



Bennett & DeCamp, PLLC

Attorneys and Counsellors at Law

D. Scott Bennett, Member

Flatiron Building
707 Georgia Avenue, Suite 300
Chattanooga, TN 37402
Main: 423.498.3789
Direct: 423.498.3791
dsb@bennettdecamp.com

April 12, 2018

The Hamilton County Board of Education
3074 Hickory Valley Road
Chattanooga, TN 37421

Re: Legal services agreement

Dear Board Members:

As you are aware, Mary DeCamp and I left Leitner, Williams, Dooley & Napolitan, PLLC, on February 1, 2018, to establish our own practice under the name of Bennett & DeCamp, PLLC. We are focusing largely on the representation of local boards of education and other areas of the public sector. To that end, we are building our Firm around the mission of providing high quality legal services at cost effective rates for our clients.

As part of this mission, we have a proposal that would save the Board approximately \$100,000 as compared to what it paid Leitner Williams in 2017. Rather than continuing to bill the Board on an hourly basis, we would propose to perform most of the school system's legal work for an annual retainer of \$240,000, paid in monthly installments. Considering that the Board's annual legal budget is \$360,000, this arrangement could save the Board \$120,000 per year.

The only matters that would fall outside of this retainer would be special education due process claims that went past the "resolution" phase. Since these cases can be time intensive, we would bill them separately at our usual and customary hourly rate of \$195 for partners and \$170 for associates. Note, however, that these cases are very infrequent; the last one in Hamilton County was in 2013, and the one before that was in 2001. We would also bill separately for routine expenses.

Every other legal matter, however, would fall within this retainer agreement. This would encompass any personnel issues including training, investigations, dismissals, and defense of EEOC claims. This would include student issues such as discipline, Section

504, special education, civil rights, athletics, and the like. This would include matters of Board governance like policy development, contract drafting, first amendment considerations, etc. This would also include any time the Board were involved in litigation not otherwise covered by insurance.

It has been my greatest honor to have served this Board and our community over the past 20 years. Ms. DeCamp and I share your passion to make Hamilton County a better place, and we are committed to serving you as you serve the public. We offer this proposal so that we can be better partners with you in that endeavor.

Please feel free to contact us if you have any questions.

Very truly yours,

A handwritten signature in green ink that reads "D. Scott Bennett". The signature is written in a cursive style with a long, sweeping underline.

D. Scott Bennett
For the Firm