experience handling many land use issues including zoning enforcement, RLUIPA issues, regulatory taking claims, and defending challenges to decisions made by the planning commission or zoning board of appeals. Secrest Wardle has led the field in the area of environmental regulations, having drafted early storm water regulations, wet land regulations, and tree ordinance regulations. Secrest Wardle has in the past worked with the Village planning contractor, McKenna of Northville, leading to some innovative ordinances.

7. References
 - Steven Kaplan, former West Bloomfield Township Supervisor
 Wayne County Prosecutor’s Office
 5301 Russell St
 Detroit, MI 48211
kaplan@waynecountymi.gov

 - Lynne M. Senia, City Clerk
 City of Dearborn Heights
 6045 Fenton
 Dearborn Heights, MI 48127
lsenia@dearbornheightsmi.gov

 - Mike McCready, Supervisor
 Charter Township of Bloomfield
 4200 Telegraph Rd. P.O. Box 489
 Bloomfield Hills, MI 48303-0489
mmccready@bloomfieldtpw.org

 - Teri Weingarden, Treasurer
 Charter Township of West Bloomfield
 4550 Walnut Lake Road

West Bloomfield, MI 48323
tweingarden@wbtownship.org

8. The firm has no existing clients or interests that it reasonably foresees constituting a conflict of interest with its representation of the Village of Lake Orion.
9. The attorneys associated with Lake Orion all practice out of our Troy location. Day-to-day activities will be conducted primarily by Mark Roberts, including attending Village meetings, and if selected as an option, attending office hours at Village offices as well. L. Charlyn Turner will handle the prosecutions on behalf of the Village, and currently represents clients in the 52-3 district court. As such Mrs. Turner is well acquainted with the policies and procedures in this court. Matthew Nicols would be primarily responsible for handling general civil litigation involving the Village, supported by the 62 attorneys located in our Troy office.
10. See Section 7 and 8 for insurance information.
11. Our firm does not intend to represent the Village in any labor, bankruptcy, or bond counsel services. Our firm is well equipped to handle tax tribunal and litigation services on behalf of the Village.
12. The Bar Association has not informed Secrest Wardle of any complaints regarding the firm in the past five years.
13. The firm has not been in bankruptcy, sought reorganization or receivership in the past five years.
14. No Municipal client has terminated Secrest Wardle in the past five years, although clients have replaced Secrest Wardle at the end of a contract following a competitive bidding process. Secrest Wardle has also elected not to continue representing particular clients for business reasons.
15. Any inquiries from Village Council, Village Manager or department heads will be in most cases, immediate, as we provide our clients with multiple avenues for communication with the attorney servicing the account. An initial response to inquiries will in no case be longer than 24 hours.
16. If selected, Secrest Wardle would propose a series of meetings with the Village Manager and department heads to outline the major areas of concern facing the Village administration currently, part of this process would also involve the prosecutor assigned to the Village meeting with the police chief and police officers to gain a better understanding of the goals and objectives of the department. In preparation for these meetings, we would review the prior meeting minutes for the Village to familiarize ourselves with the most recent concerns brought to the Village Council.

17. Secret Wardle is not familiar with any potential conflict of interest that would prevent Secret Wardle or any of the attorneys listed in this proposal from performing their required services for the Village.

18. General counsel services:
Executive partner, \$165 per hour
Partner, \$160 per hour
Associate, \$150 per hour
Paralegal, \$90 per hour

Prosecution services:
Executive partner, \$165 per hour
Partner, \$160 per hour
Associate, \$150 per hour
Paralegal, \$90 per hour

Civil cases:

There will be a separate agreement for each civil litigation matter handled by Secret Wardle and the rate specified for that matter will be the same rate for the duration of that litigation matter.

ADDENDUM 1
SAMPLE BILLING STATEMENT



SECREST, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
2600 TROY CENTER DRIVE P.O. BOX 5025
TROY, MICHIGAN 48007-5025
(248) 851-9500

IRS #

[REDACTED]

February 10, 2025
Invoice #
Client No.
Matter No.

RE: [REDACTED]

Services Rendered:

CURRENT BILLING SUMMARY THROUGH JANUARY 31, 2025

Fees for Professional Services	\$XXX
Expenses Advanced	\$XX
CURRENT BILL DUE	\$XXX

PLEASE REMIT TO: SECREST, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 772725
CHICAGO, IL 60677-2007



OUTSTANDING STATEMENTS AS OF February 10, 2025

Statement No.:	02/10/2025	XXX
	TOTAL	\$XXX

DATE	TKPR	Building Inspection	HOURS	VALUE
01/31/25	XXX	Review letter from XXX regarding XXX.	0.20	XX
		TOTAL FOR Building Inspection	XX	\$XX

DATE	TKPR	Cable Studio	HOURS	VALUE
01/30/25	XXX	Review letters (2) from XXX regarding XXX.	0.30	XX
		TOTAL FOR Cable Studio	XX	\$XX

DATE	TKPR	General Fund	HOURS	VALUE
01/02/25	XXX	New ROW Permit Request for XXX.	1.80	XX
01/02/25	XXX	Review letter from XXX regarding ZBA case.	0.20	XX
01/02/25	XXX	Review letter from Tom XXX regarding Ordinances.	0.20	XX
01/02/25	XXX	Review letters from XXX and XXX. Letter to XXX regarding signs.	0.30	XX
01/02/25	XXX	Attend office hours at XXX.	3.00	XX
01/02/25	XXX	Review letter from XXX regarding litigation matters.	0.20	XX
01/02/25	XXX	Review letter from XXX. Letter to XXX regarding XXX.	0.20	XX
01/02/25	XXX	Review letter from XXX. Letter to XXX regarding XXX.	0.20	XX
01/03/25	XXX	Review letter from court regarding XXX v. XXX.	0.20	XX
01/03/25	XXX	Review letter from XXX and Order regarding XXX.	0.30	XX
01/06/25	XXX	Review letter from XXX regarding XXX.	0.20	XX
01/06/25	XXX	Attend office hours at XXX.	3.00	XX
01/06/25	XXX	Review letter from XXX regarding XXX meeting.	0.20	XX
01/07/25	XXX	Letter to XXX regarding XXX.	0.20	XX
01/07/25	XXX	Review letter from Court regarding XXX v XXX.	0.20	XX
		TOTAL FOR General Fund	XX	\$XXX

DATE	TKPR	SAD	HOURS	VALUE
01/06/25	XXX	Review letter from XXX. Legal research. Letter to XXX regarding XXX.	0.70	XX
		TOTAL FOR SAD	XX	\$XXX

DATE	TKPR	Water & Sewer	HOURS	VALUE
01/24/25	XXX	Review letter from XXX regarding XXX.	0.20	XX
01/27/25	XXX	Review letter from XXX. Letter to XXX. Review Plan regarding XXX.	0.40	XX
		TOTAL FOR Water & Sewer	XX	\$XXX

HOURLY CHARGES:

INIT	TIMEKEEPER	TITLE	RATE	HOURS	BILLED
XXX	XXX		\$XXX	XX	\$XXX
XXX	XXX		\$XXX	XX	\$XXX
XXX	XXX		\$XXX	XX	\$XXX

TOTAL HOURLY CHARGES:

\$XXX

EXPENSES ADVANCED:

01/07/25	Mark S Roberts - Attorney Mileage (16.00 x 0.70)	\$XX
01/13/25	Mark S Roberts - Attorney Mileage (32.00 x 0.70)	\$XX
01/21/25	Mark S Roberts - Attorney Mileage (16.00 x 0.70)	\$XX
01/27/25	Mark S Roberts - Attorney Mileage (16.00 x 0.70)	\$XX
01/28/25	Mark S Roberts - Attorney Mileage (16.00 x 0.70)	\$XX

TOTAL EXPENSES ADVANCED:

\$XX

TOTAL CURRENT BILL:

\$XXX



SECRET, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
2600 TROY CENTER DRIVE P.O. BOX 5025
TROY, MICHIGAN 48007-5025
(248) 851-9500

Section 5, Item A.

IRS #

[REDACTED]

February 10, 2025
Invoice #
Client No.
Matter No.

RE: [REDACTED]

Services Rendered:

CURRENT BILLING SUMMARY THROUGH JANUARY 31, 2025

Fees for Professional Services	\$XXX
Expenses Advanced	\$XX
CURRENT BILL DUE	\$XXX

PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 772725
CHICAGO, IL 60677-2007

REMITTANCE COPY

PLEASE INCLUDE THIS PAGE WITH YOUR PAYMENT