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July 6, 2017

Honorable Joseph Wood  
Washington County Judge  
#280 College Avenue  
Fayetteville, AR 72701

RE: *George E. Butler v. Joseph K. Wood, et. al.*  
Washington County Circuit Court No. 72CV-17-800

Dear Judge Wood,

This letter confirms, per my previous discussions with County Attorney Brian Lester, that the Association of Arkansas Counties Risk Management Fund (AACRMF) has agreed to provide and pay for my firm's legal defense of the County in this case under a reservation of rights. Simply stated, this means that the AACRMF has made a decision to pay our law firm to provide a legal defense for you in this cause of action, but wants to defer resolution of the issue of whether the AACRMF will provide coverage protection for you under the General Liability Protection Agreement. We have filed a response to Plaintiff's complaint under a reservation of rights on your behalf.

The Plaintiff alleges that the County hired employees without going through the formal hiring process and thereby violated the Equal Employment Opportunity policy, allegedly creating an illegal exaction. Plaintiff seeks a declaratory judgment, repayment of illegal exaction, injunctive relief, writ of mandamus, attorney's fees and costs, and pre-judgment and post-judgment interest. Of course, illegal exaction claims and claims for non-monetary relief are not covered claims under the County's protection agreement.

Of course, please feel free to give me a call if you have any questions or wish to discuss these matters. Thank you.

Sincerely,

Jason E. Owens

Enclosure: Answer

rnfwas/butler/defendants01ltr/6653.5558

RECEIVED

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COUNTY JUDGE'S OFFICE