

MEMORANDUM

TO: Board of Trustees

FROM: Indra S. Winquest
Interim District General Manager

SUBJECT: Case No. CV18-01564 Mark E. Smith v. IVGID
Review, discuss and possibly approve legal fees and costs to cover fees that were not budgeted as of the last update (estimated to be not to exceed \$13,000.00 over current authorization) (Requesting Staff Member: Interim District General Manager Indra Winquest).

DATE: January 16, 2020

I. RECOMMENDATION

That the Board of Trustees makes a motion to approve legal fees and costs to cover fees that were not budgeted as of the last update (estimated to be not to exceed \$13,000.00 over current authorization).

II. EXECUTIVE SUMMARY

Following the last update provided to this Board on June 12, 2019 (see attached memorandum) by Mr. Beko, his firm has incurred fees of not to exceed \$13,000 above the fees authorized by the IVGID Board of Trustees. This was due to a plaintiff filing. As a result of this action, a reply was mandated and the firm undertook that effort on behalf of the District. When Mr. Beko came before this Board in June of 2019, he didn't anticipate this action by the Plaintiff.

III. STATUS REPORT

The status of this litigation is the court has yet to issue a final ruling. There have been several motions filed by the Plaintiff and motions have been filed by our office in response.

IV. ALTERNATIVES

Do not approve the recommendation.

V. BUSINESS IMPACT

This item is not a "rule" within the meaning of Nevada Revised Statutes, Chapter 237, and does not require a Business Impact Statement.