

TO: South Texas College Board of Trustees

FROM: Maria G. Elizondo, MBA, CPA, CFE, CGMA
Vice President for Finance and Administrative Services

DATE: March 4, 2021

SUBJECT: Legal Services Request for Qualifications

Enclosed are seven (7) responses to the Legal Services Request for Qualifications that were received by the Purchasing Department on February 24, 2021. Responses were received from the following vendors:

- Abernathy, Roeder, Boyd, & Hullett, P.C.
- Guerra & Sabo, P.L.L.C.
- Jones, Galligan, Key, & Lozano, L.L.P.
- Law Office of Javier Villalobos, P.C.
- O'Hanlon, Demerath & Castillo
- Troiani and Sossi, P.L.L.C.
- Walsh, Gallegos, Trevino, Russo, & Kyle, P.C.

In addition, attached please find the *Acknowledgement of Evaluation Responsibility, Non-Conflict of Interest, and Confidentiality Statements* form, required from each evaluator, per the College's standard practice for all evaluations. Prior to your review of the qualifications, please complete, sign, and return the acknowledgement form to Andrew Fish. Also attached, please find seven (7) evaluation forms, one for each vendor, that must be completed by each evaluator for review and discussion at a future Board of Trustees meeting, and entered into the College's records documenting the evaluation and any resulting Board action. This complies with the Texas Government Code Chapter 2254: Professional and Consulting Services.

In addition, please take note of the following Purchasing procedures:

- a. Vendor references are conducted for all qualifying responses prior to the evaluation.
- b. The evaluations must be completed by at least three members. A member that has an interest or association with any of the vendor(s) will not be able to participate in the evaluation process.
- c. Evaluations must be conducted independently by each evaluator.
- d. Vendors must not be contacted before, during, or after the evaluation process.
- e. Evaluations shall be based on the factors and their respective weights, as assigned.
- f. The scores from all evaluators shall be tabulated to arrive at the total points per vendor.
- g. A vendor is proposed for award.

For any questions related to the vendor responses, please contact Andrew Fish at (956) 872-3555 or email at atfish@southtexascollege.edu. The questions and the method for solicitation of the answers will be reviewed by legal counsel and the answers will be solicited from the vendors by the Purchasing Department and forwarded to Andrew Fish for distribution to the Board of Trustees.

Please contact Andrew Fish for any questions regarding the above procedures.

Thank you.

SOUTH TEXAS COLLEGE
ACKNOWLEDGEMENT OF EVALUATION RESPONSIBILITY, NON-CONFLICT OF
INTEREST AND CONFIDENTIALITY STATEMENTS

I, the undersigned, a member of the Evaluation Committee for the competitive solicitation: Project No. 20-21-1026 and Project Name: Request for Qualifications for Legal Services will perform the evaluation under the guidelines, procedures and requirements in the evaluation plan.

Further, whether I am an employee of South Texas College or a consultant assisting in the evaluation of the proposal, I represent as follows:

1. I have a professional interest in seeing that the scoring and evaluation of the vendor responses to this request for proposals or request for qualifications can be supported and defended, and that the recommendation of the Evaluation Committee will lead to the selection of the proposal or qualification most advantageous to the College, taking into consideration the qualifications or price and evaluation factors set forth in the request for proposal or request for qualifications.
2. I have not, nor shall I during the evaluation, acquired any financial interest, direct or indirect, in any offer that would conflict in any manner or degree with my evaluation responsibilities. I also acknowledge that I have no direct or indirect family connection to any of the respondents being evaluated. The nature and extent of any financial interests or family relationship must be disclosed by me to the Director of Purchasing for his/her evaluation of the significance of participation in this evaluation.
3. I am aware that this evaluation will involve my knowledge of official and possibly vendor commercial information not publicly known. I agree not to disclose any confidential or proprietary information gained during the course of my service on this evaluation committee to any person, without written consent of the vendor.

If I should become aware of any situation, which might arise, that could alter any of the representations above, or that might otherwise create the appearance of a conflict or other impropriety, I will notify the Director of Purchasing and evaluation committee chair immediately.

Name (print):	
Signature:	
Title:	
Date:	

**SOUTH TEXAS COLLEGE
REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES
EVALUATION FORM
PROJECT NO. 20-21-1026**

Vendor Name: Abernathy, Roeder, Boyd & Hullett, P.C.

Evaluator Name:

1	Evaluation Criteria (up to 25 points)		Points
	a.	Qualifications of personnel providing legal services to the College.	

2	Evaluation Criteria (up to 65 points)		Points
	a.	Experience with Public Entities, including but not limited to Community Colleges.	

3	Evaluation Criteria (up to 10 points)		Points
	a.	References	

Total Points			
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**SOUTH TEXAS COLLEGE
REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES
EVALUATION FORM
PROJECT NO. 20-21-1026**

Vendor Name: Guerra & Sabo, PLLC.

Evaluator Name:

1	Evaluation Criteria (up to 25 points)		Points
	a.	Qualifications of personnel providing legal services to the College.	

2	Evaluation Criteria (up to 65 points)		Points
	a.	Experience with Public Entities, including but not limited to Community Colleges.	

3	Evaluation Criteria (up to 10 points)		Points
	a.	References	

Total Points			
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**SOUTH TEXAS COLLEGE
REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES
EVALUATION FORM
PROJECT NO. 20-21-1026**

Vendor Name: Jones, Galligan, Key, & Lozano, LLP.

Evaluator Name:

1	Evaluation Criteria (up to 25 points)		Points
	a.	Qualifications of personnel providing legal services to the College.	

2	Evaluation Criteria (up to 65 points)		Points
	a.	Experience with Public Entities, including but not limited to Community Colleges.	

3	Evaluation Criteria (up to 10 points)		Points
	a.	References	

Total Points			
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**SOUTH TEXAS COLLEGE
REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES
EVALUATION FORM
PROJECT NO. 20-21-1026**

Vendor Name: Law Office of Javier Villalobos, PC.

Evaluator Name:

1	Evaluation Criteria (up to 25 points)		Points
	a.	Qualifications of personnel providing legal services to the College.	

2	Evaluation Criteria (up to 65 points)		Points
	a.	Experience with Public Entities, including but not limited to Community Colleges.	

3	Evaluation Criteria (up to 10 points)		Points
	a.	References	

Total Points			
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**SOUTH TEXAS COLLEGE
REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES
EVALUATION FORM
PROJECT NO. 20-21-1026**

Vendor Name: O'Hanlon, Demerath & Castillo

Evaluator Name:

1	Evaluation Criteria (up to 25 points)		Points
	a.	Qualifications of personnel providing legal services to the College.	

2	Evaluation Criteria (up to 65 points)		Points
	a.	Experience with Public Entities, including but not limited to Community Colleges.	

3	Evaluation Criteria (up to 10 points)		Points
	a.	References	

Total Points			
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**SOUTH TEXAS COLLEGE
REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES
EVALUATION FORM
PROJECT NO. 20-21-1026**

Vendor Name: Troiani and Sossi, PLLC.

Evaluator Name:

1	Evaluation Criteria (up to 25 points)		Points
	a.	Qualifications of personnel providing legal services to the College.	

2	Evaluation Criteria (up to 65 points)		Points
	a.	Experience with Public Entities, including but not limited to Community Colleges.	

3	Evaluation Criteria (up to 10 points)		Points
	a.	References	

Total Points			
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**SOUTH TEXAS COLLEGE
REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES
EVALUATION FORM
PROJECT NO. 20-21-1026**

Vendor Name: Walsh, Gallegos, Trevino, Russo & Kyle, PC.

Evaluator Name:

1	Evaluation Criteria (up to 25 points)		Points
	a.	Qualifications of personnel providing legal services to the College.	

2	Evaluation Criteria (up to 65 points)		Points
	a.	Experience with Public Entities, including but not limited to Community Colleges.	

3	Evaluation Criteria (up to 10 points)		Points
	a.	References	

Total Points			
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Statement of Qualifications for
Legal Services for
South Texas College
RFQ 20-21-1026

TABLE OF CONTENTS

Letter of Interest.....	1
Statement of Qualifications.....	3
Attorney Bios.....	5
Company Experience.....	16
Case List	22
Addenda Checklist.....	28
Execution of Offer	29
Reference Form.....	31
Additional Material.....	33

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February 22, 2021

South Texas College
Purchasing Department
3200 W Pecan Blvd.
Bldg. N Rm. 145
McAllen, TX 78501

Re: **Response to Request for Qualifications to Provide Legal Services to South Texas College**

Dear District Board Members:

Abernathy, Roeder, Boyd & Hullett, P.C. is grateful that the South Texas College would consider using our services regarding Request for Qualifications 20-21-1026. Principals of the Firm are as follows: Richard Abernathy, Bob Roeder, Randy Hullett, Charles Crawford, Ray Murphy, Ross Wells, Ryan Pittman, Mari McGowan, Chad Timmons, and Jared Pace.

Abernathy, Roeder, Boyd & Hullett, P.C., proposes the following attorneys as General Counsel for this response:

Mari McGowan*	Board President	214-544-4031
Chad Timmons	Director	214-544-4042
Charles Crawford	Director	214-544-4009
Richard Abernathy	Director	214-544-4002
Rebecca Bradley	Senior Associate	214-544-4055
Sadia Ahmed	Associate	214-544-4085

*Mari McGowan is the contact for clarification.

The Firm provides a comprehensive higher education law practice for our clients, covering a broad range of college issues. The Firm's attorneys have extensive experience in representing colleges in all areas of law including, but not limited to, litigation, personnel, special education, open meetings, public information, disability discrimination, students, student discipline, First Amendment, contract review, purchasing, construction, real estate, and general representation for the Board of Trustees or other governing body. Our attorneys are also experienced in drafting employee policies and procedures, student handbooks, codes of conduct as well as due process guidelines that may also apply to personnel and students. Additionally, due to the unique nature of education law, we believe districts benefit from legal representation that understands the nuances, difficulties, and specific issues related to colleges. If we can be of service in these or any other in-service subjects, please do not hesitate to contact our office.

Best regards.

SIGNED this 22 day of February, 2021.

Abernathy, Roeder, Boyd & Hullett, P.C.


By: Mari M. McGowan

EXECUTIVE SUMMARY

Abernathy, Roeder, Boyd & Hullett, P.C. traces its roots to 1876, making it one of the oldest law firms in the Southwest. Located in McKinney, Texas, ARBH has grown to be one of the largest law firms in Collin County. ARBH has represented governmental entities in the North Texas community for more than 60 years. Our clients range from governmental entities, including cities, counties, college districts, school districts, as well as other political subdivisions, such as municipal utility districts, economic development corporations and community development corporations, to lending institutions, individuals and corporate entities. ARBH is full-service. Among other areas of expertise, ARBH specializes in and has successfully handled matters in the areas of employment relations, contract development, special education/Section 504, Texas Public Information Act, detachment/annexation, governance matters, employment matters, Civil rights, open meeting determinations, E-Rate, competitive bidding and procurement, business and real estate transactions (including public and private partnerships), complex litigation, and appellate work. A primary cause of ARBH's success is the fact that its cross-section of practice areas allows us to provide our clients with the full-service representation they deserve without having to hire multiple firms to meet their needs. Currently ARBH is comprised of 19 attorneys, all of whom are licensed in the state of Texas. ARBH also has unique experience and provides a novel approach as 3 attorneys are former public school educators.



EXPERIENCE

Abernathy, Roeder, Boyd & Hullett, P.C. strives to exceed the expectations and develop long-term relationships with all clients. Long-term relationships provide historical knowledge and continuity. The combined years of legal experience enjoyed by our director attorneys is over 300 years and over 40 years by our associate attorneys.

As of this response, The Firm has 12 partners, 7 associates and 27 staff members. The office of Abernathy, Roeder, Boyd & Hullett, P.C is 543 miles away from the college.

AREAS OF INTERESTS

ARBH is interested in representing the South Texas College in the following areas:

General Litigation
Higher Education Law
Real Estate and Finance Transactions
Employment Law
Construction Law
Corporate and Business Law
Federal Contracting Law
Formation and Affiliated Entity Matters



KEY INDIVIDUALS

Attorney bios with memberships, certifications and other qualifications are attached and following this page. Listed below are their names and State Bar of Texas membership number.

Richard Abernathy	809500
Robert H. Roeder	17156700
Randy Hullett	10258150
Mari McGowan	24002574
Charles Crawford	5018900
Ray Murphy	791324
Jared Pace	24056080
Chad Timmons	24060732
Chris Zillmer	24088718
Rebecca Bradley	24097412
Sadia Ahmed	24115809

As a Director and Shareholder with Abernathy, Roeder, Boyd & Hullett, P.C. Richard's practice focuses on a broad range of business and commercial litigation; governmental entities, including municipalities, school districts and colleges. He is the attorney for the cities of Frisco, Wylie, and Melissa, and he represents numerous school districts and colleges including Frisco ISD, McKinney ISD, Northwest ISD, Plano ISD, Collin County Community College District and many others. Richard is Board Certified in Civil Trial Law and has been voted "Super Lawyer" for the past twelve years by Texas Monthly. He has been a qualified mediator since 1991.

AFFILIATIONS

Admitted to the bar, Texas (1977).

Admitted to practice in all Texas State and Federal District Courts, the United States Court of Appeals for the Fifth Circuit and the U.S. Supreme Court.

PROFESSIONAL MEMBERSHIPS

Member of the Texas and Collin County Bar Associations; Fellow with the Texas Bar Foundation; past Director of the North Texas Bar Association; past Chairman of the State Bar of Texas Grievance Committee; past Director and President of the Collin County Bar Association; past Director, Secretary and Chairman of the Texas Young Lawyers Association; 1990 Pro Bono Lawyer of the Year, Collin County Bar Association.

RECENT CIVIC INVOLVEMENT

Past President & Executive Committee Member of the Collin County Community College Foundation; Samaritan Inn Board of Directors; current McKinney Board of Directors at Baylor Scott and White Hospital - McKinney

EDUCATION

Richard M. Abernathy graduated with honors from Austin College in 1974 with a Bachelor of Arts degree. He received his law degree from Southern Methodist University in 1977. After graduation, Richard joined Abernathy, Roeder, Boyd & Hullett, P.C. and has been a Director and Shareholder since 1980.



Richard Abernathy
rabernathy@abernathy-law.com

Qualified Mediator

Board Certified by the
Texas Board of Legal
Specialization in Civil
Appellate Law

AV Rated
Martindale Hubbell

"Texas Super Lawyer"
by Texas Monthly

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ABERNATHY ROEDER
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As a Director and Shareholder with Abernathy, Roeder, Boyd and Hullett, P.C., Bob's practice includes many years of representing municipalities in the areas of real estate acquisitions, procurement and land use. In particular, Bob has devoted a significant amount of his practice toward representing municipalities, economic development and community development corporations and other governmental entities in structuring economic development opportunities and transactions and in contracting and managing large government construction projects. Bob has taken a lead role in the negotiation, drafting and construction of many high profile public/private partnership developments including the Frisco Stars/Dr. Pepper Arena (an indoor 8,000 seat arena and office complex that is the home of the Dallas Stars professional hockey club and the Dallas Legends, developmental professional basketball team), Frisco 7-Up Ballpark Stadium (a professional baseball park home to the RoughRiders, a AA club), Toyota Field (a 20,000 seat outdoor stadium home to the FCDallas professional soccer club), Frisco Multi-Use Event Center (a 12,000 seat indoor stadium and future home of the Dallas Cowboys professional football club) together with the adjacent mixed-use office, retail and residential development, and the Frisco Convention Center, all of which have involved the use of special municipal and other financing mechanisms including TIRZ/TIFs, Chapter 380 agreements and performance agreements. Bob also actively represents the private development community which has given him a unique perspective in understanding the driving forces of both the public and private sectors, thus enabling him to be very effective in the negotiation of structures and procedures that benefit both.

AFFILIATIONS

Admitted to the bar, Texas (1974).

Admitted to practice before the United States District Courts for the Eastern District of Texas.

PROFESSIONAL MEMBERSHIPS

Member American, Texas, and Collin County Bar Association; past president of Collin County Bar Association. He is a Life Fellow of the Texas Bar Foundation.

CIVIC INVOLVEMENT

Director, Executive Committee for Circle Ten Council, Boy Scouts of America District Chairman, Lone Star District, Boy Scouts of America

Director, Collin County Commission on Aging

Past President, Board of Directors of Heard Natural History Museum & Wildlife Sanctuary

EDUCATION

Bob graduated from Austin College with a Bachelor of Arts degree in 1971. He received his law degree from Southern Methodist University in 1974 where he was selected for membership in The Barristers.

Upon graduation, Bob joined the firm of Abernathy & Orr in McKinney, Texas, and was later a founding and managing partner in Abernathy & Roeder, the predecessor to Abernathy, Roeder, Boyd & Hullett, P.C., in which Bob serves as a Director and past President.



Robert H. (Bob) Roeder
rroeder@abernathy-law.com

Qualified Mediator

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ABERNATHY ROEDER
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As a Director and Shareholder with Abernathy, Roeder, Boyd & Hullett, P.C. Randy's practice is focused on commercial real estate transactions, banking, including construction and mortgage lending, title examinations and closing, leasing, zoning, site planning, and subdivision related matters; business organizations, including sales and acquisitions; corporate and commercial matters for businesses and governmental entities, including land condemnation and construction law. Randy's practice also includes many years of representing cities and other governmental entities in acquisitions, procurement, and land use. Randy represents several local economic development and community development corporations and other governmental entities in north Texas in the structuring and documenting of various economic development projects. Randy has either lead or assisted in numerous public and public/private partnership developments including the Frisco Stars/Dr. Pepper Arena, Frisco 7-Up Ballpark, Toyota Field in Frisco, and a Multi-Use Event Center in Frisco that will be the new practice facility and home office of the Dallas Cowboys. Randy has also actively represented the private development community over his years of practice, including the master developer of a 2500 acre master planned community in McKinney. This opportunity has provided Randy a unique perspective which enables him to offer insight to his public clients many public attorneys do not have.

AFFILIATIONS

Admitted to the bar, Texas (1983).

Admitted to practice before the United States District Court for the Northern, Western and Eastern Districts of Texas.

PROFESSIONAL MEMBERSHIPS

Member of the Texas and Collin County Bar Associations; past President of the Hunt County Bar Association; past Member of the District 1A Grievance Committee of the Texas State Bar (1994-1988), and is a Life Fellow of the Texas Bar Foundation.

CIVIC INVOLVEMENT

Collin College Foundation (Director 2014 – Present); McKinney Education Foundation (2007-2013); McKinney Municipal Bond Election Committee (Chairman 2002, 2010); McKinney Chamber of Commerce (Director 2000-2004); McKinney Rotary Club; McKinney Alliance (Director 2001-Present); Heard Natural History Museum & Wildlife Sanctuary (Director & Secretary 2002-2005).

EDUCATION

Randy, graduated from the University of Texas at Austin with a Bachelor of Arts degree in 1979. He received his law degree from Southern Methodist University in 1982.

Upon graduation, he joined the law firm of Crouch and Scott in Greenville, Texas, which became Crouch and Hullett, P.C. In 1997, Randy joined what has now become Abernathy, Roeder, Boyd & Hullett P.C.



G. Randal Hullett
rhullett@abernathy-law.com

Qualified Mediator

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As a Director and Shareholder with Abernathy, Roeder, Boyd & Hullett, P.C. Charles' practice is focused on business, education and general litigation. He is experienced in handling state and federal litigation involving complex commercial matters including business torts, insurance disputes, contracts, civil rights, securities and governmental issues. Charles has represented public school districts in landmark education law cases. Charles' experience includes extensive jury trial, bench trial and appellate practices. Representative Clients include Plano ISD, Collin County College District, McKinney ISD, North Central Texas College, Northwest ISD, Frisco ISD, Martinaire Inc., Torchmark Corp., Independent Bank and others.

AFFILIATIONS

Admitted to the bar, Texas (1989).

Admitted to practice before all Texas state and federal district courts; Arizona Federal District Court; all Texas Appellate Courts; the United States Court of Appeals for the Fifth Circuit; the United States Supreme Court.

PROFESSIONAL MEMBERSHIPS

Member of the American, Texas, Dallas and Collin County Bar Associations.

EDUCATION

Charles J. Crawford graduated from the University of Texas with a Bachelor of Arts Degree in 1986. He received his law degree from Southern Methodist University in 1989.

Immediately upon graduation, Charles joined the Dallas office of Bracewell & Patterson. In 1997 Charles became a member of Abernathy, Roeder, Boyd & Hullett, P.C. and was elected to the Board of Directors in August 2003.



Charles Crawford
ccrawford@abernathy-law.com

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As a Director and Shareholder with Abernathy, Roeder, Boyd & Hullett P.C. Mari's practice focuses on the representation of public and private schools, charter schools, community colleges, other governmental entities, and businesses regarding issues including, but not limited to, labor and employment matters; student disciplinary and constitutional issues; special education; board representation; internal and external investigations involving employees and students, including high-profile investigations; trustee ethics and elections and questions; employee disability claims; and obligations under the Texas Public Information Act, the Texas Open Meetings Act, and the Texas Election Code. Mari also provides proactive seminars for the Firm's clients, and frequently speaks, on the areas of her practice outlined above. Mari also offers corrective training for administrative employees and executives.

Mari regularly assists clients with matters before the Equal Employment Opportunity Commission, the United States Department of Education, the United States Department of Justice, the Texas Workforce Commission, and the Texas Education Agency, and assists clients with matters in both state and federal court.

AFFILIATIONS

Admitted to the bar, Texas (1997).

Admitted to practice before the United States District Courts for the Southern, Northern and Eastern District Courts of Texas.

PROFESSIONAL MEMBERSHIPS

Member of the American, Texas and Collin County Bar Associations; State Bar of Texas School Law Section, Treasurer; Texas Association of School Board Council of School Attorneys; Texas Council of Administrators of Special Education; Education Law Association, Texas Association of Community College Attorneys, Immediate Past President

EDUCATION

Mari graduated with a Bachelor of Arts in Education University of North Texas in 1992, and taught public school before obtaining her law degree from Southern Methodist University in 1997.



Mari McGowan
mmcgowan@abernathy-law.com

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"Rising Star"
by Texas Monthly

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As a Director and Shareholder with Abernathy, Roeder, Boyd & Hullett, P.C. Ray's practice concentrates in civil litigation, primarily commercial, real estate, employment cases and school law matters. He has extensive experience in both jury and bench trials.

He acts as "general counsel" to several businesses in the North Texas area, providing, among other services, the following: advise on employment matters; drafting and/or reviewing contracts, including employment agreements, insurance agreements, and contracts with clients/vendors; and providing practical day to day advice regarding issues which may unexpectedly be encountered in the course of business. He has represented businesses in a variety of litigation disputes, including those involving: indemnity obligations; non-compete agreements; breach of contract claims; breach of fiduciary duty claims; and collections matters. He has represented businesses in many real estate/construction matters, including matters relating to: priority of liens; bond claims; "pay when paid/pay if paid" clauses; indemnity claims; title disputes; and judicial foreclosure actions.

AFFILIATIONS

Admitted to the bar, Texas (1994).

Admitted to practice before the United States District Courts for the Northern and Eastern Districts of Texas.

PROFESSIONAL MEMBERSHIPS

Member of the Texas, Dallas and Collin County Bar Associations; Formerly Vice President of the Collin County Young Lawyers Association.

EDUCATION

D. Ray Murphy graduated from the University of Texas at Austin with a Bachelor of Arts degree in 1991. He earned his law degree from Baylor University School of Law in 1994. While in Law school, Ray was named to the Order of Barristers and was a member of Phi Delta Phi honorary fraternity.

After graduation, Ray began practice with a major defense law firm in Beaumont, Texas. In 1998, he began working with a general civil litigation firm in Dallas, Texas. In 2000, he joined Abernathy, Roeder, Boyd & Hullett, P.C. in 2000. In January of 2004, Ray was elected to the Board of Directors.



Ray Murphy
rmurphy@abernathy-law.com

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As a Director and Shareholder with Abernathy, Roeder, Boyd & Hullett, P.C. Jared practices in the Real Estate and Business Transactions Section of the Firm where he advises clients in commercial real estate, business, construction, development, and loan transactions. His experience includes ongoing representation of governmental entities located in rapidly growing communities in their acquisition and sale of real estate, including the negotiation and drafting of purchase and sale agreements, inter-local agreements, development agreements, lease agreements, site donation agreements, and easement agreements. In connection with this representation, Jared routinely assists clients in evaluating real estate titles and resolving title defects and draws on his experience handling real estate closings and writing title insurance as a licensed title and escrow agent.

Outside the practice of law, Jared gained relevant experience studying geographic information systems (GIS) prior to law school. He chose to emphasize his GIS studies on urban planning and gained valuable insight while employed as a planning intern and GIS specialist in the planning departments of various municipalities.

AFFILIATIONS

Admitted to the bar, Texas (2006).

Admitted to the bar, Utah (2004).

PROFESSIONAL MEMBERSHIPS

Member of the State Bar of Texas (Real Estate, Probate, and Trust Law Section); the Utah State Bar; the American Bar Association (Real Property, Trust, and Estate Law Section); and the Collin County Bar Association.

EDUCATION

Jared graduated from Brigham Young University in 2000 with a Bachelor of Science, Geographic Information Systems degree. He received his law degree from Brigham Young University, J. Reuben Clark Law School, in 2004.



Jared Pace
jp pace@abernathy-law.com

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ABERNATHY ROEDER
BOYD HULLETT

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As a Director and Shareholder with Abernathy, Roeder, Boyd & Hullet, P.C. Chad's practice is focused on delinquent ad valorem tax law and governmental entities such as school law, including issues regarding employment/personnel, contracts, governance, Board representation, open meetings, open records, special education, and disability. Chad has experience representing clients in administrative hearings, investigations, general administration matters, and litigation. Chad represents colleges, public school districts, and private schools.

While in law school Chad received the Governor's Volunteer Award from former Iowa Governor Tom Vilsack for his work enforcing the "Iowa Civil Rights Act of 1965," Iowa's anti-discrimination law, by helping to ensure that people involved in civil rights complaints receive timely, quality resolutions.

Chad also previously assisted Dallas Independent School District's E-Rate program through its "compliance agreement" with the Federal Government and to regain access of approximately \$285,000,000.00 in funds.

AFFILIATIONS

Admitted to the Bar, Texas (2007)

PROFESSIONAL MEMBERSHIPS

American Bar Association; Texas Bar Association; Member; Dallas Bar Association; Texas Young Lawyers Association; Blackstone Inn of Court; Texas Association of School Boards (TASB) Council of School Attorneys, Board Member of the Texas Association of Community College Attorneys (TACCA)

EDUCATION

Chad graduated from Baylor University in 2001 with a Bachelor of Business Administration, majoring in Economics. In 2007, Chad received his law degree from Drake University Law School where he served as the Editor-in-Chief of the Drake Journal of Agricultural Law.



Chad Timmons
ctimmons@abernathy-law.com

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ABERNATHY ROEDER
BOYD HULLETT

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As a Senior Associate attorney with Abernathy, Roeder, Boyd & Hullett, P.C. Chris practices in the Real Estate and Business Transactions Section of the Firm. Mr. Zillmer's experience includes reviewing titles and surveys for residential and commercial real estate transactions, as well as negotiating, drafting and reviewing residential and commercial leases, real estate sales contracts, loan documents, covenants, conditions and restrictions (CC&Rs), performance agreements, and easements, on behalf of individuals, developers, cities, school districts, and economic development and community development corporations. Chris also has experience with business formations and corporate governance.

AFFILIATIONS

Admitted to the bar, Texas (2013).

PROFESSIONAL MEMBERSHIPS

Member of the State Bar of Texas

Member of the American Bar Association

EDUCATION

Chris graduated from the University of Texas at Austin in 2010. He received his law degree from the George Mason University School of Law in 2013. Upon graduation and bar passage, Chris joined Abernathy, Roeder, Boyd & Hullett, P.C. as an associate attorney.



Chris Zillmer
czillmer@abernathy-law.com

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ABERNATHY ROEDER
BOYD HULLETT

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As a Senior Associate attorney with Abernathy, Roeder, Boyd & Hullett, P.C. Rebecca's practice is focused on delinquent ad valorem tax law and school law, including issues regarding employment/personnel, special education, disability, open meetings, open records, contracts, Board representation, and governance. She has experience representing clients in administrative hearings, investigations, general administration matters, and litigation. Rebecca represents public school districts, private schools, and colleges.

AFFILIATIONS

Admitted to the Bar, Texas (2015)

PROFESSIONAL MEMBERSHIPS

Member of the Tarrant County Young Lawyers Association, the Council of School Attorneys, the Collin County Bar Association, and the Texas Council of School Attorneys.

EDUCATION

Rebecca Bradley graduated from Southern Methodist University in 2010 with a Bachelor of Arts. Prior to obtaining her law degree, Rebecca taught public school as a corps member for "Teach For America" in Detroit, Michigan. During law school, Rebecca clerked at the Center for Law and Education, a non-profit organization in Washington D.C., the Texas Association of School Boards, and the Ft. Worth Independent School District. Rebecca received her law degree from Texas A&M University School of Law in May 2015.



Rebecca Bradley
rbradley@abernathy-law.com

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ABERNATHY ROEDER
BOYD HULLETT

EST. 1876

As an associate attorney with Abernathy, Roeder, Boyd & Hullett, P.C. Sadia's practice is focused on school law, including issues regarding employment/personnel, special education, disability, open meetings, open records, contracts, Board representation, and governance. After graduating law school, Sadia worked as a public defender in New York City where she represented indigent clients in criminal cases ranging from class b misdemeanors to class b felonies. Prior to working at ARBH, Sadia represented the New York City Department of Education in special education related matters.

AFFILIATIONS

Admitted to the bar, New York (2011).

Admitted to the bar, Texas (2019).

PROFESSIONAL MEMBERSHIPS

Member of the State Bar of Texas

EDUCATION

Sadia graduated from Hofstra University Zarb School of Business. She received her law degree from the Hofstra University Maurice A. Deane School of Law.



Sadia Ahmed
sahmed@abernathy-law.com

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EST. 1876

HIGHER EDUCATION LAW

Attorneys in our education law section become involved in a wide variety of matters for local school districts, private schools, and colleges. Our lawyers act as the general counsel for many area entities. Our attorneys use their expertise and knowledge of multiple areas, including special education law, real estate, constitutional law, and business and employment law to provide clients with knowledgeable assistance in all education legal matters.

In addition to the services previously mentioned herein, our attorneys are also accustomed to regularly attending meetings as requested by our clients, employee grievance hearings and hearings before administrative bodies, such as the Board of Trustees, the Office for Civil Rights, Equal Employment Opportunity Commission, and Texas Workforce Commission. Continuing advances in technology enable us to provide prompt responses to critical needs and fill access gaps. We can provide original documents, review and revision of other documents, and correspondence via electronic mail which significantly decreases costs associated with traditional faxing, mailing and courier services. Our attorneys participate in Continuing Legal Education programs in accordance with the State Bar of Texas and are consistently seeking the most current information surrounding the areas of their practice.

ARBH has experience representing entities in the E-Rate federal program also known as the Universal Service Schools and Library Program. Specifically, ARBH assists entities in obtaining discounts on telecommunications services, internet access, internal connections, and basic maintenance of internal connections. ARBH has experience representing entities in “compliance agreements” as well as all facets of Section 504 and special education law. Our services range from day-to-day IEPs, 504 plans, implementation, and general questions to attending difficult ARD meetings, working with advocates and attorneys, and handling requests for due process and appeals.

ARBH regularly attends council, school board and commission meetings. Our philosophy and practice is to be regularly available, whether in-person or by phone/email/text to interface with our clients’ staff and elected and appointed officials on a regular basis. In many cases, this results in potentially daily communication, when necessary, to effectively communicate and provide the best service to our clients. Our practice is proactive, as opposed to reactive, in identifying legal concerns and implementing appropriate measures and regulations in response to such concerns. Ideally, we are able to teach our clients the skills necessary to tackle contentious and complicated situations without requiring the expenditure of legal fees. Additionally, we strive to keep abreast of legal developments and changes in the law to: (i) advise our clients regarding the effects of such changes as they relate to the matters under the purview of our entity clients; and (ii) recommend any necessary actions as a result of such changes. For example, in election law and voting rights matters, prior to each election we regularly review any changes in state and federal law and applicable legal updates which we then communicate.



HIGHER EDUCATION LAW (CONT.)

Our attorneys frequently field questions from our governmental entity clients regarding issues related to the Open Meetings Act and the Public Information Act. With the proliferation of electronic communications, we believe that our clients need to remain aware of, and educated on, the unintended consequences of such communications as they relate to the Open Meetings Act. Additionally, we frequently review clients' meeting agendas and provide advice to ensure compliance with the Open Meetings Act. ARBH also responds on a daily basis to public information requests received by our governmental entity clients. In fact, ARBH has at least one staff person devoted to reviewing and preparing responses to, and requests for, Attorney General opinions. Mindful of the costs associated with legal review and handling of public information requests, we created an internal structure utilizing staff members at lower billable rates to conserve entity funds on these projects.

We ensure that our staff remains up-to-date on recent and relevant interpretations of and changes made within the Public Information Act by regularly attending seminars and training. ARBH has a highly successful rate of achieving favorable decisions from the Attorney General. Additionally, most recently, ARBH authored two TASB Legal Assistance Fund amicus briefs regarding the interplay of the Texas Public Information Act and the confidentiality of educator evaluative documents. ARBH's attorneys regularly provide training and seminars on the Open Meetings Act and Public Information Act to our governmental entity clients which we believe is critical to our clients, especially, in light of frequent advances in technology.

REAL ESTATE AND FINANCE TRANSACTION

In our 143 years of existence, ARBH has assisted cities, economic development corporations, community development corporations, school districts, special districts, colleges, counties and other governmental entities on a wide range of matters, including, but not limited to, planning, zoning and land use, platting, annexation, contract development, contract negotiations, bidding and purchasing, boundary disputes, civil rights, constitutional rights, code enforcement, conflicts of interest, development agreements, easement and right-of-way acquisition, creation/dissolution of PIDs, TIFs/TIRZs and MMDs, enforcement of state alcohol regulations and implementation of governmental regulations relating thereto, bidding, purchasing, public works and AIA contracts, telecommunications regulations, development and sale/lease of parkland and other public properties, Section 8 housing, Chapter 54 abatement of substandard structures, Chapter 245/vesting issues, amortization of non-conforming uses and structures, strategic partnership agreements, elections, and eminent domain.

We also handle employment and other issues related to real estate transactions, such as EEOC, FLSA, FMLA, and OSHA requirements, conflicts of interest, nepotism, open meetings, public information, real estate leases, real estate purchase contracts, regulatory and tax matters, right-of-way management and utility issues, traffic and roadway design and maintenance, legislative and lobbying matters, municipal court prosecution, assisting with preparation and revision of policies, rules and regulations, ordinance and charter drafting, attendance at posted meetings, provision of training sessions/seminars, daily interaction with our clients' elected officials and staff and regular attendance at City/Town Council, Planning & Zoning Commission and Board of Adjustment meetings.

The Firm's attorneys also have extensive experience negotiating and facilitating real estate transactions, an invaluable resource for our clients. ARBH was directly involved in sports venue projects in the City of Frisco involving economic development issues, acquiring property, drafting leases and negotiating interlocal and joint use agreements and public/private partnerships. Examples of such projects include, but are not limited to, the Dr. Pepper Ballpark for the RoughRiders, the StarCenter/Dr Pepper Arena for the Texas Tornado Hockey Club, Toyota Field (a/k/a Pizza Hut Park) for Major League Soccer, Frisco Multi-Event Center which is the home practice facility for the Dallas Cowboys, headquarters for the PGA along with the development of a public resort, golf and hotel facility, Frisco Fieldhouse, and the World Headquarters for the Dallas Cowboys organization. Other examples of significant economic development projects that ARBH facilitated are Stonebriar Mall.

Given our history of representing governmental entities, we understand the complex and oftentimes litigious nature of property acquisition. ARBH's knowledge and experience affords our attorneys the opportunity to be involved in the initial appraisal and offer process to landowners; however, some clients prefer to handle this stage themselves or through a third party, requesting our assistance when negotiations have failed and the governmental entity is ready to proceed with eminent domain.

ARBH is well-versed in handling multiple eminent domain proceedings with numerous landowners at one time. Various clients have requested ARBH's services when completing Capital Improvement Program projects, which typically require the Firm to initiate several eminent domain proceedings either consecutively or collectively.

It has been a practice of ARBH that if the properties are located in the same area, to encourage the governmental entity to hold an informative meeting for all of the landowners, usually including lunch or dinner. Staff, including the entity's engineer, and most times, an attorney from ARBH, are present to explain the project and answer questions. Information packets are provided to each landowner. The information packet typically includes, depending on the project, the initial offer, appraisal, landowner's bill of rights, the form(s) of the conveyance documents and a request for the landowner to provide an answer to the city by a specific date. This form of negotiation usually allows the governmental entity to obtain necessary property without having to initiate condemnation proceedings for each landowner. We have found that taking the time provide transparency to landowners on projects gives them the confidence necessary to cooperate with the governmental entity as necessary. Usually, this results in a significant cost-savings to the governmental entity.

ARBH has extensive experience drafting, negotiating and reviewing contracts involving a wide range of goods, services and subjects. Our objectives in drafting and reviewing contracts for entity clients is to protect clients' interests, achieve their goals and identify and avoid unnecessary risks. Because our attorneys are passionate about the law, they stay up to date on developments in municipal and contract law and are able to spot risks and issues lurking in contracts of all sizes. We are experienced in negotiating and reviewing complex, technical agreements relating to software licenses, computer equipment and other technological goods and services. For example, ARBH negotiated and reviewed for its governmental clients several technological services and related software license agreements with Motorola Solutions, Inc., Hyland Software, Inc., Kronos, Inc. and ESRI, Inc.



Our attorneys are also well-versed in federal and state public procurement requirements and programs. They use their broad base of knowledge to advise clients on all aspects of the governmental procurement process. ARBH has reviewed, drafted and advised on the procurement documents and construction documents related to these projects, including AIA documents. ARBH has fully-trained staff able to conduct real estate closings for the purchase or sale of property, including the ability to conduct title searches and provide title insurance.

CONSTRUCTION LAW

ARBH provides governmental entities a broad array of legal services relating to public construction ranging from assisting a governmental entity in the selection of a delivery method (competitive proposal, construction manager at risk, design/build, etc.), providing insight and assistance in establishing selection criteria, drafting and negotiating architect and contractor agreements, managing construction issues, and resolving disputes. Among the public projects in which we have been involved are educational facilities ranging from elementary through high schools, college and technical, instruction and administrative, and athletic facilities. One of our most visible current public facilities projects is the Star in Frisco, a commercial development including a city-owned 12,000 seat indoor stadium.

CORPORATE AND BUSINESS LAW

ARBH has a wealth of experience assisting and advising businesses and governmental entities of all sizes with respect to the formation of legal entities, ongoing governance of such entities, corporate transactions between private enterprises and public and private entities, and related securities and regulatory matters. This wide-ranging experience with respect to entity formation includes, but is not limited to, assisting private enterprises with forming limited partnerships, limited liability companies, for profit and 501(c)(3) and other not for profit corporations, and joint ventures; assisting public entities with forming 501(c)(3) and other not for profit corporations; and forming entities to facilitate public-private partnerships. Once these entities are formed, ARBH's service does not end there, as we are well versed in the matters of corporate governance, corporate and securities transactions such as mergers and acquisitions and exempt private offerings, and regulation and compliance with Texas law. In addition to ARBH's offering of general corporate and business services, ARBH has unique experience in assisting officers and employees of agencies of the State of Texas in dealing with the exposure created by public-private activities and relationships, and navigating the negotiation and execution of complex business and commercial transactions in the public-private sphere.

FOUNDATION AND AFFILIATED ENTITY MATTERS

ARBH has significant experience assisting in the formation of foundations and affiliated entities. Specifically, ARBH assists in the formation of legal entities, ongoing governance of such entities, corporate transactions between private enterprises and public and private entities, and related securities and regulatory matters. In addition, ARBH provides guidance on filing appropriate documents with state and federal agencies to acquire appropriate status for tax purposes and otherwise. However, our guidance goes beyond the formation of foundations. We assist with matters of corporate governance, corporate and securities transactions such as mergers and acquisitions and exempt private offerings, and regulation and compliance with Texas law. Additionally, as a result of our extensive experience representing public education agencies, ARBH can assist clients in the creation of foundations for school districts and colleges, including foundations for the purpose of granting student scholarships and other related educational needs.

EMPLOYMENT LAW

We offer legal representation to our district clients. In addition, our attorneys prosecute and defend individual employees accused of violating contracts such as non-compete covenants, executive contracts, and severance agreements. We help clients develop programs and practices that reduce the possibility of litigation and employee grievances. We have also handled litigation in state, federal and appellate courts and have defended employers before the Equal Employment Opportunity Commission and local administrative office. At ARBH, we have the staff and resources to address all legal issues related to employment matters, including:

- Affirmative Action Plan issues
- ADAAA compliance issues
- Employee manual and personnel policy development
- COBRA issues
- Contract and tort matters
- Discrimination matters
- Federal Civil Rights Act of 1991 issues
- Texas Civil Rights Act cases
- Hiring and firing
- Job interview practices
- Immigration Reform Act of 1991 issues
- OSHA compliance matters
- Older Workers Benefits Protection Act issues
- Privacy and employee monitoring issues
- Establishing ESOP programs
- Negotiation of senior executive contracts and services
- Title VII claims
- Wage and hour disputes
- Wrongful termination matters

FEDERAL CONTRACTING LAW

Our long history of cultivating connections with governmental agencies allows us to provide our clients with sound advice about those agencies, their personnel, and their practices. In addition, we use our extensive experience in business and commercial matters to help clients develop successful proposals, bid responses, and negotiated procurements. ARBH helps businesses seeking to supply our entity clients with goods or services. We provide assistance with state and federal procurement. Our lawyers have experience in both traditional court and administrative proceedings at all levels. We assist clients with a wide range of public contract matters, including:

- Bid and proposal preparation
- Contract negotiations advice
- Bid protest representation
- Litigation of contract disputes
- Compliance advice and training
- Performance audits
- Defense contract proposal submission
- Construction contract bids
- Defending against debarment
- Contract interpretation
- Payment issue
- Contract modification
- Rapid growth and services
- Title VII claims
- Wage and hour disputes
- Wrongful termination matters

GENERAL LITIGATION

Since ARBH's inception, our attorneys have developed reputations as some of the best trial lawyers in North Texas. When ARBH began representing governmental entities in the early 1950's, we were able to provide an exemplary level of representation to our governmental clients and continue to do so today. Even with the best preventative measures, it is not always possible to prevent someone from bringing a lawsuit or claim against an entity. If that should happen, the Firm has a proven track record of success in defending its school district clients. Below is a short list of some of our representative cases on behalf of our school district and community college clients:

Suresh Kumar v. Frisco Independent School District, No. 4:19-CV-00284, Cause No. 4:19-CV-002842020 U.S. Dist. LEXIS 138141 (E.D. Tex. 2020)

Suresh Kumar, an Asian American parent of a Frisco ISD student, sued the school district under the Voting Rights Act. The lawsuit was brought in Federal District Court in Sherman, Texas and alleged that Frisco ISD's at-large system for electing its Board of Trustees discriminated against Asian, Hispanic, and African-American voters by depriving them of the opportunity to elect representatives of their choice. ARBH, which has worked on multiple Voting Rights Act cases, defended Frisco ISD. Mr. Kumar was represented by the Brewer Storefront.

The case proceeded to a four day trial before Judge Amos L. Mazzant. ARBH presented strong evidence that Frisco ISD is a diverse school district in which all citizens have an equal opportunity to elect trustees of their choice, regardless of race. By carefully breaking down voting data, Frisco ISD was able to show that Asian, Hispanic, and African-American voters do not tend to coalesce around a single candidate in each election, but instead choose trustees based on the issues important to parents and community members. The Court also heard evidence that Frisco ISD has worked closely with minority communities within the school district by establishing a diversity task-force, and by partnering with community organizations that seek to improve educational outcomes for minority students.



GENERAL LITIGATION (CONT.)

In July, 2020, Judge Amos L. Mazzant issued a ruling in favor of Frisco ISD, concluding that, “Under the totality of the circumstances, FISD’s electoral system does not deny African American, Hispanic, or Asian minority voting populations an equal opportunity to participate in the electoral process or to elect representatives of their choice.” Judge Mazzant dismissed the case with prejudice, thus, upholding Frisco ISD’s at-large electoral system. Judge Mazzant went on to say: “Invidious discrimination must be stomped out in this Nation. No reasonable argument exists that could support a system that permits such evil. Yet simply because someone claims discrimination exists does not make it so. Ours is a Nation premised upon the rule of law where each citizen is entitled to his or her day in court should they choose to bring forward an allegation. But before that allegation becomes true, that same citizen must carry his or her burden. Here, Kumar received his day in court, but he did not carry his burden. The Court consequently concludes that Frisco ISD’s at-large electoral system does not violate Section 2 of the Voting Rights Act.”

This decision will have a nationwide impact on Voting Rights Act jurisprudence because it is one of only a very small number of cases in which the plaintiff has attempted to show a voting coalition between members of different racial/ethnic groups. The decision will likely be relied upon by judges in future Voting Rights Act cases, and will provide support for school districts seeking to maintain their at-large election systems.

Wendy Burk v. Trenton Independent School District, Cause No. CV-20-445599, 366th Judicial District Court, Fannin County, Texas

Trenton ISD proposed to terminate the term contract of middle school teacher Wendy Burk, who was accused of altering students’ answers on the STAAR test without their consent, and of inappropriately handling student activity account funds. Ms. Burk challenged her termination. After a three-day hearing, TISD prevailed, and the Independent Hearing Examiner appointed by TEA issued a recommendation that Ms. Burk’s contract be terminated. The TISD Board of Trustees upheld the IHE’s recommendation. Ms. Burk appealed to the Commissioner of Education, who affirmed the Board’s decision. Ms. Burk appealed the Commissioner’s decision to the District Court in Fannin County. The appeal is pending, and ARBH continues to represent TISD.

***Northwest Independent School District v. Carroll Independent School District*, Trial Court Cause No. 141-210251-05; Court of Appeals No. 02-18-00264-CV**

On March 1, 2005, Carroll ISD sued Northwest ISD in the 141st District Court, Judge Wade presiding. Carroll ISD filed the suit shortly after the conclusion of a contractual dispute between Tarrant County and Denton County over the location of its common boundary with Northwest ISD. In the county dispute, the court held the location of the line was slightly north of where Denton County previously believed it to be. Because the original boundary line between the school districts references the Denton County - Tarrant County line, Carroll ISD filed suit alleging a cause of action for trespass to try title and seeking a declaratory judgment that the common boundary line of the districts was now the same as the new Denton County - Tarrant County line.

The Firm, on behalf of Northwest ISD, filed an answer that denied the allegations; asserted affirmative defenses; and alleged the Court did not have jurisdiction to hear the case. Finally, in April 2018, the case went to trial. In a three-day trial before the Honorable Judge Chupp, the Court found in favor of Northwest ISD, and awarded the District over \$850,000 in attorneys' fees. Carroll ISD has appealed and ARBH awaits the decision from the appellate court.

***Burleson, et. al. v. Collin County Community College District*, No. 4:17-CV-00749, 2019 U.S. Dist. LEXIS 41289 (E.D. Tex. 2019)**

Three college police officers filed suit against Collin College, alleging multiple federal and state claims, including claims for whistleblower retaliation, First Amendment free speech retaliation, and disability discrimination. The Firm represented the College, and obtained summary judgment on the plaintiffs' federal claims. The remainder of the claims were remanded to state court, where the College received summary judgment on the remainder of the claims.

***Shah v. Plano Independent School District*, Civil Action No. 4:17-CV-00685, in the United States District Court, Eastern District of Texas, Sherman Division (Aug. 16, 2018)**

A substitute teacher brought suit against Plano ISD in the Eastern District of Texas, Sherman Division, alleging discrimination on the basis of race, national origin, sex, and age when he resigned after an investigation revealed that he violated school district policy regarding appropriate touching with a special needs student. The Firm obtained summary judgment for the District on the plaintiff's sex and age discrimination claims, and the case proceeded to trial on the race and national origin claims. After a three-day trial in January, 2019, the jury took less than 30 minutes to return a favorable verdict for the District.

GENERAL LITIGATION (CONT.)

***Morgan, et al. v. Plano Independent School District, et al.*, 589 F.3d 740 (5th Cir. Tex. 2009) (cert. denied by *Morgan v. Plano Indep. Sch. Dist.*, 130 S. Ct. 3503 (U.S. 2010))**

This was a lawsuit relating to the distribution of candy canes, religious messages and other materials by students in the classrooms during the school day. This suit resulted in five significant written appellate decisions. The Plaintiffs were a group of four families whose children attend or attended public schools in the Plano Independent School District (“PISD”). Plaintiffs filed this lawsuit against PISD and several individual employees on December 15, 2004, challenging the school district’s student distribution policies, both facially and as applied. Plaintiffs sought injunctive relief, declaratory relief and undisclosed monetary damages under a variety of theories. The claims relating to Plaintiffs’ as applied challenges, including discovery, were stayed while the parties litigated the facial challenge to PISD’s policies.

In December 2009, the United States Court of Appeals for the Fifth Circuit upheld the facial constitutionality of PISD’s current distribution policy, but remanded to the District Court the issue of the facial constitutionality of PISD’s former distribution policy. Subsequently, on March 28, 2011, the District Judge declared PISD’s former policy facially constitutional. The Fifth Circuit Court of Appeals issued subsequent opinions granting immunity to all PISD employees who were sued. Finally, on July 26, 2013, the United States Court of Appeals for the Fifth Circuit reversed the judgment of the District Court and dismissed Plaintiffs’ claims under the Texas Religious Freedom Restoration Act. Plaintiffs’ remaining claims were then dismissed pursuant to a mediated settlement.

***Jain v. Coppell Independent School District*, Cause No. 03:16-CV-02702-D 2012, In the United States District Court for the Northern District of Texas (2016)**

Coppell Independent School District was sued in Federal District Court in a challenge to its trustee election system under the Voting Rights Act. As a result of the Firm’s defense of Coppell Independent School District, the lawsuit was dismissed and the school district’s election system remains unchanged.

***Sylvia Ortiz vs. Plano Independent School District*, No. 02-13-00160-CV, 2014 Tex. App. LEXIS 7 (Tex. App.—Fort Worth 2014, pet. denied)**

Ms. Ortiz is a former school teacher who sued the school district for whistle blower retaliation. PISD filed a plea to the jurisdiction which the trial court granted. Ms. Ortiz appealed the dismissal of the suit to the Ft. Worth court of appeals, which affirmed the trial court’s dismissal for lack of jurisdiction.

GENERAL LITIGATION (CONT.)

Ms. Ortiz also filed a previous whistle blower lawsuit in Collin County State Court, which, like the whistle blower suit above, was dismissed for lack of jurisdiction. Ms. Ortiz did not appeal this decision to the Court of Appeals.

***Greene v. Plano ISD*, 103 Fed. Appx. 542 (5th Cir. 2004)**

A school district employee brought a federal civil rights class action against Plano Independent School District and its superintendent, alleging they violated her substantive due process rights by allowing her workplace to become contaminated with toxic mold. ARBH represented the school district and superintendent. The District Court dismissed all claims in the initial stages of the lawsuit. The Fifth Circuit Court of Appeals affirmed the dismissal of all claims.

***M.M. and C.M., as next friends of B.M. v. Plano Independent School District*, Civil Action No. 4:12-cv-204 (E.D. Tex. Mar. 6, 2014)**

In August 2013, ARBH assisted Plano ISD in reaching a satisfactory settlement agreement with parents of a special education student to resolve the disputes between the parties and avoid expending additional resources defending a lawsuit filed by the parents. Federal law allows parents to recover attorneys' fees from a school district when they are "prevailing parties" in a special education lawsuit.

However, it is well-settled law that a settlement agreement generally does not confer "prevailing party" status. As a precaution, ARBH included language in the settlement agreement explicitly stating the parties agreed the settlement agreement would not confer prevailing party status on either party. Nevertheless, in January 2014, the parents proceeded to seek recovery of their attorneys' fees based on the settlement agreement. Plaintiffs filed a copy of the settlement agreement with the court, but redacted the paragraph that stated the parties agreed the settlement agreement did not confer prevailing party status on either party.

ARBH, on behalf of Plano ISD, filed a response arguing that the Plaintiffs' argument was frivolous, had no basis in law or fact, and served no purpose other than to harass Plano ISD, cause unnecessary delay and/or needlessly increase the cost of litigation. For this reason, ARBH argued that Plano ISD should be awarded the attorneys' fees it incurred in responding to Plaintiffs' baseless argument. The District Judge agreed and issued an opinion admonishing Plaintiff for wasting Plano ISD and the Court's time. The District Judge denied Plaintiffs' motion and awarded Plano ISD the full amount of requested attorneys' fees.

GENERAL LITIGATION (CONT.)

ARBH, on behalf of Plano ISD, filed a response arguing that the Plaintiffs' argument was frivolous, had no basis in law or fact, and served no purpose other than to harass Plano ISD, cause unnecessary delay and/or needlessly increase the cost of litigation. For this reason, ARBH argued that Plano ISD should be awarded the attorneys' fees it incurred in responding to Plaintiffs' baseless argument. The District Judge agreed and issued an opinion admonishing Plaintiff for wasting Plano ISD and the Court's time. The District Judge denied Plaintiffs' motion and awarded Plano ISD the full amount of requested attorneys' fees.

A.M. v. Cash, 585 F.3d 214 (5th Cir. 2009)

ARBH successfully defended Burleson ISD in banning displays of the confederate flag on school property.

Argyle ISD v. Wolf, 234 S.W.3d 299 (Tex. App. – Fort Worth 2007)

ARBH successfully defended Argyle ISD in suit challenging its transfer and admissions policy.

As of this submittal, there are no past or pending lawsuits against Abernathy, Roeder, Boyd & Hullett, P.C.

As of this submittal, there are no grievances filed with the State Bar of Texas or any other State Bar Association with any lawyer of The Firm who will provide services to the College.



EXHIBIT 1
ADDENDA CHECKLIST

Any addenda issued by STC to this RFQ will become part of the RFQ. Addenda will be numbered sequentially. Respondent must indicate on this sheet the receipt of any and all addenda.

Receipt is hereby acknowledged of the following addenda to this RFQ.

No. 1 X

No. 2

No. 3

No. 4

Firm Name: Abernathy, Roeder, Boyd & Hullett, P.C.



Authorized Signature (only if addenda have been issued)

EXHIBIT 2
EXECUTION OF OFFER

In compliance with this RFQ, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all goods and/or services at the prices quoted. Failure to sign this Execution of Offer ("Offer"), or signing it with a false statement, shall void the Qualifications and any resulting contract and may cause the Respondent to be removed from STC vendor lists.

By signature hereon, the Respondent hereby certifies that it:

i) is a lawfully established business and is regularly engaged in providing the goods and/or services requested herein.

ii) has the necessary experience, knowledge, abilities, skills, and resources to provide the goods and/or perform the services requested herein.

iii) is not currently delinquent in the payment of any franchise taxes owed to the State of Texas under Chapter 171 of the Tax Code or is not subject to the payment of such taxes, and the Respondent agrees that any false statement with respect to its franchise tax status shall be a material breach of any contract that may result from the submission of the Qualifications.

iv) is not currently delinquent in the payment of any property taxes owed to STC.

v) is aware that if Texas Government Code § 2252.908 is applicable to any contract awarded to the Respondent as a result of this RFQ, the Respondent is required to make an electronic filing of Form 1295 with the Texas Ethics Commission as a condition of being awarded the contract.

vi) is a publicly-traded company or, if not a publicly-traded company, no owner, employee or director of the Respondent is either currently employed by STC or has been an employee of STC within the immediate twelve (12) months prior to the time set for the submission of Qualifications to this RFQ.

vii) is not debarred, suspended or otherwise declared ineligible to contract by any federal, state or local public agency.

viii) has not, in connection with the Qualifications, given or offered to give, and does not intend to and shall not give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to an employee or trustee of STC or to a family member of an STC employee or trustee.

By signature hereon, the Respondent hereby certifies that:

a) neither the Respondent nor anyone acting on its behalf has violated the antitrust laws of the State, codified in Section 15.01, et seq., Texas Business and Commerce Code or the Federal antitrust laws, or has disclosed, directly or indirectly, any information contained in the Respondent's Qualifications to any competitor or any other person engaged in such line of business.

b) pursuant to *Texas Local Government Code*, Chapter 176, all vendors who contract or seek to contract with "local governmental entity" such as STC may be required to complete a conflict of interest questionnaire ("CIQ") if the vendor has a relationship with an officer of STC who is considered a "local government officer" or with a family member of such officer. If completion of a CIQ is required as of the effective date or at any time during the term of the Contract, the Respondent shall file the CIQ with STC's designated records

administrator: Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor. At <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>, the Respondent can find the official CIQ form along with a list of STC officers who are defined by Chapter 176 as "local government officers."

c) pursuant to *Texas Education Code*, Chapter 44.034, a person or business entity, **excluding** publicly-traded companies and certain vendors of library goods and services, that does business with STC, must notify STC if such person, or an owner or operator of such business entity, has ever been convicted of a felony, and must include in the notification a general description of the conduct that resulted in the felony conviction. At <https://finance.southtexascollege.edu/purchasing/purchase/files/Form-Criminal-History.pdf>, the Respondent can find a Criminal History Disclosure Form ("CHDF") that shall be used for this purpose. If the Respondent is required to submit a CHDF pursuant to Chapter 44.034 as of the effective date of the Contract or at any time during the term of the Contract, the Respondent shall send the CHDF to Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor, with a copy to Rebecca Cavazos, Director of Purchasing (beckyc@southtexascollege.edu), or her successor.

c) the individual signing this Offer as well as the other documents included in the Qualifications is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract which may result from the submission of the Qualifications.

d) pursuant to Texas Government Code, Title 10, Subtitle D, Section 2155.004(b), the individual or business entity named in the Qualifications or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate.

The Respondent hereby acknowledges that the Qualifications must include the Respondent's Taxpayer Identification Number and full legal name and address; the failure to sign the Qualifications will disqualify it; and the authorized agent signing the Qualifications may be required by STC to provide evidence of the agent's authority to bind the Respondent to a contract.

Signature: 

Printed Name: Mari McGowan

Title: Board President

Taxpayer Identification Number: 75-2219116

Respondent's Name: Abernathy, Roeder, Boyd & Hullett, P.C.

Street Address: 1700 N. Redbud Blvd., 3rd Floor

City/State/Zip: McKinney, Texas 75069

Telephone No.: (214) 544-4000

Email: mmcgowan@abernathy-law.com

Fax No.: (214) 544-4040

**EXHIBIT 3
REFERENCES
THIS FORM MUST BE RETURNED**

Please list at least five (5) references of educational institutions or current commercial customers who can verify the quality of service your company provides. STC prefers customers of similar size and scope of work as noted herein.

REFERENCE ONE

Government/Company Name: North Central Texas College
Address: 1525 West California Street, Gainesville, TX 76240
Contact Person/Title: Robbie Baugh / Vice President of Administrative Affairs
Telephone: (940) 668-3338 Email Address: rbaugh@nctc.edu
Description of Services: General Legal Representative

REFERENCE TWO

Government/Company Name: Victoria College
Address: 2200 E. Red River Street Victoria, TX 77901
Contact Person/Title: Terri Kurtz / Executive Director of Human Resources
Telephone: (361) 572-6463 Email Address: terri.kurtz@victoriacollege.edu
Description of Services: General Legal Representative

REFERENCE THREE

Government/Company Name: Hill College
Address: 112 Lamar Hillsboro, Texas 76645
Contact Person/Title: Jamie Jaska / Director of Human Resources
Telephone: 254-659-7731 Email Address: jjaska@hillcollege.edu
Description of Services: General Legal Representative

REFERENCE FOUR

Government/Company Name: Paris Junior College

Address: 2400 Clarksville St., Paris, Texas 75460

Contact Person/Title: Pam Anglin / President

Telephone: 903-785-7661 Email Address: panglin@parisjc.edu

Description of Services: General Legal Representative

REFERENCE FIVE

Government/Company Name: Collin College

Address: 3452 Spur 399 - McKinney, Texas 75069

Contact Person/Title: Monica Velazquez / General Counsel

Telephone: 972- 599-3144 Email Address: MVelazquez@collin.edu

Description of Services: Special Counsel

Signature: 

Printed Name: Mari McGowan

Title: Board President



COMMUNICATING WITH SOUTH TEXAS COLLEGE

We understand that South Texas College has issues that arise outside of regular business hours and is entitled to legal counsel that will reliably communicate and respond when needed. As a result, ARBH places communication as a priority.

ARBH's chief goal is to provide the College with a top quality work product. In order to achieve this goal, ARBH understands communication is the key and employs a variety of mechanisms, including but not limited to text messages, client alerts, telephone calls, teleconferences over Zoom, Webex, GoToMeeting, or other electronic communication platforms, and emails, to achieve this goal. ARBH maintains high expectations for its attorneys and staff, including not allowing "the sun to set on a call" when possible. The attorneys and staff at ARBH strive to ensure that the most comprehensive and accurate answer is provided to the College while utilizing the most cost-effective methods internally for you on the particular projects.

ARBH believes in taking a proactive approach towards working with the College. This means our attorneys are constantly working with your administration and Board to ensure compliance with the law, and a large part of this includes training for our clients. ARBH provides trainings for College employees at every level, including, but not limited to: Board members, administrators, administrative departments (such as human resources), and campus employees and administrators. As a result of ARBH's extensive training experience, we tailor our presentations to meet the College's specific training needs.

COMMUNICATING WITH THE UNIVERSITY OF NORTH TEXAS (CONT.)

Every year, ARBH conducts a series of Flash Classes at our office in McKinney. Flash Classes are free trainings for all clients. Participation from employees at all levels are highly encouraged, and attendance is free regardless of the number of employees who attend from each entity. Our focus is not selling products, but providing the Board and the College's administrators the support and training needed to confidently and correctly operate within legal guidelines. In 2019 and 2020, the attorneys from ARBH gave a broad range of trainings including:



Flash Class:

Nonrenewals and Terminations
Special Education and Student Documentation
Student Discipline / Searches / Graduation
Legislative Update
Personnel Issues and Update

Other:

Administrator Boot Camp / Principal Academy

In 2020, in response to COVID-19, ARBH provided a webinar series regarding the most relevant and up-to-date response information regarding COVID-19 issues. As the crisis continues, ARBH will provide additional webinars and training for our clients - we stay on top of the changes and give our clients the tools needed to handle the ever-changing issues encountered with the COVID-19 response.

Clients are welcome to not only attend Flash Classes as a free resource, but are encouraged to actively participate and discuss potential scenarios relating to each subject. Participants receive a certificate recognizing their professional participation in each Flash Class, as well as a copy of the presentation for future reference. ARBH is a registered CLE provider, and participants receive CLE credit for participation in our Flash Classes.

In addition to our yearly Flash Class trainings, the Firm places an emphasis on training and presentations on-site and virtually at a discounted rate for our district clients as well as being experienced in presenting on subjects at both the state and national level.



FIRM TECHNOLOGY

A positive by-product of our vast school law experience is our in-house database of research, information and form documents. We regularly draw upon this database to efficiently and expeditiously respond to the College's needs, and provide a significant cost savings. As with our available training, we do not charge for forms, but readily provide them free of charge to assist districts in their day-to-day operations. ARBH's hardware and software used to edit video requests made under the Texas Public Information Act and FERPA are invaluable tools for the Firm. All of our internal office spaces possess network systems which are linked through a VPN (Virtual Private Network) across Fiber Optic cable. ARBH utilizes the latest Windows based workstations. Hardware and software systems are upgraded as necessary, whether to maintain cutting edge performance or to insure compatibility with our clients. Our attorneys and staff work on the latest Windows operating system with all necessary software to properly serve our clients. Each attorney and staff member at ARBH has access to Lexis-Nexis for legal research. We work to ensure replacement and upgrading of our hardware and software systems on a yearly scheduled basis. This reduces network downtime. We are dedicated to maintaining technological systems capable of handling our client's needs. We have successfully met this goal and will continue to do so.

CONCLUSION

We are dedicated to providing our clients with representation of unsurpassed quality and effectiveness. Our philosophy is based on our commitment to providing personal attention to the needs of our governmental entity clients. When representation requires litigation, we are aggressive trial lawyers who are not afraid to fight to protect the governmental entity's rights. We also strongly believe in reasonableness and cooperation, and adjust our representation to fit the needs of each particular matter.

Abernathy, Roeder, Boyd & Hullett clients can expect an honest appraisal of the matter and an approach to resolution which considers the most practical, direct and economically feasible manner.

GUERRA & SABO, PLLC

QUALIFICATIONS FOR
RFQ No. 20-21-1026 - LEGAL SERVICES

GUERRA & SABO, P.L.L.C.
ATTORNEYS AT LAW

Hon. Ysmael D. Fonseca
yfonseca@guerrasabo.com

10213 NORTH TENTH STREET
MCALLEN, TEXAS 78504
(956) 383-4300
www.guerrasabo.com

Brownsville Office:
1534 EAST 6TH STREET
SUITE. 200
BROWNSVILLE, TEXAS 78520
(956) 541-1846

February 24, 2021

Via Hand Delivery

South Texas College
Purchasing Department
3200 W. Pecan Blvd.
Bldg. N, Ste. 145
McAllen, Texas 78501

Re: RFQ No. 20-21-1026 – Legal Services

Esteemed Board of Trustees:

On behalf of the Firm, I hereby submit our Letter of Intent, Statement of Qualifications, and required exhibits in response to your Request for Qualifications concerning legal services. I am a senior partner fully authorized to make this submission and to negotiate any terms that will be binding on the Firm. Please contact me if there are any questions or if any clarifications are needed.

The equity partners of the firm are R.D. “Bobby” Guerra, who also serves as managing partner, Frank Sabo, Jr., and Joe Hernandez. The Firm proposes that its managing partner, R.D. “Bobby” Guerra, and its senior partners, Heather Scott and Ysmael Fonseca, jointly serve as General Counsel to South Texas College. Messrs. Guerra and Fonseca are in the Firm’s McAllen Office, and Ms. Scott is in the Firm’s Brownsville Office. The rest of the Firm’s members would be available for assignments in their areas of expertise—from tort liability to procurement contracts.

We are grateful for the opportunity to be considered, and excited at the prospect of serving a thriving community.

Cordially,



Ysmael D. Fonseca

GUERRA & SABO, PLLC'S
QUALIFICATIONS FOR RFQ No. 20-21-1026 FOR LEGAL SERVICES

A. Brief History of the firm, including a resume of Curriculum Vita of the personnel proposed to provide General Counsel Legal Services.

Guerra & Sabo, PLLC, formerly Guerra, Leeds, Sabo & Hernandez, PLLC (and also Willette & Guerra, LLP), has been serving South Texas for over 20 years. The founding partners joined their experience in employment litigation, transactional matters, insurance defense, and municipal liability to create a firm that can provide services to any governmental entity and the growing business community in South Texas. In that time, the Firm and its clients have benefitted from the experience, counsel, and service of State Representative R.D. "Bobby" Guerra, Point Isabel I.S.D. Trustee Heather Scott, and former District Court Judge Ysmael D. Fonseca. With the exception of some tax related services that may be requested, the Firm's attorneys have over 100 combined years of legal experience.

B. The location and listing of resources of the local office (e.g., number of partners, associates, clerical staff, etc.), and the distance from this office to the College.

The Firm has two offices in South Texas: McAllen and Brownsville. The McAllen Office is approximately seven (7) miles from the Pecan Campus of South Texas College.

The Firm has 8 attorneys; three are founding/equity partners, two are senior partners, two are junior partners, and one is an associate. One of the senior partners and the associate are based out of the Brownsville Office; all other attorneys are in the McAllen Office.

Each attorney has a legal assistant that allows the attorney to devote his or her time entirely to legal matters. The McAllen Office also has a receptionist and filing clerk, and it houses the Firm's accounting department, which consists of a full-time bookkeeper/accountant, and her assistant. Managing Partner R.D. "Bobby" Guerra and his assistant, who also serves as office manager, are in charge of the daily operations of the Firm.

C. Professional memberships, certifications, licenses, and other qualifications for key individuals assigned to the College including the State Bar of Texas membership number for each of the lawyers who will be providing services to the College.

Guerra & Sabo, PLLC is an AV-Rated Law Firm, a distinction reserved for those with the highest level of professional excellence in the law. As to each individual attorney in the Firm:

1. R.D. "Bobby" Guerra
Texas Bar No. 08578640
S. Dist. Tex. No. 5949
Hidalgo County Bar Association, Member
Claims and Litigation Management Alliance, Member
2. Frank Sabo, Jr.

- Texas Bar No. 17500300
S. Dist. Tex. No. 20213
Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization
American Board of Trial Advocates (ABOTA), Member
Hidalgo County Bar Association, Member
Texas Association of Defense Counsel, Member
Claims and Litigation Management Alliance, Member
3. Joe Hernandez
Texas Bar No. 09517700
S. Dist. Tex. No. 15146
U.S. Court of Appeals for the Fifth Circuit, Admitted
Bar Association of the Fifth Federal Circuit, Member
4. Heather Scott
Texas Bar No. 24046809
S. Dist. Tex. No. 75294
W. Dist. Tex. No. 24046809
U.S. Court of Appeals for the Fifth Circuit, Admitted
Supreme Court of the United States, Admitted
Bar Association of the Fifth Federal Circuit, Member
Cameron County Bar Association, Member
Hidalgo County Bar Association, Member
Defense Research Institute, Member
Texas Association of School Boards, Member
5. Ysmael D. Fonseca
Texas Bar No. 24069726
S. Dist. Tex. No. 1139283
U.S. Court of Appeals for the Fifth Circuit, Admitted
Bar Association of the Fifth Federal Circuit, Member
Hidalgo County Bar Association, Member
Texas Association of Defense Counsel, Member
Claims and Litigation Management Alliance, Member
The Federalist Society, Member
6. Thomas M. Thomson
Texas Bar No. 19963280
7. Paul R. Wilson
Texas Bar No. 21707300
S. Dist. Tex. No. 14676
Hidalgo County Bar Association, Member

8. Carlo H. Tamayo, Jr.
Texas Bar No. 24115373
S. Dist. Tex. No. 3498642

D. Company's experience and qualifications for similar types of engagements; this summary must include your firm's experience in each of the areas of specialty listed herein for which respondent is submitting a Statement of Qualifications.

1. Attending Board and Committee meetings and advising Board members, Committee members, and Administration.

R.D. "Bobby" Guerra, Ysmael D. Fonseca, and Heather Scott have served as counsel for several governmental entities and companies and non-profit organizations, including, Starr County, City of Brownsville, City of Mission, Tropical Texas Behavioral Health (formerly Tropical Texas Center for MHMR), Donna I.S.D., and the Basilica of Our Lady of San Juan Del Valle. Their representation has required regular attendance at board, council, commission, and committee meetings and the executive sessions of governmental entities during such meetings. Messrs. Guerra and Fonseca, and Ms. Scott are fully versed in the Texas Open Meetings Act and its requirements for South Texas College. Their experience is directly related to the services South Texas College requires.

2. Providing legal counsel and guidance to the Board of Trustees and administrative staff on such matters as:

a. Development, review, and recommendation for updates of policies and procedures.

R.D. "Bobby" Guerra, Ysmael D. Fonseca, and Heather Scott have taken part in developing and reviewing, and have actually drafted, policies and procedures involving procurement, elections, and use of property, employment, and human resources, *e.g.* harassment policies and internal dispute resolution mechanisms. They have done so as city and county attorneys and general counsel, and they have also been hired specifically for such purposes by other entities. For example, the Firm was hired to revise and review the electioneering and property use policies and regulations for Starr County; the Firm has also been involved in developing human resource manuals for companies such as Hacienda Ford and Rio Grande Valley Abstract Co. In addition, the Firm regularly provides updates to clients after legislative sessions and/or when there are significant developments in Supreme Court cases at the State and Federal level.

b. Procurement procedures and contracts (interpretation of procurement law and review of certain contracts, development of a standardized contract form for most services the College solicits to be included as part of the RFQ or RFP document) and contract compliance.

The Firm, as general counsel or attorney for cities, counties and other governmental entities, has been involved in several processes requiring review and negotiation of

contracts. The Firm has also recently hired two attorneys with extensive experience in transactional matters involving contracts and procurement processes. Issues arising out of procurement procedures and contracts would be referred internally to attorneys Paul Wilson and Thomas Thomson, who each have thirty (30) years' experience in such matters.

c. All aspects of local government and higher education law

As counsel for several governmental entities, R.D. "Bobby" Guerra, Ysmael D. Fonseca, and Heather Scott are familiar with the type of requests for assistance they will receive as general counsel for South Texas College. Counsel are well-versed in local government law, and the Firm is ready to handle requests and inquiries from any department or officer from privacy questions and concerns, to Public Information Act Requests, harassment allegations, and employment matters. Attorneys in the Firm also have the experience of working with school districts across South Texas in matters involving the Americans with Disabilities Act (ADAA/IDEA), Family Educational Rights and Privacy Act, Age Discrimination in Employment Act, Title VII of the Civil Rights Act, HIPPA, Texas Tort Claims Act, Texas Commission on Human Rights Act, and other matters.

Although none of the attorneys in the Firm have handled matters specifically involving higher education law, the Firm has served as counsel for institutions of higher learning, including South Texas College. *See, infra*, Response to Subsection E. R.D. "Bobby" Guerra, Ysmael D. Fonseca, and Heather Scott have a general understanding of the requirements that South Texas College must fulfill, including, for example, federal reporting and Title IX requirements. Moreover, as general counsel for South Texas College, Messrs. Guerra and Fonseca, and Ms. Scott would have access to resources made available through the Higher Education Compliance Alliance created by the National Association of College and University Attorneys to ensure the College meets its obligations. These resources, along with their experience, will allow the attorneys to provide competent and reliable advice and representation to South Texas College.

d. Board of Trustee Elections

As former candidates for office, R.D. "Bobby" Guerra, Ysmael D. Fonseca, and Heather Scott are familiar with the Election Code and its provisions, and the Texas Ethics Commission. They are familiar with notices, procedures, and canvassing necessary to constitute the Board successfully.

e. Texas Open Meetings Act

As stated above, R.D. "Bobby" Guerra, Ysmael D. Fonseca, and Heather Scott have served as counsel for several governmental entities and municipalities in meetings, executive sessions, committees, and workshops, and are familiar with the requirements of the Open Meetings Act.

f. Texas Public Information Act

As stated above, R.D. “Bobby” Guerra, Ysmael D. Fonseca, and Heather Scott have served as counsel for several governmental entities, and as counsel for such entities, they have had to review and respond to requests under the Public Information Act, whether the requestors are attorneys, private citizens, or media representatives. They are also familiar with the process of requesting opinions, or relying on opinions, from the Attorney General to keep the client from disseminating information that must or should remain confidential and undisclosed.

g. Construction Contracts

Part of the Firm’s practice involves construction defect litigation. Ysmael D. Fonseca and Frank Sabo, Jr. have been involved in defending these type of cases for several years through insurance carriers like Liberty Mutual Insurance and Markel Specialty Insurance. Part of the representation has always required reading, interpreting, and understanding the contracts at issue in each case. South Texas College can be assured the Firm can adequately draft and review construction contracts.

h. Litigation Representation including tort and other civil liabilities

All attorneys in the Firm have experience in cases involving personal injury and commercial litigation; the Firm’s docket has over one hundred of such cases at this time. The Firm’s assignments are made through carriers or risk pools such as the Texas Association of Counties, Texas Municipal League Intergovernmental Risk Pool, and Liberty Mutual Insurance. Furthermore, Frank Sabo, Jr. is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization. R.D. “Bobby” Guerra, Joe Hernandez, Ysmael D. Fonseca and Heather Scott specialize in employment disputes, constitutional torts, *e.g.* freedom of speech, use of excessive force, and due process, complex civil litigation, *e.g.*, business dissolutions and fraud, and alleged violations of the Open Meetings Act and Public Information Act, which are frequently litigated in state and federal courts. Paul Wilson also has experience in probate litigation, and Thomas Thomson has decades of experience in handling administrative hearings before several entities.

i. Other work as authorized by the Board of Trustees

Our Firm prides itself in always offering solutions to our clients’ needs; that is why it has grown its practice throughout the years to all areas of law that could be of benefit to governmental entities and businesses in our community. Our attorneys will always strive to provide South Texas College with the answers it needs to continue its work for our community.

3. Providing legal counsel and guidance to the Board of Trustees and administrative staff on such matters as needed:

a. Tax Abatement Agreements/IRS examinations

Tax law is a very specialized area of law, which is always changing, and when the need arises we would recommend that South Texas College retain the services of an attorney or firm with specialized experience in tax abatements and audits/examinations.

b. Real estate law

Matters involving real estate would be assigned to Paul Wilson, whose practice before joining the Firm in 2020 was focused in part on transactional matters involving contracts, creditors, and real estate. Mr. Wilson also has experience in real estate litigation involving complex real estate transactions, title disputes, rental agreements, liens, construction contracts, etc.

c. Intellectual property

Ysmael D. Fonseca has experience in copyright issues through his work with the Basilica of Our Lady of San Juan, which has several CDs and music recordings. Mr. Fonseca has also been involved in trademark issues through his representation as general counsel for Hacienda Ford. Although Mr. Fonseca has not represented or been involved in matters involving Online Service Providers, he is familiar with the Digital Millennium Copyright Act's requirements for South Texas College. Heather Scott has also represented the City of South Padre Island in copyright infringement litigation in federal court.

d. Land Use, Environmental, Health and Safety

As counsel for governmental entities, R.D. "Bobby" Guerra, Ysmael D. Fonseca, and Heather Scott are familiar with land use issues; they have been involved in litigation involving, and the creation of, policies for planning and zoning, parks, building use, and electioneering. They have also worked closely with law enforcement throughout their careers as counsel for counties and cities, defending officers' actions, and policies and procedures, providing officer training on the law, and advising police departments on policies and procedures. Additionally, Mr. Guerra's prior work with Texas Tropical Behavioral Center exposed him to mental health law issues. Messrs. Guerra and Fonseca, and Ms. Scott have also been local officials during the pandemic which has required that they be knowledgeable in the area of health and public safety. Furthermore, Mr. Guerra has served in, as is currently the vice-chair of, the Texas House of Representatives Public Health Committee, which keeps him current on the issues.

E. List of cases and outcomes relating to higher education clients that have been handled by the firm through negotiation, settlement, mediation, arbitration, or litigation.

1. Heather Scott and other partners in the Firm served as local counsel for the University of California Board of Regents in a case filed in Hidalgo County, under Cause Number C-2195-02-C in the 139th District Court, involving a legal dispute over the ownership of

research and breach of contract issues; the case settled prior to trial and after an appeal on denial of a plea to the jurisdiction was filed.

2. Heather Scott also represented Southern Careers Institute in an employment case in Cameron County, under Cause No. 2016-CCL-00088 in the County Court at Law No. 2; the case settled prior to trial.
3. The Firm, through retired counsel, represented South Texas College under Cause No. CL-08-0257-G in the Hidalgo County Court at Law No. 7. Plaintiff Armandina Sesin alleged she was terminated on the basis of age, sex, and race; the case settled before being tried.
4. The Firm, through retired counsel, represented South Texas College under Cause No. C-0331-09-C in the 139th District Court of Hidalgo County. Plaintiff Curtis Robinson alleged wrongful termination after he assisted the Matagorda County EMS when it was activated by FEMA; the case was dismissed on granting of a plea to the jurisdiction.
5. The Firm, through retired counsel, represented South Texas College under Cause No. CL-09-2942 in the Hidalgo County Court at Law No. 1. Plaintiff Robert Cole alleged he was wrongfully terminated after being subjected to sexual harassment and a hostile work environment; the case settled before being tried.
6. The Firm, through retired counsel, represented South Texas College under Cause No. CL-10-2670-D in the Hidalgo County Court at Law No. 4. Plaintiff Carolina Garza alleged her personal information was provided to people applying for positions at the Continuing Education Department; the case was dismissed.
7. The Firm, through retired counsel, represented South Texas College under Cause No. 7:10-cv-384 in the U.S. District Court for the Southern District of Texas, McAllen Division. Plaintiff Juan Carlos Lopez alleged the ramp allowing his wheelchair access to a portable building was too steep, causing the wheelchair to lose traction and injure his leg; the case settled and the Firm helped with the development of communications to students concerning ADA accommodations.

F. List of past and pending lawsuits against your firm or against any lawyers in the firm who will provide services to the College.

On February 2, 2018, the Firm's predecessor entity, Guerra, Leeds, Sabo & Hernandez, PLLC, was sued by The Pruneda Law Firm, PLLC, in the County Court at Law No. 2 of Hidalgo County, Texas, under Cause Number CL-18-0573-B. Attorney Michael Pruneda sued the Firm because a former client—that fired him before mediation to hire another attorney—settled with the Firm's client at mediation and did not pay her former attorney's fees. Mr. Pruneda alleges the Firm was responsible for the loss by not keeping him informed of the settlement and securing his interest—despite having no such obligation. A ruling on the Firm's Motion for Summary Judgment is pending.

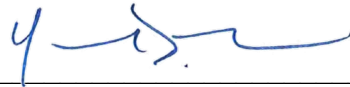
G. List and describe all of the grievances filed with the State Bar of Texas, or any other State Bar Association, against any lawyer in the firm who will provide services to the College.

A grievance was filed against Paul Wilson, under Complaint No. 201903651, but was dismissed.

H. Attachments

1. Addenda Checklist
2. Execution of Offer
3. References
4. Resumes

I hereby certify that the information contained in this Statement of Qualifications is correct and complete to the best of my knowledge.



Ysmael D. Fonseca, on behalf of,
GUERRA & SABO, PLLC

EXHIBITS

EXHIBIT 1

EXHIBIT 1
ADDENDA CHECKLIST

Any addenda issued by STC to this RFQ will become part of the RFQ. Addenda will be numbered sequentially. Respondent must indicate on this sheet the receipt of any and all addenda.

Receipt is hereby acknowledged of the following addenda to this RFQ.

No. 1 4

No. 2 _____

No. 3 _____

No. 4 _____

Firm Name: Guerra & Sabo, PLLC



Authorized Signature (only if addenda have been issued)

EXHIBIT 2

EXHIBIT 2
EXECUTION OF OFFER

In compliance with this RFQ, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all goods and/or services at the prices quoted. Failure to sign this Execution of Offer ("Offer"), or signing it with a false statement, shall void the Qualifications and any resulting contract and may cause the Respondent to be removed from STC vendor lists.

By signature hereon, the Respondent hereby certifies that it:

i) is a lawfully established business and is regularly engaged in providing the goods and/or services requested herein.

ii) has the necessary experience, knowledge, abilities, skills, and resources to provide the goods and/or perform the services requested herein.

iii) is not currently delinquent in the payment of any franchise taxes owed to the State of Texas under Chapter 171 of the Tax Code or is not subject to the payment of such taxes, and the Respondent agrees that any false statement with respect to its franchise tax status shall be a material breach of any contract that may result from the submission of the Qualifications.

iv) is not currently delinquent in the payment of any property taxes owed to STC.

v) is aware that if Texas Government Code § 2252.908 is applicable to any contract awarded to the Respondent as a result of this RFQ, the Respondent is required to make an electronic filing of Form 1295 with the Texas Ethics Commission as a condition of being awarded the contract.

vi) is a publicly-traded company or, if not a publicly-traded company, no owner, employee or director of the Respondent is either currently employed by STC or has been an employee of STC within the immediate twelve (12) months prior to the time set for the submission of Qualifications to this RFQ.

vii) is not debarred, suspended or otherwise declared ineligible to contract by any federal, state or local public agency.

viii) has not, in connection with the Qualifications, given or offered to give, and does not intend to and shall not give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to an employee or trustee of STC or to a family member of an STC employee or trustee.

By signature hereon, the Respondent hereby certifies that:

a) neither the Respondent nor anyone acting on its behalf has violated the antitrust laws of the State, codified in Section 15.01, et seq., Texas Business and Commerce Code or the Federal antitrust laws, or has disclosed, directly or indirectly, any information contained in the Respondent's Qualifications to any competitor or any other person engaged in such line of business.

b) pursuant to *Texas Local Government Code*, Chapter 176, all vendors who contract or seek to contract with "local governmental entity" such as STC may be required to complete a conflict of interest questionnaire ("CIQ") if the vendor has a relationship with an officer of STC who is considered a "local government officer" or with a family member of such officer. If completion of a CIQ is required as of the effective date or at any time during the term of the Contract, the Respondent shall file the CIQ with STC's designated records

administrator: Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor. At <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>, the Respondent can find the official CIQ form along with a list of STC officers who are defined by Chapter 176 as “local government officers.”

c) pursuant to *Texas Education Code*, Chapter 44.034, a person or business entity, **excluding** publicly-traded companies and certain vendors of library goods and services, that does business with STC, must notify STC if such person, or an owner or operator of such business entity, has ever been convicted of a felony, and must include in the notification a general description of the conduct that resulted in the felony conviction. At <https://finance.southtexascollege.edu/purchasing/purchase/files/Form-Criminal-History.pdf>, the Respondent can find a Criminal History Disclosure Form (“CHDF”) that shall be used for this purpose. If the Respondent is required to submit a CHDF pursuant to Chapter 44.034 as of the effective date of the Contract or at any time during the term of the Contract, the Respondent shall send the CHDF to Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor, with a copy to Rebecca Cavazos, Director of Purchasing (beckyc@southtexascollege.edu), or her successor.

c) the individual signing this Offer as well as the other documents included in the Qualifications is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract which may result from the submission of the Qualifications.

d) pursuant to Texas Government Code, Title 10, Subtitle D, Section 2155.004(b), the individual or business entity named in the Qualifications or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate.

The Respondent hereby acknowledges that the Qualifications must include the Respondent’s Taxpayer Identification Number and full legal name and address; the failure to sign the Qualifications will disqualify it; and the authorized agent signing the Qualifications may be required by STC to provide evidence of the agent’s authority to bind the Respondent to a contract.

Signature: _____

Printed Name: Ysmael D. Fonseca

Title: Partner

Taxpayer Identification Number: 74-2809979

Respondent’s Name: Guerra & Sabo, PLLC

Street Address: 10213 N. 10th Street

City/State/Zip: McAllen, Texas 78504

Telephone No.: (956) 383-4300

Email: yfonseca@guerrasabo.com

Fax No.: (956) 383-4300

EXHIBIT 3

**EXHIBIT 3
REFERENCES
THIS FORM MUST BE RETURNED**

Please list at least five (5) references of educational institutions or current commercial customers who can verify the quality of service your company provides. STC prefers customers of similar size and scope of work as noted herein.

REFERENCE ONE

Government/Company Name: City of Edinburg
Address: 415 W. University Drive, Edinburg, Texas 78541
Contact Person/Title: Omar Ochoa, City Attorney
Telephone: (956) 388-8208 Email Address: omarochoa@cityofedinburg.com
Description of Services: Attorneys for City of Edinburg in a variety of cases, from personal injury to civil rights and employment matters.

REFERENCE TWO

Government/Company Name: City of McAllen
Address: P.O. Box 220, McAllen, Texas 78505
Contact Person/Title: Isaac Tawil, City Attorney
Telephone: (956) 681-1090 Email Address: itawil@mcallen.net
Description of Services: Attorneys for City of McAllen in a variety of cases, from personal injury to civil rights and employment matters.

REFERENCE THREE

Government/Company Name: City of Mission
Address: 1201 E. 8th Street, Mission, Texas 78572
Contact Person/Title: Robert Hinojosa, Director of Risk Management
Telephone: (956) 580-8717 Email Address: rhinojosa@missiontexas.us
Description of Services: Attorneys for City of Mission in a variety of cases, from personal injury to civil rights and employment matters.

REFERENCE FOUR

Government/Company Name: City of Brownsville
Address: 1045 W. Washington Street, Brownsville, Texas 78520
Contact Person/Title: Alfredo Padilla, Deputy City Attorney
Telephone: (956) 548-6008 Email Address: alfredo.padilla@cob.us
Description of Services: Former City Attorneys and Attorneys for City of Brownsville in a variety of cases from personal injury to civil rights and employment matters.

REFERENCE FIVE

Government/Company Name: City of Pharr
Address: P.O. Box 1729, Pharr, Texas 78577
Contact Person/Title: Patricia Rigney, City Attorney
Telephone: (956) 402-4001 Email Address: patricia.rigney@pharr-tx.gov
Description of Services: Attorneys for City of Pharr in a variety of cases from personal injury to civil rights and employment matters.

EXHIBIT 4

GUERRA & SABO, P.L.L.C.

FIRM RESUME

Guerra & Sabo, P.L.L.C., is an AV rated firm that serves the Rio Grande Valley and all of South Texas with fully staffed offices in both Brownsville (Cameron County) and McAllen (Hidalgo County). The Firm's managing partner, R. D. "Bobby" Guerra is a lifelong resident of Hidalgo County and has been a practicing trial attorney since 1985. He currently serves as State Representative for District 41. Among its partners, the Firm is also proud to have a current school board trustee and a former state district court judge.

Guerra & Sabo, P.L.L.C., handles insurance defense litigation involving damages ranging from serious injury and death to construction defects and business disputes. Areas of practice include product liability, motor vehicle accidents, construction accidents and defects, medical liability and premises liability.

The Firm also has extensive experience in handling employment law cases, including sexual harassment, age discrimination, disability discrimination, worker's comp retaliation, Whistleblower's Act, libel and slander, breach of contract, intentional infliction of emotional distress, and assault and battery claims, as well as civil rights cases, including First, Fourth and Fourteenth Amendment claims, and all other state and federal constitutional law claims.

In addition, the Firm has represented numerous school districts, cities, counties, and other governmental entities on cases ranging from administrative matters to Texas Tort Claims Act and federal and state constitutional cases. The Firm's clients include insurance carriers and risk pools, as well as self-insured corporations. The Firm has recently broadened its practice areas with the addition of a transactional practice, including foreclosures, homeowner association management and litigation, probate, wills and estate planning, business operations, and corporate formation. We also serve as local counsel for firms and clients from across the nation.

Please see the firm's website at www.guerrasabo.com.

**GUERRA & SABO, P.L.L.C.
ATTORNEYS AT LAW**

MCALLEN OFFICE

10213 North 10th Street
McAllen, Texas 78504
Telephone: (956) 383-4300
Facsimile: (956) 383-4304

ATTORNEYS

R. D. "Bobby" Guerra
Frank Sabo, Jr.
Joe Hernandez
Ysmael D. Fonseca
Thomas M. Thomson
Paul Wilson

BROWNSVILLE OFFICE

1534 East 6th Street, Suite 200
Brownsville, Texas 78520
Telephone: (956) 541-1846
Facsimile: (956) 541-1893

ATTORNEYS

Heather Scott
Carlo H. Tamayo, Jr.

ATTORNEY FILE ASSIGNMENT SYSTEM

Guerra & Sabo, P.L.L.C. utilizes a file assignment process which involves a primary and secondary attorney assigned to every file. The primary attorney with the experience commensurate with the complexity of the case will usually handle the litigation. The secondary attorney is assigned to be available to help the primary attorney should any scheduling conflicts arise or should it be more economical and feasible for an associate attorney to handle particular matters, as opposed to the primary attorney. Two attorneys will not attend a hearing, deposition, etc., unless it has been specifically approved. The secondary attorney will very likely work on the file but will not duplicate time and services performed by the primary attorney.

**GUERRA & SABO, P.L.L.C.
ATTORNEYS**

R. D. “Bobby” Guerra

Bobby was born in Edinburg, Texas in 1953. His family, both paternal and maternal, have been South Texas ranchers since the 1700's. He graduated from Pan American University with a B.S. degree and a double major in Biology and Chemistry in 1977 and from Texas Southern University Law School in Houston, Texas with a J.D. degree, *cum laude*, in 1985. For several years, prior to attending law school, he was a television reporter and news anchor at the ABC affiliate KRGV-TV Channel 5. He was admitted to the bar in 1985 and is licensed to practice in Texas and the United States District Courts for the Northern and Southern Districts of Texas. Upon graduation from law school, Bobby practiced with the law firm of Peña, McDonald, Prestia & Ibanez in Edinburg, Texas. In 1986, he joined the McAllen law firm of Ewers & Toothaker and became partner after 3 ½ years. In August 1991, Bobby left Ewers & Toothaker to begin a practice of his own. Bobby has practiced in all of the state courts in the Rio Grande Valley and parts of South Texas. He served for several years as Director of the Hidalgo County Bar Association and was elected HCBA President for the 1993-94 term. He is currently a member of the American Bar Association and State Bar of Texas and is a Fellow with the Texas Bar Foundation. Bobby was elected by his peers and served as State Bar Director for District 12 from 1996 to 1999. His district encompassed 17 counties in and around the South Texas area. In March of 2000, Bobby was elected Chairman of the Hidalgo County Democratic Party where he served two terms. He has also served on the board of directors of the University of Texas-Pan American Alumni Association and was elected President of the board in 2003. In 2012 he was elected State Representative for District 41. Bobby was named a Texas Super Lawyer in 2006, 2007, 2008, 2009, 2010, and 2011. Bobby is A.V. rated by Martindale-Hubbell and is certified in Alternative Dispute Resolution/Mediation.

Frank Sabo, Jr.

Frank was born in Murfreesboro, Tennessee, in 1965 and was raised in McAllen, Texas. He graduated from St. Mary's University of San Antonio, Texas with a B.A. degree in Biology in 1986 and a J.D. degree in 1989. He was admitted to the bar in 1989 and is licensed to practice in Texas and the United States District Court for the Southern District of Texas. Following graduation, he returned to the Rio Grande Valley and became an associate with the insurance defense firm Sweetman & Wise, L.L.P. He became a partner in the firm Sweetman, Sabo & Toland, L.L.P. where he practiced before joining the predecessor firm to Guerra, Leeds, Sabo & Hernandez, P.L.L.C. in 2009. He has handled litigation in the areas of medical malpractice, premises liability, automobile liability, trucking liability, construction defect, toxic tort and general negligence. Frank is a member of the Hidalgo County Bar Association where he has served on the Board of Directors since 2011 and is the immediate past President. He is a member of the Defense Research Institute and the Texas Association of Defense Counsel, and is a Fellow of the Texas Bar Foundation and American Bar Foundation. Frank is A.V. rated by Martindale-Hubbell, is Board Certified in Personal Injury Trial Law by the Texas Board of Legal Specialization, and is a member of the American Board of Trial Advocates (ABOTA) where he served as President of the Rio Grande Valley chapter from 2014 to 2016.

Joe Hernandez

Joe was born and raised in Brownsville, Texas. He graduated from North Texas State University in Denton, Texas, with a B.S. degree in 1983 and from Santa Clara University School of Law in Santa Clara, California, with a J.D. degree in 1988. Following graduation, Joe served one a year as the briefing attorney for U.S. Magistrate William Mallet in McAllen, Texas. He then moved to San Antonio, Texas, where he practiced civil litigation defense for 12 years; two years with Groce, Locke and Hebdon and ten years with Ball & Weed, P.C., where he became a partner in the firm. Joe has handled litigation involving governmental entities, medical malpractice, product liability, oil and gas, employment, premises liability, and general negligence. He is licensed to practice in all courts in the State of Texas and is admitted to practice before the Fifth Circuit Court of Appeals and the United States District Courts for the Northern, Southern, Western, and Eastern Districts of Texas.

Heather Scott

Heather was raised in Port Isabel, Texas where she graduated as Valedictorian from Port Isabel High School in 1997. She attended Southern Methodist University in Dallas, Texas, and graduated with a B.A. degree in Political Science in 2001. While at SMU, Heather was an SMU Scholar, listed on the SMU Honor Roll, and received the SMU Minority Academic Achievement Award. She was also a member of Pi Sigma Alpha Political Science Honor Society, Who's Who Among Students in American Colleges & Universities, and the College Hispanic American Students organization. She attended Southern Methodist University Dedman School of Law in Dallas, Texas where she earned her J.D. degree in 2004. While in law school, Heather was on the Dean's List, a member of the Phi Delta Phi legal fraternity, and Who's Who Among American Law Students. After her first year of law school, Heather was selected for the American Bar Association Section of Litigation Minority Judicial Internship Program and was a law clerk intern with the Hon. Felix Recio, U.S. Magistrate Judge for the Southern District of Texas, Brownsville Division. During law school, Heather was also a law clerk with the Federal Trade Commission Southwest Regional Office in Dallas, Texas. She was admitted to the State Bar of Texas in 2004; the U.S. District Court and Bankruptcy Court, Southern District of Texas in 2005; the U.S. District Court, Western District of Texas in 2007; the U.S. Court of Appeals for the Fifth Circuit in 2006; and the United States Supreme Court in 2010. Heather was named a Texas Super Lawyers Rising Star Young Lawyer in 2007, 2008, 2009, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, and 2019. Heather is a member of the Cameron County Bar Association, Cameron County Young Lawyer's Association, Hidalgo County Bar Association, and the Bar Association of the Fifth Federal Circuit. Heather is fluent in Spanish. Heather was a member of Leadership Laguna Madre Class XVII and the Leadership Laguna Madre Steering Committee. She also serves on the Executive Board of Directors of the Texas International Fishing Tournament (TIFT) and the Board of Directors of the Boys & Girls Club of Laguna Madre. Heather currently serves on the Board of Trustees of the Point Isabel Independent School District.

Ysmael D. Fonseca

Judge Ysmael Fonseca is a former district court judge and is now a partner at Guerra & Sabo, PLLC in McAllen, Texas. Judge Fonseca was born and raised in South Texas. He graduated from the University of Notre Dame with a B.A. degree, with honors, in Political Science and Spanish Literature in 2003 and a J.D. degree, with honors, in 2009. Prior to attending law school, Judge Fonseca served as a Paralegal Specialist for the Department of Justice Civil Rights Division in Washington, D.C. assisting in the prosecution of civil rights cases, with a particular focus on the prosecution of human trafficking offenses. He continued in public service while in law school through his work with the United States Attorney's Office in McAllen, Texas after his first year and with Senator John Cornyn in the Judiciary Committee of the United States Senate after his second year. During his law school years, Judge Fonseca served in the Notre Dame Journal of Law, Ethics & Public Policy as note editor, and in the Notre Dame Legal Aid Clinic as a student-lawyer representing indigent clients in small estate, guardianship, and other probate matters. In the Spring of 2009, Judge Fonseca was honored with the Publication of his note, *The Catholic Church's Obligation to Serve the Stranger in Defiance of State Immigration Laws*. Judge Fonseca's career as an attorney began with his service as judicial law clerk for Judge Randy Crane of the U.S. District Court for the Southern District of Texas. He then continued his practice at Guerra, Leeds, Sabo & Hernandez, PLLC (now Guerra & Sabo, PLLC) where he specialized in civil defense, municipal and governmental law, and small business and non-profit representation. From 2019 to 2020, Judge Fonseca served as judge of the 464th District Court of Hidalgo County where he managed and presided over thousands of criminal, family and civil cases.

Thomas M. Thomson

Thomas is a 1989 graduate of St. Mary's University School of Law. Thomas recently joined the firm, bringing more than 30 years of experience in transactional work, involving real estate, contracts, and probate, and litigation, including family matters, personal injury, and complex commercial cases. Thomas has also handled administrative matters before state agencies and schools.

Paul R. Wilson

Paul matriculated at Southwest Baptist University where he received his B.A in 1985 and at the University of Houston Law Center where he earned his Doctor of Jurisprudence in December 1991. He then moved to the Rio Grande Valley to practice law and has lived and practiced there his entire career, almost 30 years. For many years he managed his own law firm which practiced commercial litigation with an emphasis in contract and commercial debt litigation. Paul is the trial and appellate attorney of record in several appellate opinions stemming from such work. He regularly serves as court appointed receiver in post-judgment enforcement proceedings. In the Fall of 2020, Paul joined the Firm. Paul is a member in good standing with the State Bar of Texas, the Nevada State Bar, and the Federal Bar of the Southern District of Texas. He is a past officer and director of the Hidalgo County Bar Association, author of the award winning series entitled 40-Plus Practice: The Voice of Experience, and recipient of the following professional awards: 2011-12 HCBA Board Member of the Year; 2012-2013 HCBA Volunteer of the Year; 2014 John E. Cook Pro Bono Award. Paul resides in McAllen with his wife and daughter.

Carlo H. Tamayo, Jr.

Carlo was born and raised in Brownsville, Texas. He graduated from St. Edward's University in Austin, Texas, with a B.A. degree in Political Science in 2016, and from St. Mary's University School of Law in San Antonio, Texas, with a J.D. degree in 2019. In the summer of 2018, Carlo joined Guerra & Sabo, P.L.L.C. as an interim law clerk and upon graduating from law school in 2019 he became an associate. Carlo was admitted to the bar in 2019 and is licensed to practice in Texas and the United States district Court for the Southern District of Texas.

REPRESENTATIVE CLIENTS & INSURANCE CARRIERS

Abercrombie & Fitch Stores, Inc.
ACE Insurance Company of North America
Alexsis Risk Management
Basilica of Our Lady of San Juan
Barron Risk Management Services, Inc.
Benchmark General Agency
Boy Scouts of America
Brooks County
Brownsville I.S.D.
Cameron County
Cameron County Housing Authority
Carpet Distributors, Inc.
Casualty Indemnity Exchange
City of Brownsville
City of Edinburg
City of McAllen
City of Mission
City of Palmview
City of Pharr
City of Raymondville
Coca-Cola Enterprises, Inc.
Combined Insurance Company
Con-Way Trucking
Coregis Insurance Company
Crum & Forster
DAP Products, Inc.
Donna I.S.D.
Doctors Hospital at Renaissance
Economy Fire and Casualty
Edinburg C.I.S.D.
Edinburg Economic Development Corp.
Edinburg Regional Hospital
Edwards Claims Administration
Enterprise Rent-A-Car
ESIS, Inc.
Farmers Insurance Group
Federal Express
Fina Oil Company
Fireman's Fund Insurance Company
Fred Loya Insurance Company
Frontier Insurance Company
GAB Business Services
GEICO Federated Insurance Company
General Star Insurance
Golden Corral Corp
Greyhound Lines, Inc.
Gulf Stream Coach, Inc.
Hacienda Ford
Harbor Insurance Co.
Hidalgo County Federal Credit Union
H-E-B
Hertz Corporation
Hidalgo County
Holiday Inn Hotels
Home State County Mutual
Integrity Mutual Insurance Company

Interstate Insurance Company
JI Speciality Services
Kmart
Lack's Valley Stores, Inc.
La Joya I.S.D.
Le Fleur Transportation
Liberty Mutual Insurance Company
Lindsey Morden
Luby's
Magic Valley Electric Cooperative, Inc.
Markel Insurance Company
McAllen Chamber of Commerce
McAllen I.S.D.
McAllen Medical Center
McDonald's
Mervyn's
National Auto Parts, Inc.
Omni Claims Services
ORC Industries, Inc.
P.F. Chang's China Bistro, Inc.
Port Isabel Housing Authority
Professional Claim Managers, Inc.
RLI Insurance Company
Safeco Insurance
Seahorse Transport, Inc.
Sears Roebuck and Co.
Sedgwick Claims Management
Sharyland I.S.D.
SNAP Insurance Services
Southern Careers Institute (SCI)
Starr County
Texas Association of Counties
Texas Association of School Boards, Inc.
Texas Boll Weevil Eradication Found.
Texas Municipal League -
Intergovernmental Risk Pool
Texas Political Subdivisions
Texas Water Conservation
Texas Worker's Compensation Insurance
The Travelers Insurance Company
Town of Indian Lake
Universal Health Services, Inc.
U.S. Fire
USAA
Utica Mutual Insurance Company
Valley View I.S.D.
WAUSAU Insurance
Willacy County
Zapata County
Zenith Electronics Corporation

Specific names of individuals in any of these companies will be provided upon request.

R.D. "BOBBY" GUERRA

POSITION

Attorney and Managing Partner - Guerra & Sabo, PLLC 1997 - Present
(formerly known as Guerra, Leeds, Sabo & Hernandez, PLLC and
Willette & Guerra, LLP)

ADDRESS

Business: 10213 N. 10th Street
McAllen, Texas 78504
956-383-4300 Telephone
956-383-4304 Facsimile
rdguerra@guerrasabo.com

BIOGRAPHICAL DATA

Date of Birth: August 12, 1953
Place of Birth: Edinburg, Texas

Family: Married to Leslie Yoder Guerra for 39 years
Three children

EDUCATION

Degree Earned:	J.D., Cum Laude	Year: 1985
	Texas Southern University Law School	Houston, Texas
Degree Earned:	B.S.	Year: 1977
	Pan American University	Edinburg, Texas

HONORS AND PROFESSIONAL MEMBERSHIPS

HCBA President 1993-1994
Member, American Bar Association
Member, State Bar of Texas
Member, Hidalgo County Bar Association
Member, Claims and Litigation Management Alliance
Texas Bar Foundation Life Fellow
State Bar Director for District 2 1996-1999
Texas Super Lawyer 2006, 2007, 2008, 2009, 2010, and 2011
Former Chairman Hidalgo County Democratic Party (two terms)
Former President and current Member, University of Texas-Pan American Alumni Association
Former President, Easter Seal's Board of Directors
Martindale-Hubbe A.V. Rated
District 41 – Texas State Representative 2012 to present

YSMAEL D. FONSECA

EDUCATION

University of Notre Dame Law School

Juris Doctor, Cum Laude

Notre Dame, IN

May 2009

University of Notre Dame

Bachelor of Arts in Political Science and Spanish, Cum Laude

Notre Dame, IN

May 2003

EXPERIENCE

Guerra & Sabo, PLLC

Partner

McAllen, Texas

Jan. 2021 – Present

464th District Court of Hidalgo County, Texas

Judge

Edinburg, Texas

Sept. 2019 – Dec. 2020

Guerra, Leeds, Sabo & Hernandez, PLLC

Junior Partner

McAllen, Texas

Aug. 2011 – Sept. 2019

United States District Court, Southern District of Texas

Judicial Law Clerk to Hon. Randy Crane

McAllen, Texas

Sept. 2009 – Aug. 2011

LICENSES, HONORS AND PROFESSIONAL MEMBERSHIPS

State Bar of Texas, Admitted

U.S. District Court for the Southern District of Texas, Admitted

U.S. Court of Appeals for the Fifth Circuit, Admitted

Hidalgo County Bar Association, Member

Texas Association of Defense Counsel, Member

Claims & Litigation Management Alliance, Member

The Federalist Society, Member

Super Lawyers Rising Star 2014 – 2019

RGV Notre Dame Alumni Association, Member and Membership Coordinator

Sharyland Health Foundation, Board Member

PUBLICATIONS

The Catholic Church's Obligation to Serve the Stranger in Defiance of State Immigration Laws

23 NOTRE DAME J.L. ETHICS & PUB. POL'Y 291 (2009)

SOCIAL MEDIA

Website: www.judgefonseca.com

Facebook: [@JudgeFonseca](https://www.facebook.com/JudgeFonseca)

HEATHER BARRERA SCOTT

PROFESSIONAL LICENSES

- State Bar of Texas, November 2004
- U.S. District Court-Southern District of Texas, May 2005
- U.S. Bankruptcy Court-Southern District of Texas, May 2005
- U.S. Court of Appeals-Fifth Circuit, June 2006
- U.S. District Court-Western District of Texas, June 2009
- U.S. Supreme Court, November 2010

EDUCATION

Southern Methodist University Dedman School of Law
Juris Doctor, May 2004

Dallas, Texas

Southern Methodist University
Bachelor of Arts in Political Science, May 2001

Dallas, Texas

EXPERIENCE

GUERRA & SABO, P.L.L.C.

McAllen/Brownsville, Texas

Partner, January 2013 to present

(Firm was formerly Willette & Guerra, L.L.P. and Guerra, Leeds, Sabo & Hernandez, P.L.L.C.)

FEDERAL TRADE COMMISSION, SOUTHWEST REGIONAL OFFICE

Dallas, Texas

Law Clerk Extern, Summer 2003

HON. FELIX RECIO, U.S. MAGISTRATE JUDGE, SOUTHERN DISTRICT OF TEXAS

Brownsville, Texas

American Bar Association Minority Judicial Law Clerk Extern, Summer 2002

SEMINARS & PRESENTATIONS

- Authored paper & presented at Texas Municipal League-Intergovernmental Risk Pool Attorney Workshop on governmental tort liability issues—August 2016

HONORS, MEMBERSHIPS, & ASSOCIATIONS

Named “Rising Star” Young Lawyer for the State of Texas

State Bar of Texas, *member*

Cameron County Bar Association & Cameron County Young Lawyers Association, *member*

Hidalgo County Bar Association, *member*

Bar Association of the Fifth Federal Circuit, *member*

Defense Research Institute (DRI), *member*

DRI Governmental Liability Committee, *member*

Point Isabel Independent School District Board of Trustees, Place 3 – *elected in May 2019*

HEATHER BARRERA SCOTT

BIOGRAPHY

Heather was raised in Port Isabel, Texas where she graduated as Valedictorian from Port Isabel High School in 1997. She attended Southern Methodist University in Dallas, Texas, and graduated with a B.A. degree in Political Science in 2001. She attended Southern Methodist University Dedman School of Law in Dallas, Texas where she earned her J.D. degree in 2004. After her first year of law school, Heather was selected for the American Bar Association Section of Litigation Minority Judicial Internship Program and was a law clerk extern with the Hon. Felix Recio, U.S. Magistrate Judge for the Southern District of Texas, Brownsville Division. During law school, Heather was also a law clerk with the Federal Trade Commission Southwest Regional Office in Dallas, Texas. She was admitted to the State Bar of Texas in 2004; the U.S. District Court, Southern District of Texas in 2005; the U.S. District Court, Western District of Texas in 2009; the U.S. Court of Appeals for the Fifth Circuit in 2006; and the United States Supreme Court in 2010.

Heather has been named a Texas Super Lawyers Rising Star Young Lawyer every year since 2007. Heather is a member of the Cameron County Bar Association, Cameron County Young Lawyer's Association, Hidalgo County Bar Association, and the Bar Association of the Fifth Federal Circuit. Heather currently serves on the Board of Trustees, Place 3 of the Point Isabel Independent School District.

REFERENCES

Carrie Wirsing
Asst. U.S. Attorney, Criminal Division
Southern District of Texas, Houston Division
1000 Louisiana Street, Suite 2300
Houston, Texas 77002
(713) 567-9000

Christopher Piñeda
Asst. U.S. Attorney, Civil Division
Southern District of Texas, Brownsville Division
U.S. Courthouse
600 E. Harrison, Suite 201
Brownsville, Texas 78520
(956) 548-2554

Hon. Ricardo Adobbati
404th Judicial District Court Judge, Cameron County
974 E. Harrison
Brownsville, Texas 78520
(956) 544-0837



Attorneys and Counselors at Law



2300 W. Pike Blvd., Suite 300, Weslaco, Texas 78596
1400 E. Madison, Suite 4, Brownsville, Texas 78520
Telephone (956) 968-5402

Request for Qualifications for Legal Services

RFQ # 20-21-1026



SOUTH TEXAS COLLEGE

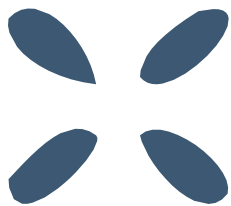


JONES, GALLIGAN,
KEY & LOZANO, L.L.P.



TABLE OF CONTENTS

1. Letter of Interest
2. Submission of Statement of Qualifications
3. Exhibit 1-Addenda Checklist
4. Exhibit 2-Execution of Offer
5. Exhibit 3-References Form
6. Additional Material



LETTER OF INTEREST

JONES, GALLIGAN, KEY & LOZANO, L.L.P.

F. L. Jones (1939-2007)
Robert L. Galligan
Terry D. Key (Retired)
Anita G. Lozano
Matthew L. Jones
Lance A. Kirby
Rebecca Gay Jones
Rudy Salinas, Jr.

ATTORNEYS AT LAW
Town Center Tower
2300 West Pike Blvd., Suite 300, Weslaco, Texas 78596
P. O. Drawer 1247, Weslaco, Texas 78599-1247
Telephone: (956) 968-5402
General Fax: (956) 968-6089 - Litigation Fax: (956) 969-9402
*1400 E. Madison, Suite 4, Brownsville, Texas 78520
Telephone: (956) 621-0710

Ivan F. Pérez
Eugene R. Vaughan, III
Paola R. Guerrero
Gregory P. Kerr
*Juan M. Pequeño, Jr.
Lauren K. Christy
David Lozano
Alexandro Benavides

Writer's e-mail:
ifperez@jgkl.com
File No.: 10

February 24, 2021

South Texas College
3200 W Pecan Blvd Bldg N-156
McAllen, Texas 78501

Re: Letter of Interest

Board of Trustees:

I. Identity of submitting organization

Please accept this as a response to the request for qualifications for legal services from the law firm of Jones, Galligan, Key & Lozano L.L.P. ("Firm"). The Firm was established in 1984 in the Rio Grande Valley. With offices in Weslaco and Brownsville, the Firm currently has 13 licensed attorneys and a total staff of approximately 50 people. The Firm practices a wide range of civil matters including school law, real estate, employment law, municipal law, construction law and general civil litigation.

The Firm has represented various school districts, municipalities and other public entities in the Rio Grande Valley over the last 36 years. We pride ourselves on attentively meeting the needs of our clients, while being thorough and on time.

Jones, Galligan, Key & Lozano L.L.P. is rated "AV" by the *Martindale - Hubbell Bar Register of Preeminent Lawyers* for the highest level of legal ability and adherence to the professional standards of conduct, ethics, reliability and diligence. The Bar Register includes only those select law practices that have earned this highest rating and have been designated by their colleagues as preeminent in their field. With the experience our Firm attorneys bring to the table, we are equally comfortable with the title of advisor, confidante, negotiator, problem-solver and litigator.

II. A listing of principal(s) of the firm

The Firm partners are Robert L. Galligan, Anita G. Lozano, Matthew L. Jones, Lance A. Kirby, Rudy Salinas, Jr., Ivan F. Pérez, Eugene R. Vaughan, III, Juan M. Pequeno and Gregory P. Kerr.

Board of Trustees, South Texas College
Re: Response to RFQ No. 20-21-1026
Date: February 24, 2021
Page 2

III. *Identify the name and title of the person authorized by the organization to contractually negotiate and obligate the organization*

Firm partner, Ivan F. Pérez is authorized to contractually negotiate and obligate the Firm.

IV. *Identify the name, title, and telephone number of the person(s) being proposed as General Counsel*

Although all lawyers in the Firm would be readily available to assist the College, Firm partners Ivan F. Pérez, Gregory P. Kerr and Robert L. Galligan will be the primary attorneys of contact for this representation. I am a Weslaco native, and have extensive experience in school law and representation of public entities. I have done work for many local school districts either as general counsel or special counsel. My direct phone number is (956) 973-1133. Gregory P. Kerr grew up in Harlingen and has extensive experience in representation of schools, cities and other public entities. Greg's direct line is (956) 973-1136. Robert "Bob" L. Galligan has represented public entities for more than 40 years, and is highly regarded in the local community for his legal acumen and integrity. You will discover that because of the foundation set by Bob Galligan and Champ Jones, our attorneys will be a superb addition to the South Texas College team.

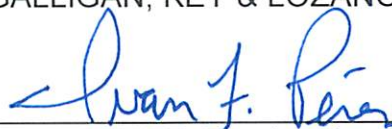
V. *Identify the names, titles, and telephone numbers of persons to be contacted for clarification*

Thank you for your attention to this matter. If there is any further information we can provide, or for clarification on this response to qualifications, please don't hesitate me directly at (956) 973-1133 or to the main office number at (956) 968-5402.

Very truly yours,

JONES, GALLIGAN, KEY & LOZANO, L.L.P.

By:

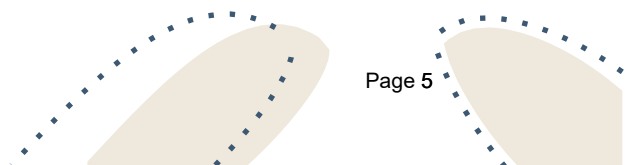
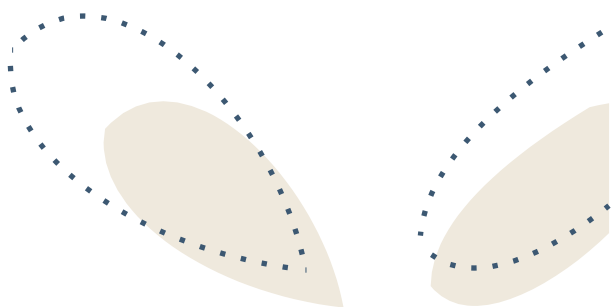

IVAN F. PEREZ, For the Firm



STATEMENT OF QUALIFICATIONS

A

Brief History & Curriculum Vitae





Brief History of the Firm

Jones, Galligan, Key & Lozano, L.L.P., is a law firm located in the Lower Rio Grande Valley of Texas. Most of our lawyers and staff were born and raised in the Valley; all have strong roots in their communities, where they serve and support numerous civic and charitable organizations and community services.

Forrest L. Jones (1939-2007) and Robert L. Galligan began their association in the practice of law in 1975 and formed the present law Firm in 1984. Attorneys of JGKL practice on all judicial levels of Texas state courts, including state trial courts, appellate courts, and the Texas Supreme Court. Our experience also includes federal trial practice in the Southern District of Texas, Northern District of Texas, Western District of Texas, and Eastern District of Texas, as well as appellate practice in State Courts and the U.S. Fifth Circuit Court of Appeals.

The Firm is rated "AV" by the Martindale - Hubbell Bar Register of Preeminent Lawyers for the highest level of legal ability and adherence to the professional standards of conduct, ethics, reliability and diligence. The Bar Register includes only those select law practices that have earned this highest rating and been designated by their colleagues as preeminent in their field. The Firm has also been recognized by the Hidalgo County Bar Association as a premier supporter of pro bono and volunteer activities.

With Jones, Galligan, Key & Lozano, L.L.P., the STC will get big-firm legal services with the attention only a smaller firm can provide.

Primary Attorneys

Ivan F. Pérez (State Bar No. 24027608)



IVAN F. PÉREZ is a partner in the law firm of Jones, Galligan, Key & Lozano, L.L.P. Ivan attended St. Charles Borromeo Seminary in El Paso, Texas prior to law school. He received his B.A. from the University of Texas-Pan American in 1996 and his Juris Doctor from St. Mary's School of Law in 2000.

Ivan is a member of the Texas Council of School Attorneys, the State Bar of Texas, the School Law section and the Labor and Employment Law section of the State Bar of Texas. Ivan is admitted to practice in all state courts in Texas as well as the U.S. District Court for the Southern District of Texas and the U.S. Fifth Circuit Court of Appeals. His major areas of practice are in School Law and Employment Law. Ivan's experience in representing public entities includes:

- Reviewing contracts with vendors to public entities;
- Grievances brought by employees, parents/students, and the public at various levels;
- Various employment investigations including several before the Equal Employment Opportunity Commission (EEOC) and the Texas Workforce Commission's Civil Rights Division (TWC-CRD);
- Non-renewal proceedings (representing Administration and the Board of Trustees);
- Terminations before Independent Hearing Examiners;
- Appeals before the Texas Commissioner of Education;
- Advising clients on various issues including, but not limited to, the Texas Open Meetings Act (TOMA), the Texas Public Information Act (TPIA), the Family Educational Rights and Privacy Act (FERPA), reductions in force (RIF), contracts, student discipline matters, construction matters, special education complaints and other school matters;
- Litigation in state and federal courts;
- Coordinating and presenting staff development on various topics including safety and security, investigations, harassment, discrimination matters, documentation, family law, and other school related topics; and
- Assisting, reviewing and editing local policies, student codes of conduct and employment handbooks.

Robert L. Galligan (State Bar No. 07590500)



ROBERT L. GALLIGAN came to the Valley in 1964 as a teacher and coach with the Mission Independent School District. He received a Bachelor of Science Degree from the University of Tennessee in 1963 and a Master's Degree in Education from Memphis State University in 1967. Bob attended law school at St. Mary's University in San Antonio and received his J. D. Degree in 1973. He was the Articles Editor of "The Law Journal" (1972-73) and recipient of the Texas Association of Defense Counsel's "Outstanding Law Journal Article Award" in 1972.

Bob entered practice with the law firm of Rankin, Kern & Martinez, in McAllen, specializing in litigation. He joined Forrest L. Jones in the practice of law in early 1975 and became a partner in Smith, McIlheran, Lauderdale & Jones in 1976. He took a leave of absence to become Associate Professor of Law at St. Mary's University during the years 1980-82. He taught trial

advocacy, legal research and writing, and coached moot court and mock trial teams. He is licensed to practice in the U.S. District Court for the Southern District of Texas and the Fifth Circuit Court of Appeals.

Bob is a former Director of the City National Bank in Weslaco and is a former member of the Donna (past president) and Weslaco Rotary Clubs. He is a former director and is currently a member of the Hidalgo County

Bar Association and the State Bar of Texas. Bob is a 2008 Recipient of the Hidalgo County Bar Association's Lifetime Achievement Award. Bob has extensive school law and public entity experience. For almost thirty years, Bob has represented School Districts in:

- Grievances brought by employees, parents/students, and the public at various administrative levels;
- Non-renewal and termination proceedings;
- Appeals before the Texas Commissioner of Education;
- Work-place investigations as directed by the Board of Trustees and various investigations pending before the Equal Employment Opportunity Commission (EEOC) and the Texas Workforce Commission's Civil Rights Division (TWC-CRD);
- Litigation in state and federal courts;
- Advising clients on various issues including, but not limited to reductions in force (RIF), the Texas Open Meetings Act (TOMA), the Texas Public Information Act (TPIA), the Family Educational Rights and Privacy Act (FERPA), contracts, student discipline matters, construction matters, special education complaints and other general counsel matters;
- Coordinating and presenting staff development on various topics; and
- Assisting, reviewing and editing local policies, student codes of conduct and employment handbooks.

Gregory P. Kerr (State Bar No. 24078781)



GREGORY P. KERR was raised in Harlingen, Texas and graduated from Harlingen High School in 2001. He attended the University of Texas-Pan American where he received a degree in Biology. After graduating from college, Greg returned to Harlingen where he spent two and a half years teaching high school physics, chemistry, biology, coaching boys' soccer at Harlingen High School South, and acting as sponsor for the Student Council.

After leaving the teaching profession, Greg decided to pursue a legal career and enrolled at Baylor Law School in Waco, Texas. During his law school career, Greg clerked for the Honorable Judge Roberto "Bobby" Flores and interned with the Department of Homeland Security and Jones, Galligan, Key & Lozano, L.L.P. Greg received his J.D. from Baylor in 2011 and joined the Firm on a full-time basis in August, 2011.

Greg is a member of the Hidalgo County Bar Association, the State Bar of Texas and the Hidalgo County Young Lawyers Association. Additionally, Greg is a member of the Weslaco Lions Club and is a parishioner of St. Pius X Catholic Church. In 2014 Greg was elected to a seat on the Weslaco

City Commission. Greg's experience includes:

- Representing and advising school districts on special education matters
- Handling investigations involving allegations of discrimination, harassment, and retaliation on behalf of school districts;
- Training in Texas Open Meetings Act (TOMA) and the Texas Public Information Act (TPIA);
- Sitting with and advising the Boards of Trustees of local school districts;
- Representing school district administrations in grievances at various administrative levels involving school district employees, students, and parents;
- Advising school districts regarding matters involving public relations and public information;
- Representing school district administration in student discipline matters;
- Advising and representing public entities on human resource matters;
- Experience in school-construction defect litigation;
- Representation of municipalities on special projects involving annexation;
- Representation of local irrigation district on various matters;
- Extensive experience in representation of entities engaged in exercising condemnation (eminent domain) authority; and
- Litigation in state and federal courts.

Team of Attorneys

Matthew L. Jones (State Bar No. 00794052)



MATTHEW L. JONES grew up in Donna, Texas, and graduated from Donna High School. He received his undergraduate degree in Finance from Texas Tech University, Lubbock, in 1991 and received his J.D. degree from Southern Methodist University School of Law in 1995. Matthew's major areas of practice include commercial real estate transactions, commercial lending transactions, construction matters, business planning, and other business-oriented matters. Matthew is a member of the Hidalgo County Bar Association and the State Bar of Texas and is a member of various religious, civic and private organizations. Matthew served two terms as a School Board Trustee for the Donna Independent School District.

Matthew's public entity experience includes:

- Representation of the School Districts in real estate matters for over sixteen years;
- Coordination, drafting of contract documents and involvement in multiple elementary, middle school and high school projects and various infrastructure projects;
- Representation of the City of Donna on special projects involving condemnation (eminent domain) and annexation;
- Representation of the City of Mission in condemnation (eminent domain)

matters;

- Representation of Hidalgo and Cameron Counties Irrigation District No. 9 on various matters;
- City attorney for the City of Progreso Lakes, Texas.

Lance A. Kirby (State Bar No. 00794096)



LANCE A. KIRBY is a sixth generation Texan. Born in Denton, Texas, Lance grew up in Rowlett, Texas, and graduated from Texas Tech University in 1991 with a Bachelor's degree in Finance. Lance received his J.D. degree from Texas Tech University School of Law in 1995. Lance joined the Firm in February 1996. Lance became a partner with the Firm in 2001. Lance is a member of the Hidalgo County Bar Association and the State Bar of Texas. Lance served as a director for the Hidalgo County Bar Association from 2007-2009, chairing the HCBA Charitable Golf Tournament. Lance served on the State Bar of Texas Court Rules Committee from 2008-2011. His major areas of practice include commercial litigation, construction law, and general civil litigation. Lance was selected a 2006 Rising Star in business

litigation.

Anita G. Lozano (State Bar No. 07595900)



ANITA G. LOZANO was born in Weslaco, Texas. In 1984 she graduated from Pan American University, Edinburg, with a Bachelor of Business Administration degree. In 1987 she earned her J. D. degree from the University of Texas, Austin, and was admitted to the Bar. Anita's areas of practice include farm, ranch, commercial and residential real estate, business law and probate. Anita is a member and past director and secretary of the Hidalgo County Bar Association and a member of the State Bar of Texas.

Eugene R. Vaughan, III (State Bar No. 24066238)



EUGENE R. VAUGHAN, III grew up in Weslaco, Texas, and graduated from Weslaco High School. He received a bachelor's degree in Accounting from the University of Texas at Austin. After graduation, he spent nearly three years working as a tax associate for Price Waterhouse in Houston, Texas, before joining his family's business, Burton Companies, in the Rio Grande Valley as its controller.

In 2008, he received his J.D. degree from Texas Wesleyan University School of Law in Fort Worth, Texas. He was admitted to the bar and joined the Firm that same year.

Gene's major areas of practice include wills and estates, commercial and residential real estate transactions, and business law. He is a Certified Public Accountant and is a member of the Hidalgo County Bar Association, the State Bar of Texas, and the Texas Society of Certified Public Accountants.

Rudy Salinas, Jr. (State Bar No. 24027948)



RUDY SALINAS, JR. was born in Mercedes, Texas and graduated from Mercedes High School. He received his Bachelor of Business Administration Degree in Accounting from the University of Texas at Austin in 1995, and was employed with Arthur Andersen, L.L.P., Houston, as Senior Auditor and Business Consultant from 1995-1997. He received his J.D. Degree from St. Mary's School of Law in 2000 and served as a writer with the St. Mary's Law Journal from 1998-1999. Rudy became a partner with the Firm in 2008.

Rudy is a member of Phi Delta Phi legal fraternity, State Bar of Texas and the Hidalgo County Bar Association. His major areas of practice are litigation, municipal law, creditor's rights and bankruptcy.

Juan M. Pequeno, Jr. (State Bar No. 24079124)



JUAN M. PEQUENO, JR. is a partner with the Firm of Jones, Galligan, Key, & Lozano, L.L.P. Juan was born and raised in Brownsville, Texas. He graduated from Hanna High School's Medical Program in 2003. In 2008, Juan graduated from the University of Texas San Antonio where he earned his degrees in Business Management and History with honors. While at UTSA, Juan completed the UTSA Summer Law School Preparation Academy where he earned a Certificate of Legal Reasoning and was an active member and chair of the Phi Alpha Delta pre-law fraternity. He received his J.D. from St. Mary's School of Law in 2011. He was admitted to the bar and joined the Firm that same year.

Juan became a partner with the Firm in 2020 and works out of the Firm's Brownsville office.

Juan is a member of the Hidalgo County Bar Association, the Cameron County Bar Association and the Phi Delta Phi legal fraternity. He is currently serving on the Board of the Cameron County Bar Association as Treasurer. Juan has also been recognized for his pro bono service by the Cameron County Bar Association. He is a proud member of the 2019-2020 Leadership State Bar of Texas class, Leadership Brownsville, Class XXXV, and North Brownsville Rotary.

Juan's major practice areas include public entities, civil litigation, bankruptcy, real estate and probate. Juan successfully completed the Texas Association of School Board's School Law Bootcamp for school law practitioners in 2014. Juan's experience includes:

- Representing districts in non-renewal proceedings;
- Advising public entities with regard to agendas, minutes, interlocal cooperative agreements, contracts;
- Advising clients on various issues including, but not limited to, the Texas Open Meetings Act (TOMA), the Texas Public Information Act (TPIA), and construction matters;
- Litigation in state and federal courts; and
- Sitting with and advising the boards of local public entities.

Paola R. Guerrero (State Bar No. 24038929)



PAOLA R. GUERRERO was born in Weslaco, Texas, and graduated from Weslaco High School. She earned her Bachelor of Business Administration in Marketing in 1997 and her Masters of Business Administration in 2002, both from St. Mary's University, San Antonio. In 2002, Paola earned her Doctor of Jurisprudence from St. Mary's University School of Law, where she was a Comment Editor of the St. Mary's Law Journal from 2001-2002. Her major areas of practice include general civil litigation, commercial litigation, business law and appellate. She is a member of the Hidalgo County Bar Association and the State Bar of Texas

Lauren K. Christy (State Bar No. 24089055)



LAUREN K. CHRISTY is an associate in the transactional practice, focusing on commercial and residential real estate transactions, business law and lending matters, wills, estates, and probate.

Lauren received her B.A. from the University of Texas San Antonio in 2010 and her J.D. from Southern Methodist University School of Law in 2014. While at SMU, she served as an intern for the Honorable Ricardo H. Hinojosa, Chief Judge of the Southern District of Texas, and as an extern for the Honorable Paul D. Stickney of the Northern District of Texas. Ms. Christy was also an interscholastic competition team member of the Board of Advocates and served on the editorial staff of the SMU Law Review.

Alex Benavidez (State Bar No. 24054945)



ALEX BENAVIDEZ was raised in Zapata, Texas and graduated from Zapata High School in 2001. He is a proud graduate of Texas A&M University where he earned his Bachelor of Business Administration in Management in 2005 along with a Certificate in Leadership Development. Alex was also a member of the Texas A&M Corps of Cadets. In 2008, Alex earned his Doctor of Jurisprudence from Texas Tech University School of Law, where he graduated cum laude and was admitted to the Texas state bar that same year.

Alex joined the Firm's litigation team with a history of courtroom experience. He spent the majority of his career as a prosecutor: First for the Hidalgo County District Attorney's Office in the misdemeanor and then felony division; then, as a federal prosecutor at the United States Attorney's Office in McAllen, Texas. Alex also spent some time at the Law Offices of Michael M. Guerra in McAllen, Texas where he practiced personal injury litigation specializing in car accident and trucking accident cases. He is licensed to practice in Texas, the U.S. District Court for the Southern District of Texas, the Air Force Court of Criminal Appeals, and the United States Court of Appeals for the Armed Forces.

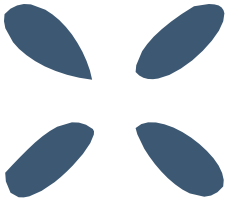
Alex serves in the military as a captain in the JAG Corps for the United States Air Force Reserves. He is also a member of the State Bar of Texas and the Hidalgo County Bar Association. He is a former member of the State Bar of Texas Crime Victims Committee and former director of the Hidalgo County Young Lawyers Association. Additionally, Alex is a Weslaco little league baseball coach where he also serves as a board member.

David Lozano (State Bar No. 24099887)



DAVID LOZANO was born in McAllen, Texas and grew up in Weslaco. He graduated from Weslaco High School in 2008. He attended the University of Texas at Austin where he received a bachelor's degree in Economics and a certificate from the McCombs School of Business for completing the Business Foundations Certificate Program. After graduating from the University of Texas at Austin in 2012, David moved to San Antonio where he attended St. Mary's University School of law and received his J.D degree in 2015. He was admitted to the bar in May of 2016. David is a member of the Hidalgo County Bar Association and the State of

Texas.



STATEMENT OF QUALIFICATIONS

B

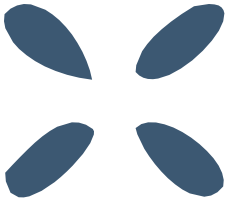
Location and Listing of Firm Resources



ABOUT THE FIRM

Jones, Galligan, Key & Lozano, L.L.P., was established in 1984 in the Rio Grande Valley. Jones, Galligan Key & Lozano, L.L.P. has its principal offices in Weslaco, Texas, and has an office in downtown Brownsville, Texas at 1400 E. Madison, Suite 4. The Firm has 13 licensed attorneys, consisting of 9 partners and 4 associate attorneys. The Firm employs a total staff of approximately 50 people.

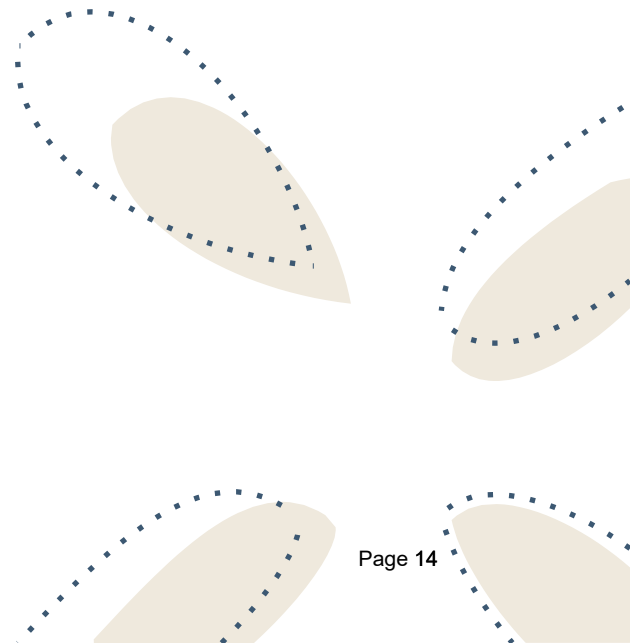
The Firm has access to a wide range of library holdings, both online and in hard copy, which will assist in representation of South Texas College. The Firm maintains a subscription to Westlaw, which is an online legal research service and proprietary database allowing attorneys to perform legal research and review case law, statutes, regulations, attorney general opinions, etc. The Firm maintains hard copies of various codes, including, but not limited to the Texas Education Code, Texas Government Code, Texas Local Government Code, Texas Rules of Civil Procedure, Texas Civil Practice and Remedies Code, Texas Property Code, Texas Open Meeting Act Handbook, Texas Public Information Handbook, Texas Rules of Evidence, Texas Rules of Appellate Procedure, Federal Rules of Civil Procedure, Federal Rules of Evidence, Federal Rules of Appellate Procedure, and many others.



STATEMENT OF QUALIFICATIONS



Professional Memberships





PROFESSIONAL MEMBERSHIPS

The key individuals that are assigned to the College are Primary Attorneys Ivan F. Perez, Robert L. Galligan, and Gregory P. Kerr. Their Curriculum Vitae for Primary Attorneys and the entire Jones, Galligan, Key & Lozano, L.L.P. Team of Attorneys can be found in Section A. All attorneys are in good standing with the State Bar of Texas.

A summary of Primary Attorneys' professional memberships, certifications, licenses and other qualifications are found below:

Primary Attorneys

Ivan F. Pérez (State Bar No. 24027608)

Ivan is a member of the Texas Council of School Attorneys, the State Bar of Texas, the School Law section and the Labor and Employment Law section of the State Bar of Texas. Ivan is admitted to practice in all state courts in Texas as well as the U.S. District Court for the Southern District of Texas and the U.S. Fifth Circuit Court of Appeals. His major areas of practice are in School Law and Employment Law. Ivan's experience in representing public entities includes -

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- Terminations before Independent Hearing Examiners;
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Robert L. Galligan (State Bar No. 07590500)

He taught trial advocacy, legal research and writing, and coached moot court and mock trial teams as an Associate Professor at St. Mary's Law School. He is licensed to practice in the U.S. District Court for the Southern District of Texas and the Fifth Circuit Court of Appeals.

Bob is a former Director of the City National Bank in Weslaco and is a former member of the Donna (past president) and Weslaco Rotary Clubs. He is a former director and is currently a member of the Hidalgo County Bar Association and the State Bar of Texas. Bob is a 2008 Recipient of the Hidalgo County Bar Associations' Lifetime Achievement Award. Bob has extensive school law and public entity experience.

For almost thirty years Bob has represented School Districts in:

- Grievances brought by employees, parents/students, and the public at various administrative levels;
- Non-renewal and termination proceedings;
- Appeals before the Texas Commissioner of Education;
- Work-place investigations as directed by the Board of Trustees and various investigations

pending before the Equal Employment Opportunity Commission (EEOC) and the Texas Workforce Commission's Civil Rights Division (TWC-CRD);

- Litigation in state and federal courts;
- Advising clients on various issues including, but not limited to reductions in force (RIF), the Texas Open Meetings Act (TOMA), the Texas Public Information Act (TPIA), the Family Educational Rights and Privacy Act (FERPA), contracts, student discipline matters, construction matters, special education complaints and other general counsel matters;
- Coordinating and presenting staff development on various topics; and
- Assisting, reviewing and editing local policies, student codes of conduct and employment handbooks.

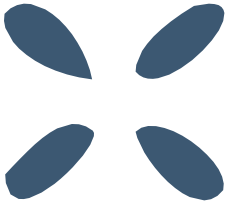
Gregory P. Kerr (State Bar No. 24078781)

Greg is a member of the Hidalgo County Bar Association, the State Bar of Texas and the Hidalgo County Young Lawyers Association. Additionally, Greg is a member of the Weslaco Lions Club and is a parishioner of St. Pius X Catholic Church. In 2014 Greg was elected to a seat on the Weslaco City Commission.

Greg's experience includes:

- Representing and advising school districts on special education matters;
- Handling investigations involving allegations of discrimination, harassment, and retaliation on behalf of school districts;
- Training in Texas Open Meetings Act (TOMA), the Texas Public Information Act (TPIA);
- Sitting with and advising the Boards of Trustees of local school districts;
- Representing school district administrations in grievances at various administrative levels involving school district employees, students, and parents;
- Advising school districts regarding matters involving public relations and public information;
- Representing school district administration in student discipline matters;
- Advising and representing public entities on human resource matters;
- Experience in school-construction defect litigation;
- Representation of municipalities on special projects involving annexation;
- Representation of local irrigation district on various matters;
- Extensive experience in representation of entities engaged in exercising condemnation (eminent domain) authority; and
- Litigation in state and federal courts.

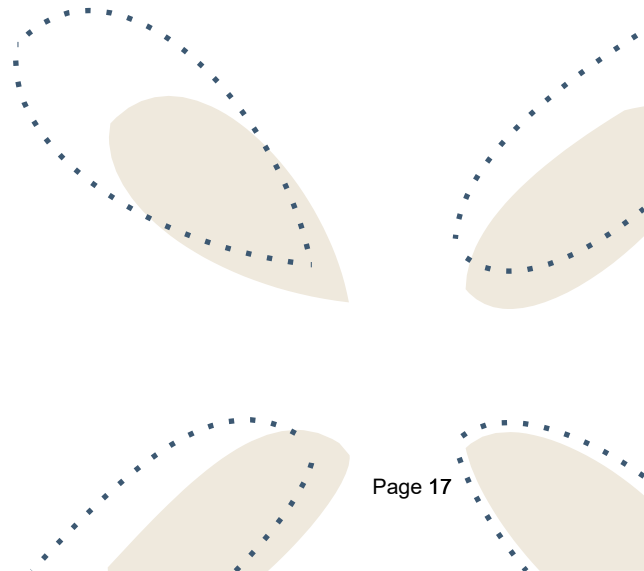
For additional information on the qualifications for the entire Jones, Galligan, Key & Lozano, L.L.P.'s team of attorneys, please refer to A. History of Firm (which includes the CVs of all team members).



STATEMENT OF QUALIFICATIONS

D

Experience &
Qualifications





EXPERIENCE & QUALIFICATIONS

With Jones, Galligan, Key & Lozano, L.L.P, the South Texas College will get big-firm legal services with the attention only a smaller firm can provide. Jones, Galligan, Key & Lozano, L.L.P. has extensive experience in the following areas:

- Attending Board and Committee meetings with school district, city and other public entity clients;
- Advising school districts on the Texas Open Meetings Act (TOMA), the Texas Public Information Act (TPIA), the Family Educational Rights and Privacy Act (FERPA), Americans with Disabilities Act (ADA), reductions in force (RIF), student expulsions, student discipline matters, construction matters, procurement, and many other issues;
- Vendor and professional services contract review;
- Handling grievances brought by employees, parents/students, and the public at various administrative levels;
- Representation before the Texas Education Agency (TEA) the Equal Employment Opportunity Commission (EEOC), and the Texas Workforce Commission's Civil Rights Division (TWC-CRD);
- Non-renewal proceedings (representing Administration and the Board of Trustees);
- Termination hearings before Independent Hearing Examiners;
- Appeals before the Texas Commissioner of Education;
- Conducting staff development on various topics including safety and security, investigations, documentation, family law, and other school related topics;
- Assist in developing local policies, student codes of conduct, employment handbooks and administrative procedures;
- Handling real estate transactions including sales, purchases and leases; and
- Economic development agreements.

Specific to South Texas College, Jones, Galligan Key & Lozano, L.L.P. will:

- A. Serve as the College's chief legal advisor and be responsible for oversight of assigned legal activities involving the College, and will advise the Board of Trustees of potential legal problems.
- B. Provide legal services to the College, as authorized by the Board of Trustees including legal advice, research, training, and opinions to the Board of Trustees and work closely with the Board of Trustees, College President, and other administrators.
- C. Be responsible for the oversight of all litigation involving the College, including hearings and arbitrations. Work to ensure that legal services are provide in a manner that serves the College's best interest.
- D. Attend regular, special, and committee meetings of the Board when requested and be available for consultation as needed.
- E. Provide additional legal reports and advice as requested by the Board of Trustees.
- F. All attorneys are in good standing with the State Bar of Texas.

Jones, Galligan, Key & Lozano, L.L.P. will provide the following legal services to South Texas College:

Primary Services

1. Attending Board and Committee meetings and advising Board members, Committee members, and Administration
2. Providing legal counsel and guidance to the Board of Trustees and administrative staff on such matters as:
 - a. Development, review, and recommendation for updates of policies and procedures
 - b. Procurement procedures and contracts (interpretation of procurement law and review of certain contracts, development of a standardized contract form for most services the College solicits to be included as part of the RFQ or RFP document) and contract compliance
 - c. All aspects of local government and higher education law
 - d. Board of Trustee Elections
 - e. Texas Open Meetings Act
 - f. Texas Public Information Act
 - g. Construction Contracts
 - h. Litigation Representation including tort and other civil liabilities
 - i. Other work as authorized by the Board of Trustees

Secondary Services

3. Providing legal counsel and guidance to the Board of Trustees and administrative staff on such matters as needed:
 - a. Tax Abatement Agreements
 - c. Real estate law
 - e. Land Use, Environmental, Health and Safety



STATEMENT OF QUALIFICATIONS

E

List of Cases & Outcome



LIST OF CASES & OUTCOME

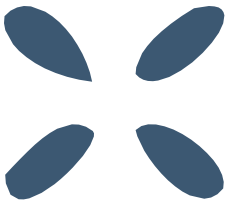
Many of our public entity clients have done well in taking actions that avoid unnecessary litigation. However, there are times when public entities must engage in available legal recourse to confront legitimate disputes. Although the Firm has not represented institutions of higher public education in the past, with regard to other public entity clients, the Firm has the following experience -

Public School Districts

- Assisted the district in recovery of more than two hundred thousand dollars from an energy contractor who failed to complete a project along specifications. Case was settled in a pre-suit mediation;
- Represented school district in first-party insurance bad faith litigation involving property damage due to hail and windstorm damage at five different campuses and its football field. Suit was filed and a seven-figure settlement was obtained before trial;
- Successfully represented district from a claim filed by a former employee before the Texas Commissioner of Education;
- Successfully represented the district in a contested employee termination. Case was settled favorably for the district after the Independent Hearing Examiner issued a decision affirming the District's proposed termination;
- Successfully represented the District in a case before the Commissioner of Education related to the "discovery" rule for purposes of timelines related to initiation of a grievance; and
- Successfully negotiated Superintendent separations on behalf of school districts in both contested termination proceedings and amicable discussions.

Other Public Entities

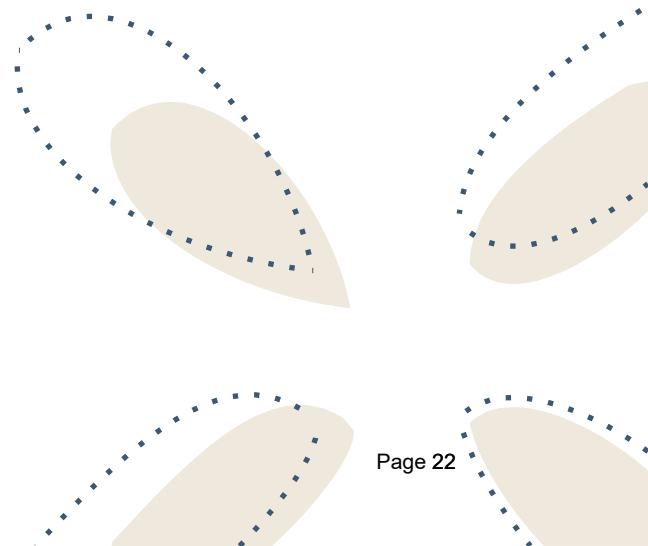
- Successfully obtained numerous parcels of real property for public use purposes through negotiation and/or litigation;
- Successfully obtained injunctive relief to prevent interference with public entity's real property rights;
- Successfully negotiated property transfers between public entity client and U.S. Government;
- Successfully represented public entity client in grievances before civil service tribunal;
- Obtained summary judgment on behalf of public entity clients against former employee's breach of contract claims; and
- Successfully appealed court ruling adverse ruling against public-private entity on novel issue of law involving condemnation procedure.



STATEMENT OF QUALIFICATIONS

F

Past & Present Litigation



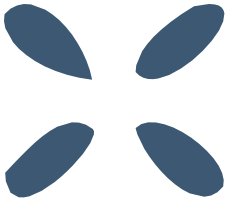


PAST AND PENDING LITIGATION AGAINST THE FIRM

The Firm does not have any pending litigation in which it is a party. The Firm has never been involved in any litigation with any public entity clients. The only past lawsuit the Firm was involved in that involves a current Firm attorney is stated below:

1. **Electric Transmission Texas, LLC v. Wyatt Agri Products Corporation, LLC., CCD-0289-F, County Court at Law No. 6, Hidalgo County**

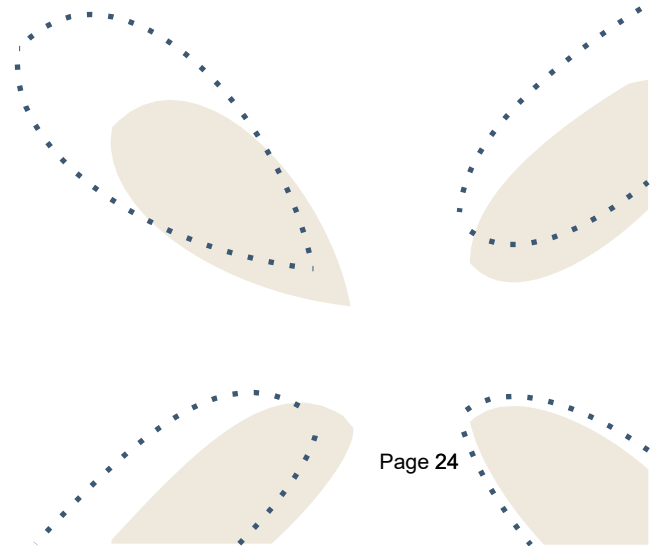
In November of 2018, a defendant in an eminent domain proceeding that the Firm filed suit against for the acquisition of real property asserted claims against the Firm and one of the Firm's partners arising out of the negotiations involved in that eminent domain proceeding. The Firm represented the Plaintiff in the underlying proceeding, who was attempting to exercise its condemnation authority over certain property. The claims were disposed of in August of 2019 via dismissal with prejudice.



STATEMENT OF QUALIFICATIONS

G

Grievances





GRIEVANCES

There have been no grievances filed against our lawyers with the State Bar of Texas.

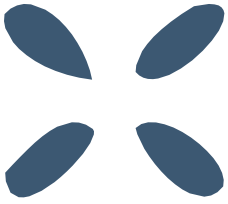


EXHIBIT 1

Addenda Checklist

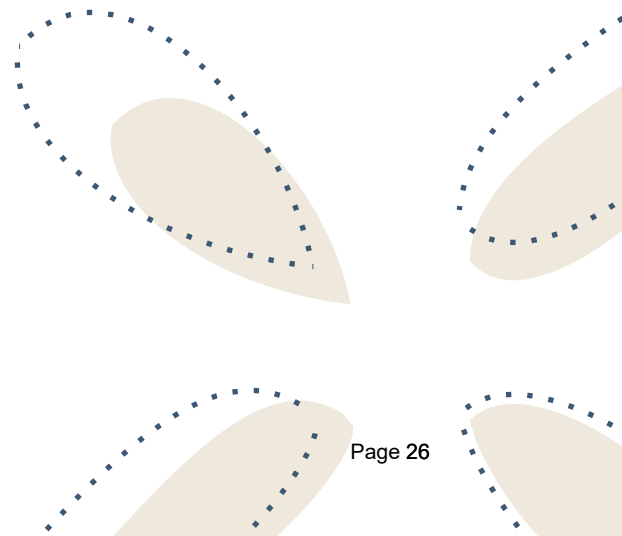


EXHIBIT 1
ADDENDA CHECKLIST

Any addenda issued by STC to this RFQ will become part of the RFQ. Addenda will be numbered sequentially. Respondent must indicate on this sheet the receipt of any and all addenda.

Receipt is hereby acknowledged of the following addenda to this RFQ.


No. 1 ✓

No. 2

No. 3

No. 4

Firm Name: Jones, Galligan, Key & Lozano L.L.P.


Authorized Signature (only if addenda have been issued)



SOUTH TEXAS COLLEGE

South Texas College
Purchasing Department
3200 W Pecan Blvd Bldg N-156 McAllen, TX 78501

<p>REQUEST FOR QUALIFICATIONS ADDENDUM NO. 1</p>

RFQ Number: 20-21-1026
Request for Qualifications - Legal Services

Addendum Issue Date: February 18, 2021

RFQ# 20-21-1026 is amended as follows:

1. Page 12: Section 5.2 Statement of Qualifications

- Item No. 3: Certification of Non-Discrimination (Exhibit A) – This section has been removed from the request for qualifications.

2. Page 12: Section 5.2 Statement of Qualifications

- Item No. 4 References Form (Exhibit B) – The section title and exhibit has been updated as follows: Item No. 4 References Form (Exhibit 3).

End of Addendum

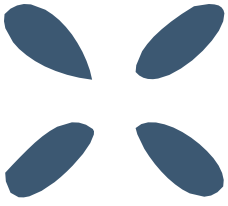


EXHIBIT 2

Execution of Offer

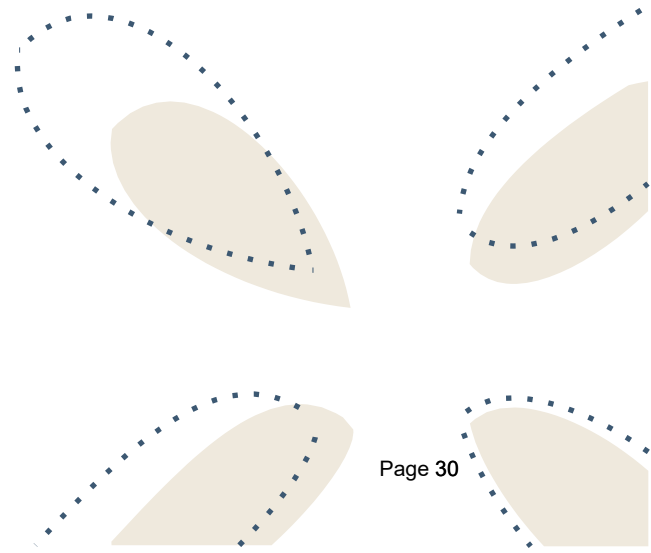


EXHIBIT 2
EXECUTION OF OFFER

In compliance with this RFQ, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all goods and/or services at the prices quoted. Failure to sign this Execution of Offer ("Offer"), or signing it with a false statement, shall void the Qualifications and any resulting contract and may cause the Respondent to be removed from STC vendor lists.

By signature hereon, the Respondent hereby certifies that it:

i) is a lawfully established business and is regularly engaged in providing the goods and/or services requested herein.

ii) has the necessary experience, knowledge, abilities, skills, and resources to provide the goods and/or perform the services requested herein.

iii) is not currently delinquent in the payment of any franchise taxes owed to the State of Texas under Chapter 171 of the Tax Code or is not subject to the payment of such taxes, and the Respondent agrees that any false statement with respect to its franchise tax status shall be a material breach of any contract that may result from the submission of the Qualifications.

iv) is not currently delinquent in the payment of any property taxes owed to STC.

v) is aware that if Texas Government Code § 2252.908 is applicable to any contract awarded to the Respondent as a result of this RFQ, the Respondent is required to make an electronic filing of Form 1295 with the Texas Ethics Commission as a condition of being awarded the contract.

vi) is a publicly-traded company or, if not a publicly-traded company, no owner, employee or director of the Respondent is either currently employed by STC or has been an employee of STC within the immediate twelve (12) months prior to the time set for the submission of Qualifications to this RFQ.

vii) is not debarred, suspended or otherwise declared ineligible to contract by any federal, state or local public agency.

viii) has not, in connection with the Qualifications, given or offered to give, and does not intend to and shall not give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to an employee or trustee of STC or to a family member of an STC employee or trustee.

By signature hereon, the Respondent hereby certifies that:

a) neither the Respondent nor anyone acting on its behalf has violated the antitrust laws of the State, codified in Section 15.01, et seq., Texas Business and Commerce Code or the Federal antitrust laws, or has disclosed, directly or indirectly, any information contained in the Respondent's Qualifications to any competitor or any other person engaged in such line of business.

b) pursuant to *Texas Local Government Code*, Chapter 176, all vendors who contract or seek to contract with "local governmental entity" such as STC may be required to complete a conflict of interest questionnaire ("CIQ") if the vendor has a relationship with an officer of STC who is considered a "local government officer" or with a family member of such officer. If completion of a CIQ is required as of the effective date or at any time during the term of the Contract, the Respondent shall file the CIQ with STC's designated records

administrator: Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor. At <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>, the Respondent can find the official CIQ form along with a list of STC officers who are defined by Chapter 176 as "local government officers."

c) pursuant to *Texas Education Code*, Chapter 44.034, a person or business entity, **excluding** publicly-traded companies and certain vendors of library goods and services, that does business with STC, must notify STC if such person, or an owner or operator of such business entity, has ever been convicted of a felony, and must include in the notification a general description of the conduct that resulted in the felony conviction. At <https://finance.southtexascollege.edu/purchasing/purchase/files/Form-Criminal-History.pdf>, the Respondent can find a Criminal History Disclosure Form ("CHDF") that shall be used for this purpose. If the Respondent is required to submit a CHDF pursuant to Chapter 44.034 as of the effective date of the Contract or at any time during the term of the Contract, the Respondent shall send the CHDF to Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor, with a copy to Rebecca Cavazos, Director of Purchasing (beckyc@southtexascollege.edu), or her successor.

c) the individual signing this Offer as well as the other documents included in the Qualifications is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract which may result from the submission of the Qualifications.

d) pursuant to Texas Government Code, Title 10, Subtitle D, Section 2155.004(b), the individual or business entity named in the Qualifications or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate.

The Respondent hereby acknowledges that the Qualifications must include the Respondent's Taxpayer Identification Number and full legal name and address; the failure to sign the Qualifications will disqualify it; and the authorized agent signing the Qualifications may be required by STC to provide evidence of the agent's authority to bind the Respondent to a contract.

Signature: 

Printed Name: Ivan F. Perez

Title: Attorney / Partner

Taxpayer Identification Number: 74-2322662

Respondent's Name: Jones, Galligan, Key, & Lozano L.L.P.

Street Address: 2300 W. Pike Blvd., Suite 300

City/State/Zip: Weslaco, Texas 78596

Telephone No.: (956) 968-5402

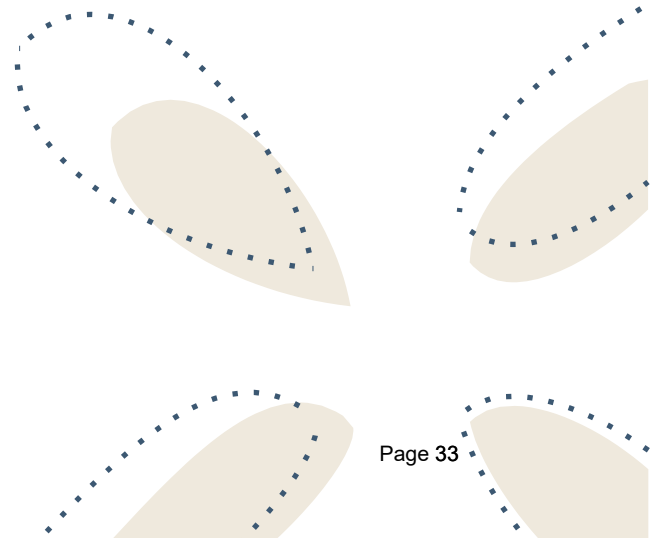
Email: ifperez@jgkl.com

Fax No.: (956) 969-9402



EXHIBIT 3

References



**EXHIBIT 3
REFERENCES
THIS FORM MUST BE RETURNED**

Please list at least five (5) references of educational institutions or current commercial customers who can verify the quality of service your company provides. STC prefers customers of similar size and scope of work as noted herein.

REFERENCE ONE

Government/Company Name: Sharyland Independent School District
Address: 1200 N. Shary Rd., Mission, Texas 78572
Contact Person/Title: Dr. Maria M. Vidaurri, Superintendent
Telephone: (956) 580-5200 Email Address: mvidaurri@sharylandisd.org
Description of Services: General Counsel Services 1994 to present

REFERENCE TWO

Government/Company Name: Weslaco Independent School District
Address: 319 West 4th St., Weslaco, Texas 78596
Contact Person/Title: Dr. Priscilla Canales, Superintendent
Telephone: (956) 969-6503 Email Address: pcanales@wisd.us
Description of Services: General Counsel Services 2014-2020

REFERENCE THREE

Government/Company Name: Edcouch Elsa Independent School District
Address: P.O. Box 127, Edcouch, Texas 78538
Contact Person/Title: Dr. Richard Rivera (Retired)
Telephone: (956) 250-4491 Email Address: _____
Description of Services: General Counsel: 2012-2014 / Special Counsel: 2015-2019

REFERENCE FOUR

Government/Company Name: Hidalgo County Drainage District No. 1
Address: 902 N. Doolittle, Edinburg, Texas 78542
Contact Person/Title: Mr. Raul E. Sesein, District General Manager
Telephone: (956) 292-7080, Ext. 5801 Email Address: raul.sesein@hcdd1.org
Description of Services: General Counsel 2018 to present

REFERENCE FIVE

Government/Company Name: Rio Grande City CISD
Address: 1 S. Forth Ringgold, Rio Grande City, Texas
Contact Person/Title: Mr. Basilio Villarreal, Board of Trustees (Board Secretary)
Telephone: (956) 735-6274 Email Address: _____
Description of Services: Legal Services 2001-2014

Firm Name: Jones, Galligan, Key & Lozano L.L.P.


Authorized Signature



CURRENT/PAST SCHOOL DISTRICT AND GOVERNMENTAL ENTITIES

Represented by Jones, Galligan Key, & Lozano, L.L.P,

School Districts

1

School District: SHARYLAND INDEPENDENT SCHOOL DISTRICT
Entity's address: 1200 N. Shary Rd., Mission, Texas 78572
Contact person: Dr. Maria M. Vidaurri
Title: Superintendent
Phone#: (956) 580-5200
Years of Service: 1994 - Present

2

School District: WESLACO INDEPENDENT SCHOOL DISTRICT
Entity's address: 319 West 4th St., Weslaco, Texas 78596
Contact person: Dr. Priscilla Canales
Title: Superintendent
Phone#: (956) 969-6503
Years of Service: 2014-January 2021

3

School District: EDCOUCH ELSA INDEPENDENT SCHOOL DISTRICT
Entity's address: P.O. Box 127, Edcouch, Texas 78538
Contact person: Dr. Richard Rivera (Retired)
Title: Superintendent
Phone#: (956) 250-4491
Years of Service: General Counsel: 2012-2014;
Special Counsel 2015-2019

4

School District: LA FERIA INDEPENDENT SCHOOL DISTRICT
Entity's address: 203 E. Oleander, La Feria, Texas 78599
Contact person: Robert D. Rivera (Retired)
Title: Interim Superintendent
Phone#: (956) 975-0235
Years of Service: 1998-2014

5

Special Counsel to numerous school districts in the Rio Grande Valley from 2000 to current.

Other Public Entities

1

Entity's name: CAMERON COUNTY EMERGENCY COMMUNICATIONS DISTRICT (CCECD)
Entity's address: 501 Camelot Drive, Harlingen, Texas 78580
Contact person: Mrs. Silbia Barajas
Title: Director
Phone#: (956) 425-1911
Years of Service: 2019-Present

Jones, Galligan, Key & Lozano, L.L.P., represents the Board in various legal matters including the Texas Open Meetings Act, Freedom of Information Act requests, contract review, and various matters particular to CCECD and their operations.

2

Entity's name: HIDALGO COUNTY
Entity's address: 100 N. Closner, Edinburg, Texas 78539
Contact person: Mr. Valde Guerra
Title: Chief Executive Officer
Phone#: (956) 292-7655
Years of Service: 2019 - Present

Representation includes litigation, economic development, and civil service (employment) matters.

3

Entity's name: CITY OF BROWNSVILLE
Entity's address: 1001 E. Elizabeth Street, Brownsville, Texas 78520
Contact person: Mr. Ramiro Gonzalez
Title: Director of Government and Community Affairs
Phone#: (956) 548-6048
Years of Service: 2017-2020

Jones, Galligan, Key & Lozano, L.L.P., was retained as special counsel on real estate related projects involving the City of Brownsville.

4

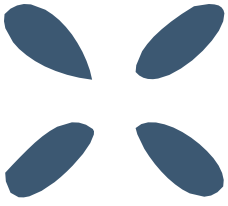
Entity's name: CITY OF MISSION
Entity's address: 1201 E. 8th St., Mission, Texas 78572
Contact person: Gus Martinez
Title: City Attorney
Phone#: (956) 580-8650
Years of Service: 2009 to Present

5

Entity's name: HIDALGO & CAMERON COUNTIES IRRIGATION DISTRICT NO. 9
Entity's address: 2304 N. FM 491, Mercedes, Texas
Contact person: Randy Winston
Title: General Manager
Phone#: (956) 373-1492
Years of Service: 2010 to Present

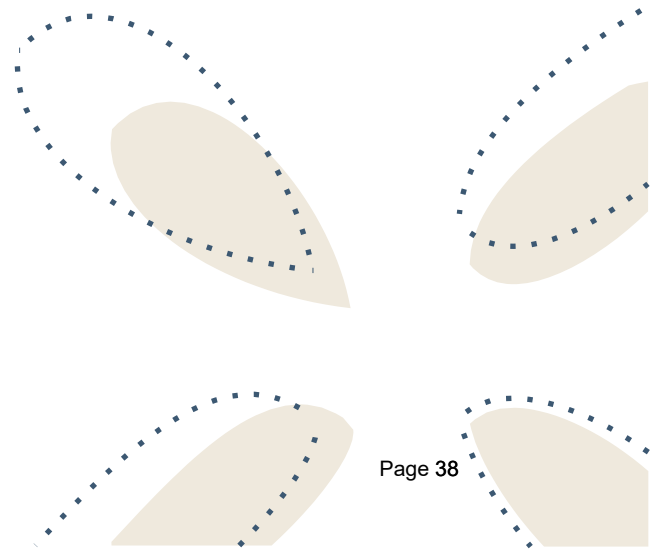
6

Entity's name: HIDALGO COUNTY DRAINAGE DISTRICT NO. 1
Entity's address: 902 N. Doolittle, Edinburg, Texas 78542
Contact person: Mr. Raul E. Sesin
Title: District General Manager
Phone#: (956)292-7080, Ext 5801
Years of Service: 2018 to Present



ADDITIONAL MATERIALS

Letters of Reference





SHARYLAND

INDEPENDENT SCHOOL DISTRICT

Excellence is our Tradition

SISD SUPERINTENDENT

Dr. Maria M. Vidaurri

BOARD OF TRUSTEES

Keith Padilla – President

Dr. Noe Oliveira – Vice President

Hector Rivera – Secretary

Jose “Pepé” Garcia - Asst. Secretary

Ricky Longoria – Member

Melissa Smith – Member

Alejandro Rodriguez – Member

1200 N. SHARY ROAD, MISSION, TX 78572 PHONE: 956-580-5200 FAX: 956-580-5229 WWW.SHARYLANDISD.ORG

February 22, 2021

To whom it may concern;

I write to express my support and recommendation for the Law Firm of Jones, Galligan, Key & Lozano, LLP (“JGKL”). I’ve had the pleasure of working with JGKL and its attorneys for the past three years as Superintendent of Sharyland Independent School District. JGKL has guided our District through a variety of legal and practical issues that have arisen over the years and has provided reliable counsel to our district every time they have been called upon to do so.

As Superintendent of a large school district, I bear tremendous responsibility in ensuring that the District operates at a high level educationally, financially, and professionally. Having competent and trustworthy legal counsel is of the utmost importance in ensuring that I am able to perform my leadership duties efficiently and with minimal interruption. When problems arise, I need to know that I have counsel I can depend on to provide sound advice and direction. When the District has encountered such issues, JGKL has answered the call, time and time again.

I have gotten to know the attorneys at JGKL personally, as they are a local firm with strong ties to the Rio Grande Valley. They live and work nearby, and have never been more than a phone call away, at any time of day or night. Several of the firm’s attorneys are active members of their communities through civic and volunteer activities. They are a firm made up of truly good, conscientious people that contribute to our community beyond the legal profession.

In summary, if you are looking for capable, ethical, and conscientious legal representation, JGKL is a perfect fit. Should you have any questions, I am more than happy to discuss.

Sincerely,

Maria M. Vidaurri, Ed.D
Superintendent of Schools

SISD does not discriminate on basis of race, color, national origin, gender, religion, age or disability in employment or provision of services, programs or activities.

HARLINGEN

Consolidated Independent School District

407 N. 77 Sunshine Strip Harlingen, Texas 78550 Telephone: (956) 430-9500 Fax: (956) 430-9514



K.E.Y.S. Academy
2809 N. 7th St.
Harlingen, Texas 78550
(956) 427-3220
Fax (956) 427-3223

February 23, 2021

RE: Letter of Reference

To Whom It May Concern:

I am Isidoro Nieto, a member of the Weslaco ISD Board of Trustees. I am writing to wholeheartedly recommend Jones, Galligan, Key & Lozano LLP ("JGKL") as your school district's attorney. I am a professional educator and have been an administrator for the past 25 years. I am currently a principal at KEYS Academy with Harlingen CISD. I am also a current board member and have been a board member for the past six years with Weslaco ISD.

In my capacity as a board member, including two years board president; I had the opportunity to work closely with the JGKL law firm. The firm attorneys that worked with Weslaco ISD were thorough and competent professionals who always had our district's best interest in mind. The firm guided the Weslaco ISD through many challenging legal issues including grievances, real estate transactions, contract negotiations, a superintendent dispute and a superintendent search just to identify a few things.

I would gladly recommend the JGKL law firm, if you are looking for a law firm that is trustworthy, responsive and detailed.

Please call me for additional information at (956) 453-4542.

A handwritten signature in black ink, appearing to read "Isidoro Nieto, Jr.".

Isidoro Nieto, Jr.
KEYS Academy Principal
WISD School Board of Trustee



HIDALGO COUNTY DRAINAGE DISTRICT No. 1

RAUL E. SESIN, PE, CFM

District General Manager

Hidalgo County Floodplain Administrator

BOARD OF DIRECTORS

DAVID L. FUENTES
Board Member

EDUARDO "EDDIE" CANTU
Board Member

RICHARD F. CORTEZ
Chairman of the Board

EVERARDO "EVER" VILLARREAL
Board Member

ELLIE TORRES
Board Member

February 22, 2021

To Whom It May Concern;

I write to express my support and recommendation for the Law Firm of Jones, Galligan, Key & Lozano, LLP ("JGKL"). I've had the pleasure of working with JGKL and its attorneys since 2017 as General Manager of Hidalgo County Drainage District No. 1. The lawyers with JGKL have worked with my office on various legal matters and have always been thorough and timely.


In 2018, the voters serviced by HCDD1 approved a bond for drainage improvements to our area totaling \$190M. Having competent and trustworthy legal counsel is of the utmost importance in to allow the District has properly negotiated and executed contracts with various engineering firms and construction contractors to permit delivery of drainage system that will serve the needs of our community.

When unforeseen situations arise, I know I can depend on the lawyers at JGKL to be responsive and provide sound advice and direction. They are a Firm made up of conscientious folks who take the time to understand the issue.

I would recommend JGKL if you are looking for proficient, ethical, and conscientious legal representation.

Should you have any questions, please contact me at 956-292-7080 or via email at raul.sesin@hcdd1.org, I am more than happy to discuss.

Sincerely,
HIDALGO COUNTY DRAINAGE DISTRICT No. 1


Raul E. Sese, PE, CFM
District General Manager

**SECTION 1
ACKNOWLEDGEMENT OF RECEIPT**

**THIS FORM MUST BE COMPLETED AND FAXED OR EMAILED
UPON RECEIVING THE REQUEST FOR QUALIFICATIONS (RFQ)**

Please fill in the requested information below as acknowledgement that you have received the RFQ and intend to respond. Send the completed page via fax or as an email attachment with the subject line "20-21-1026 Request for Qualifications - Legal Services" to the following contact information:

South Texas College
Purchasing Department
Fax: (956) 872-4688
Email: stcpurchasing@southtexascollege.edu

By doing this, we will be able to provide notification of any addenda to the RFQ.

Name of Attorney or Firm: Law Office of Javier Villalobos, P.C.

Address: 5804 N. 23rd, St.

City/State/Zip: McAllen, Texas 78504

Phone: (956) 687-4000 Fax: (956) 687-4001

Name: (Print) Javier Villalobos

Title: Principal/Owner

Signature: _____

Date: _____

☒ Yes, our firm does have an interest in responding.

☐ No, our firm does not have an interest in responding.

Law Office of Javier Villalobos, P.C.

5804 North 23rd Street
McAllen, Texas 78504
Phone: (956) 687-4000
Fax: (956) 687-4001

jv@jvlawoffice.com

February 23, 2021

Ms. Becky Cavazos
South Texas College
Purchasing Department
3200 W Pecan Blvd.
Bldg N Rm. 145
McAllen, Texas 78501

Re: RFQ NUMBER 20-21-1026

Dear Ms. Cavazos:

With pleasure, The Law Office of Javier Villalobos, P.C. submits its proposal to serve as Counsel for South Texas College "STC." Please find attached required information.

The firm's principal, proposed general counsel, and person authorized to contractually negotiate and obligate the firm is Javier Villalobos. Our office number is as stated above, however, due to covid limitations at office, the best way to reach me is my mobile at (956) 536-4001.

Should there be any issues requiring clarification, please communicate via mobile. Our office stands ready to assist STC. Should you have any questions or concerns, please call immediately.

Respectfully,

Law Office of Javier Villalobos, P.C.



Javier Villalobos

JV/mm.
Enc.

JAVIER VILLALOBOS, PRINCIPAL/OWNER

Law Office of Javier Villalobos, P.C.

5804 N. 23RD, St., McAllen, Texas 78504

(956) 687-4000

jv@jvlawoffice.com

THE FIRM

Law Office of Javier Villalobos, P.C. is committed to providing services in a wide range of areas, including admiralty and maritime law, appellate law, commercial litigation, personal injury disputes, premises liability matters, products and manufacturer's liability law, governmental law, and general civil law.

GEOGRAPHICAL AREA

Law Office of Javier Villalobos, P.C. serves clients throughout Texas, including the major metropolitan areas of Houston, Austin, San Antonio, Beaumont, Brownsville, Dallas, Corpus Christi, and McAllen.

GOVERNMENTAL LAW

Law Office of Javier Villalobos, P.C. has extensive experience in all aspects of governmental law, including serving as general counsel for cities and schools. General duties included, but were not limited to, attending board and commission meetings, advising on open meetings and open records, open government training, personnel issues, overseeing litigation and prosecuting or defending on litigation of non-insurance cases, investigating grievances, and attending hearing.

ADMIRALTY & MARITIME

Law Office of Javier Villalobos, P.C. has extensive experience in all aspects of admiralty and maritime law, including cases involving: general maritime law, the Death on the High Seas Act, the Jones Act, and Longshoreman's and Harbor Worker's Compensation Act.

APPELLATE LAW

Law Office of Javier Villalobos, P.C.'s commitment to its clients extends beyond the trial court level. The firm has a successful record in post-trial matters and appeals, including the preparation and presentation of motions, writs, and briefs up to Texas Supreme Court. The Law Office of Javier Villalobos, P.C. offers not only the continuity of representation for cases assigned to it for trial, but also takes case assignments for appeal when other firms have presented the case at trial.

COMMERCIAL LITIGATION

Law Office of Javier Villalobos, P.C. handles complex commercial cases that arise from corporate and commercial disputes, employer–employee relationships, contract claims and product liability disputes.

PREMISES LIABILITY

Our firm handles numerous premises liability cases. These cases range from routine slip and falls at retail and hotel establishments, to industrial, commercial, and drilling work site accidents, involving third-party contractors.

GENERAL CIVIL LAW

The firm advises and represents clients in a variety of matters, including all forms of contractual agreements and construction law, administrative matters, deceptive trade practices and general business counseling. In addition, our firm represents clients damaged by consumer transactions, fraud, tortious interference with contract and tortious interference with business relations

EDUCATION

Thurgood Marshall School of Law, Texas Southern University
Juris Doctorate Degree, 1995; Honors three of six semesters.

Texas State University f/k/a Southwest Texas State University
Bachelor of Business Administration, 1989; Concentration in accounting.

EXHIBIT 1
ADDENDA CHECKLIST

Any addenda issued by STC to this RFQ will become part of the RFQ. Addenda will be numbered sequentially. Respondent must indicate on this sheet the receipt of any and all addenda.

Receipt is hereby acknowledged of the following addenda to this RFQ.

No. 1 ✓

No. 2 _____

No. 3 _____

No. 4 _____

Firm Name: Law Office of Javier Villalobos, P.C.

Authorized Signature (only if addenda have been issued)

EXHIBIT 2
EXECUTION OF OFFER

In compliance with this RFQ, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all goods and/or services at the prices quoted. Failure to sign this Execution of Offer ("Offer"), or signing it with a false statement, shall void the Qualifications and any resulting contract and may cause the Respondent to be removed from STC vendor lists.

By signature hereon, the Respondent hereby certifies that it:

- i) is a lawfully established business and is regularly engaged in providing the goods and/or services requested herein.
- ii) has the necessary experience, knowledge, abilities, skills, and resources to provide the goods and/or perform the services requested herein.
- iii) is not currently delinquent in the payment of any franchise taxes owed to the State of Texas under Chapter 171 of the Tax Code or is not subject to the payment of such taxes, and the Respondent agrees that any false statement with respect to its franchise tax status shall be a material breach of any contract that may result from the submission of the Qualifications.
- iv) is not currently delinquent in the payment of any property taxes owed to STC.
- v) is aware that if Texas Government Code § 2252.908 is applicable to any contract awarded to the Respondent as a result of this RFQ, the Respondent is required to make an electronic filing of Form 1295 with the Texas Ethics Commission as a condition of being awarded the contract.
- vi) is a publicly-traded company or, if not a publicly-traded company, no owner, employee or director of the Respondent is either currently employed by STC or has been an employee of STC within the immediate twelve (12) months prior to the time set for the submission of Qualifications to this RFQ.
- vii) is not debarred, suspended or otherwise declared ineligible to contract by any federal, state or local public agency.
- viii) has not, in connection with the Qualifications, given or offered to give, and does not intend to and shall not give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to an employee or trustee of STC or to a family member of an STC employee or trustee.

By signature hereon, the Respondent hereby certifies that:

- a) neither the Respondent nor anyone acting on its behalf has violated the antitrust laws of the State, codified in Section 15.01, et seq., Texas Business and Commerce Code or the Federal antitrust laws, or has disclosed, directly or indirectly, any information contained in the Respondent's Qualifications to any competitor or any other person engaged in such line of business.
- b) pursuant to *Texas Local Government Code*, Chapter 176, all vendors who contract or seek to contract with "local governmental entity" such as STC may be required to complete a conflict of interest questionnaire ("CIQ") if the vendor has a relationship with an officer of STC who is considered a "local government officer" or with a family member of such officer. If completion of a CIQ is required as of the effective date or at any time during the term of the Contract, the Respondent shall file the CIQ with STC's designated records

administrator: Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor. At <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>, the Respondent can find the official CIQ form along with a list of STC officers who are defined by Chapter 176 as "local government officers."

c) pursuant to *Texas Education Code*, Chapter 44.034, a person or business entity, **excluding** publicly-traded companies and certain vendors of library goods and services, that does business with STC, must notify STC if such person, or an owner or operator of such business entity, has ever been convicted of a felony, and must include in the notification a general description of the conduct that resulted in the felony conviction. At <https://finance.southtexascollege.edu/purchasing/purchase/files/Form-Criminal-History.pdf>, the Respondent can find a Criminal History Disclosure Form ("CHDF") that shall be used for this purpose. If the Respondent is required to submit a CHDF pursuant to Chapter 44.034 as of the effective date of the Contract or at any time during the term of the Contract, the Respondent shall send the CHDF to Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor, with a copy to Rebecca Cavazos, Director of Purchasing (beckyc@southtexascollege.edu), or her successor.

c) the individual signing this Offer as well as the other documents included in the Qualifications is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract which may result from the submission of the Qualifications.

d) pursuant to Texas Government Code, Title 10, Subtitle D, Section 2155.004(b), the individual or business entity named in the Qualifications or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate.

The Respondent hereby acknowledges that the Qualifications must include the Respondent's Taxpayer Identification Number and full legal name and address; the failure to sign the Qualifications will disqualify it; and the authorized agent signing the Qualifications may be required by STC to provide evidence of the agent's authority to bind the Respondent to a contract.

Signature: _____

Printed Name: _____ Javier Villalobos

Title: _____ Principal/Owner

Taxpayer Identification Number: _____ 043595486

Respondent's Name: _____ Law Office of Javier Villalobos, P.C.

Street Address: _____ 5804 N. 23rd St.

City/State/Zip: _____ McAllen, Texas 78504

Telephone No.: _____ (956) 687 4000 office (956) 536-4001 mbl

Email: _____ jv@jvlawoffice.com

Fax No.: _____ (956) 687-4001

**EXHIBIT 3
REFERENCES
THIS FORM MUST BE RETURNED**

Please list at least five (5) references of educational institutions or current commercial customers who can verify the quality of service your company provides. STC prefers customers of similar size and scope of work as noted herein.

REFERENCE ONE

Government/Company Name: City of Donna
Address: 307 S. 12th St., Donna, Texas 78537
Contact Person/Title: Rick Morales, Mayor_
Telephone: (956) 566-3805
Email Address: rick_morales1@yahoo.com
Description of Services: General Counsel

REFERENCE TWO

Government/Company Name: Edcouch-Elsa I.S.D
Address: 920 W. Santa Rosa, Edcouch, Texas 78538
Contact Person/Title: Tony Barco, Board Member
Telephone: (956) 571-0081
Email Address: antoniotonybarco@yahoo.com
Description of Services: General Counsel

REFERENCE THREE

Government/Company Name: City of Crystal City
Address: 101 E. Dimmit St., Crystal City, Texas 78839
Contact Person/Title: Frank Moreno, Mayor
Telephone: (830) 374-7037
Email Address: sgm.smoreno@yahoo.com
Description of Services: General Counsel

REFERENCE FOUR

Government/Company Name: Monte Alto Independent School District

Address: 25149 1st St., Monte Alto, Texas 78538

Contact Person/Title: Gloria Garate, Board Member

Telephone (956) 463-6129

Email Address: ggarate27@hotmail.com

Description of Services: General Counsel

REFERENCE FIVE

Government/Company Name: Edcouch-Elsa I.S.D

Address: 920 W. Santa Rosa, Edcouch, Texas 78538

Contact Person/Title: Robert Schmalzreid, Board Member

Telephone: (956) 720-5880

Email Address: robscott2813@yahoo.com

Description of Services: General Counsel

Statement of Qualifications

The Law Office of Javier Villalobos, P.C. is a general practice firm handling among other matters, all aspects of civil litigation, contracts, business disputes, criminal defense, appeals, landlord-tenant disputes, municipal and school law, and overall general governmental law. The firm has been in business for 25 years and has practiced governmental law for 23 of those years.

When necessary, the firm is assisted by attorneys Eric Jarvis; SBN: 24012902, Jesse Villalobos; SBN: 20581770, and Israel Rivas; SBN: 24107469. There are three clerical staff with the Law Office of Javier Villalobos, P.C., however, governmental issues are usually specialized and handled by attorneys only. Clerical staff is for support only with governmental accounts.

Any lawyer providing services is licensed and a member of the State Bar of Texas, and admitted into the Southern District of Texas for federal cases. All are currently in good standing.

The distance from our office to STC is approximately 2.5 miles. Of course, we can travel wherever necessary to assist the college.

This firm has extensive experience in regards to open government, personnel matters, contracts, and appointments, tenancy, conflicts of interest, nepotism, and bond issuances, and all other aspects of government. Because STC's funds come from taxpayers, we believe that STC should be frugal in its use of an attorney. We always ask for the client to do groundwork before engaging counsel. We can however, if it is the wish of the client, tailor-make any instrument authorized by statute, constitution, or policy. We believe that working closely with department heads, administrators, College President, and the Board, ultimately leads to a more efficient and effective entity.

Some of the governmental clients that have been assisted include; Donna Independent School District, Progreso Independent School District, Edcouch-Elsa Independent School District, Monte Alto Independent School District, Crystal City Independent School District, Cities of Alamo, Progreso, Donna, San Juan, Edcouch, Crystal City, Elsa, Hidalgo County Housing Authority, Elsa Housing Authority, Donna Housing Authority, Edcouch Housing Authority, La Joya Housing Authority, and Crystal City Housing Authority.

We have also represented the economic development corporations for the cities of Donna, Crystal City, Alamo, San Juan, South Texas Economic Development Corporation and special counsel for a project for the La Joya development corporation.

Our office has assisted in the following public finance issuances. The firm acted as bond counsel, underwriter's counsel, and/or assisted as general counsel:

City of Donna; Certificates of Obligation \$30,600,000.00.

City of Progreso; Certificates of Obligation, \$1,800,000.00.

Progreso I.S.D; Unlimited Tax Refunding Bonds, \$3,010,000.00; Unlimited Tax Refunding Bonds, \$3,845,000.00; Unlimited Tax Refunding Bonds, \$3,495,000.00; Unlimited Tax

Refunding Bonds, \$8,250,000.00; Unlimited Tax Refunding Bonds, \$5,880,000.00;
Unlimited Tax Refunding Bonds, \$5,320,000.00.

Crystal City I.S.D., Unlimited Tax Refunding Bonds, \$3,600,000.00.

City of Edcouch; Certificates of Obligation, \$1,600,000.00

Bexar Metropolitan Water District; Waterworks System Subordinate Revenue Lien Revenue Refunding Bonds, \$11,820,000.00.

South San Antonio I.S.D; Unlimited Tax Refunding Bonds, \$37,130,000.00.

City of Corpus Christi; Water System Revenue Improvement Bonds, \$14,375,000.00.

As general counsel of the above entities, I was in charge of advising of any and all legal issues. As far as litigation, any issues covered by insurance are submitted for a defense. Any issues not covered, for example contract disputes, are defended or prosecuted in-house.

As general counsel, one of the most challenging legal maneuvers performed was a reduction in force for the Edcouch-Elsa Independent School District. The team was able to reduce the workforce by about 219 employees. Hearings were done in-house and we were successful in all but three appeals.

Our office has successfully prosecuted and defended cases for our clients. One of the most complex cases handled was Crews & Associates, Inc. as an Authorized Representative and for the Benefit of the Owners of the City of Crystal City, Texas Combination Tax and Revenue Certificates of Obligation, Series 2014 vs. City of Crystal City, in the 293RD Judicial District.

The above case involved litigation between bond counsel, the underwriter, Siemens Corporation, Zavala County, and of course, Crystal City. After trial, the ultimate result for Crystal City was a savings of around \$1,400,000.00. Litigations span for about two years.

Another very interesting matter was BFI Waste Services of Texas, L.P. d/b/a Allied Waste Services of Rio Grande Valley vs. City of Edcouch, In the Southern District of Texas. This matter dealt with a multi-year contract in which the City of Edcouch was able to get out of an agreement utilizing Texas Constitutional provisions. Interestingly, the cities of Mission and Rio Grande had similar issues and were unsuccessful in their attempts.

Training and advising the board is always available. Generally, entities seek training in the Open Meetings Act and the Public Information Act. Such is readily available.

A lawyer will always be present at all board meetings. Whichever lawyer that attends a meeting on is fully briefed on agenda items, and necessary responses. Our firm is up to date on new legal rulings and has available an extensive network for research. Issues that may arise will almost invariably already have occurred somewhere else and existing precedent exists. If not, we will lead the STC in the right direction.

There are no pending lawsuits involving our firm. We have been involved in a partnership dispute where case has been dismissed.

Our office stands ready to assist STC. Should you have any questions or concerns, please call immediately.

Respectfully,

Law Office of Javier Villalobos, P.C.


Javier Villalobos

JV/mm.
Enc.

— ODC —
O'HANLON, DEMERATH & CASTILLO
Attorneys and Counselors at Law

426 W. Caffery Ave.
Pharr, Texas 78577
Cell: 956-373-1599
Office: 512-494-9949
www.808west.com



SOUTH TEXAS COLLEGE

REQUEST FOR QUALIFICATIONS

RFQ NUMBER 20-21-1026

LEGAL SERVICES

INDEX

Item Number	Page
Cover	1
Index	2
Item # 1 Letter of Interest	4
Item #2.A. Brief History of Firm & CV	7
Item # 2.B. Location of Offices & Resources	11
Item # 2.C. Professional Memberships & Certifications	13
Item # 2.D. Experience & Qualifications for Similar Engagements	16
Item # 2.E. List of Cases Relating to Higher Education	26
Item # 2.F. List of Past and Pending Lawsuits Against Firm	27
Item # 2.G. Grievances Filed with the State Bar of Texas Against Firm Lawyers	28
Item # 3 Certificate of Non-Discrimination	29
Item # 4 References Form	30
Item # 5 Additional Materials (CV's & Proof of Insurance)	35

Item Number 1 – Letter of Interest

1. Letter of Interest

O'HANLON, DEMERATH & CASTILLO

ATTORNEYS AND COUNSELORS AT LAW

426 W. CAFFERY AVE
PHARR, TX 78577
PHONE: (956) 318-0555
FAX: (956) 318-1955

February 24, 2021

South Texas College Board of Trustees
3201 W. Pecan Blvd.
McAllen, TX 78501

Re: RFQ No. 20-21-1026, Legal Services

Dear Board of Trustees:

The law firm of O'Hanlon, Demerath & Castillo, P.C. is pleased to submit this response to Legal Services RFQ No. 20-21-1026 for consideration the South Texas College. This response is offered on behalf of our entire firm, with Kevin O'Hanlon and Benjamin F. Castillo, Partners of the firm, being put forth as the authorized representatives to contractually obligate and negotiate on behalf of organization.

The firm is an Austin-based law firm with additional offices in the Rio Grande Valley and San Antonio, Texas. Our firm practices in a wide range of areas necessary for the representation of governmental entities including administrative law, civil litigation, employment law, contracts, and business disputes. Mr. O'Hanlon and Mr. Castillo, along with the rest of our attorneys, have extensive experience representing state and local governmental agencies and institutions. Our current clients include public universities, public school districts, charter and private schools, local governmental entities, municipalities and economic development corporations.

In order to serve you with the highest degree of representation, our firm identifies the following individuals as the primary General Counsel attorneys for South Texas College.

- a) Kevin T. O'Hanlon, Partner, 512-633-1491
- b) Benjamin F. Castillo, Partner, 956-373-1599

Both Mr. O'Hanlon and Mr. Castillo have unparalleled knowledge and experience to serve South Texas College, which includes extensive experience representing state and local governmental agencies and institutions, including a tenure of almost eight years with the Texas Attorney General's Office and three and one-half years as General Counsel of the Texas Education Agency.

We understand that South Texas College has the option to enter into an employment agreement with any vendor of professional services in a manner that is strictly at-will and may elect to terminate this relationship at any time. This arrangement is consistent with the ethical provisions which govern the legal profession. We are fully comfortable with this arrangement.

Finally, like all governmental entities, South Texas College and all of its employees and Directors are responsible for the operation of the entity within the multiple legal constraints imposed by law on all governmental entities. We understand the rules for operating governmental entities from budgeting to human resources, to public information and transparency, to purchasing. We will be able to answer routine compliance issues without the necessity of conducting costly research.

Should you have any questions or need clarification, feel free to contact Mr. Benjamin Castillo directly, at 956-373-1599.

Sincerely,

O'HANLON, DEMERATH & CASTILLO, P.C.

By: 

Kevin Thomas O'Hanlon, President
O'Hanlon, Demerath & Castillo, P.C.
Federal Taxpayer ID No. 26-2691915

Item Number 2 – Submission of Statement of Qualifications

Statement of Qualifications

2.A. Brief History of Firm and CV of Personnel

The firm was founded as O'Hanlon & Associates in March of 1994 by Kevin O'Hanlon when he retired from his position as General Counsel of the Texas Education Agency to return to the private practice of law. Since that time, the firm has grown to a dozen attorneys across three offices providing a broad range of legal and consulting public universities, services to public school districts, charter and private schools, governmental entities, businesses, and individuals throughout the state of Texas.

O'Hanlon, Demerath & Castillo is committed to the participation, involvement, and success of women and minorities in our firm and in the legal profession as a whole. Forty percent of our attorneys are women, and fifty percent are minorities. Each of these attorneys is an important member of our team.

Finally, our experience spans a wide variety of civil litigation areas, including constitutional law, employment, civil rights, contracts, insurance, construction, business dissolution, bankruptcy, administrative law, securities, and torts. Furthermore, our firm includes attorneys that are board-certified in Civil Trial Law, Civil Appellate Law, and Labor and Employment Law. Our firm's broad and deep experience in representing governmental entities in wide variety of litigation matters makes us well qualified to provide litigation services to A&M System and its institutions.

KEVIN O'HANLON (FULL RESUME CV IN ITEM # 5, ADDITIONAL MATERIALS)

Shareholder Attorney. Mr. O'Hanlon has served General Counsel to various public entities across the state of Texas, including as General Counsel to the Texas Education Agency. Furthermore, Mr. O'Hanlon has tried hundreds of cases in both judicial and administrative settings, including a wide variety of employment litigation cases. He has appeared on many occasions before the Texas Supreme Court, the Fifth Circuit Court of Appeals, and the intermediate appellate courts of the State of Texas. Mr. O'Hanlon is board certified in Civil Trial Law and Civil Appellate Law. Mr. O'Hanlon has been practicing since 1974, and he is admitted to practice in Texas, the Fifth Circuit, in all federal district courts in Texas, as well as the United States Supreme Court, the Eighth and Eleventh Circuits, the Arkansas Western District, and the state of Massachusetts. kohanlon@808west.com

BENJAMIN CASTILLO (FULL RESUME CV IN ITEM # 5, ADDITIONAL MATERIALS)

Shareholder Attorney. Mr. Castillo, a Rio Grande Valley native, graduated from the University of Texas at Austin with a Bachelor of Arts in Government in 2010. After graduation, he worked as a government and history teacher in the Rio Grande Valley. Benjamin graduated from South Texas College of Law in Houston in 2013. Additionally, he served as a school board member including board president for the Mercedes Independent School District after being elected at the age of 19 years old. In his legal career, Mr. Castillo has clerked at several law firms that primarily focus

on the representation of governmental entities in the state. As an associate at O'Hanlon, Demerath & Castillo, Mr. Castillo has worked on issues ranging from special education, personnel matters, governance, to litigation that our clients face. Mr. Castillo is currently a member of administrative and public law, government law, labor and employment law, and school law sections of the State Bar of Texas. bcastillo@808west.com

Additionally, our firm employees' additional attorneys who because of their unique expertise, may be called on for assistances as needed by South Texas College.

EDEN RAMIREZ, JR., J.D., eramirez@808west.com Mr. Ramirez is a former student of South Texas College and later graduated from the University of Texas Rio Grande Valley with a Bachelor of Arts in Political Science in 2012 and from St. Mary's University School of Law in 2019 with his Juris Doctorate. Before law school, Mr. Ramirez worked for four years as Director of Public Relations & Communications for one of the largest public-school districts in the Rio Grande Valley – this experience provoked his interest and passion in education. During law school, Mr. Ramirez interned with the Texas Education Agency Office of Legal Counsel, focusing on teacher employment issues. Additionally, he has served on numerous board and committees relating to public education in the Rio Grande Valley.

Mr. Ramirez's primary focus is representation of governmental entities across the state of Texas, on issues ranging from personnel, construction, governance, litigation, student services, and general education matters. Mr. Ramirez is license to practice in Texas, and is a member of the school law, governmental law, and administrative law sections of the State Bar of Texas.

RICCO GARCIA, J.D., rgarcia@808west.com. Ricco graduated from Sharyland High School and obtained his Bachelor of Arts in Government from the University of Texas at Austin. Ricco then went on to study law at the University of Houston Law Center, completing his final semester of law school in Washington D.C. at Georgetown University Law Center. Ricco has extensive legislative and political experience, having worked four Texas legislative sessions and two separate internships at the United States Capitol in D.C. Directly before joining the firm Ricco worked as the General Counsel for State Senator Carol Alvarado of Houston during the 2019 legislative session. In February 2017 Ricco co-authored a book along with his brother titled, "How a Goat Became Mayor and the Political Spring that Followed" that went on to become a #1 best-selling book in the U.S. in local elections. Ricco has worked on variety of legal and legislative matters—including successfully representing a political campaign as the lead attorney in trial court, the appeals court, and the Texas Supreme Court. Ricco has also given a TEDxTalk at the University of Texas titled, "Growing Money in the Desert."

MICHAEL SALINAS, J.D., msalinas@808west.com. Michael R. Salinas was born and raised in the Rio Grande Valley, Texas. Graduating top of his class from Mercedes High School, he had the opportunity to attend Princeton University where he met students from all over the world. After graduating from Princeton, he attended Baylor School of Law. He has been practicing law since 1997. He has represented school districts, corporations, banks, small businesses, and individuals in all different kinds of disputes. He considers himself a problem solver, and has been involved

in bringing solutions to problems that vary widely from construction litigation, multiple party personal injury cases, and real estate disputes. He brings vast experience to the practice of school law.

AUDRA GONZALEZ WELTER, J.D., awelter@808west.com. Ms. Welter is a native of the Rio Grande Valley and graduated as a proud Rattler from Rio Grande City High School in 1999. She then graduated from Wellesley College in 2003 with a degree in History and the University of Texas School of Law in 2006. She has obtained substantial experience in federal court as a judicial intern to the Honorable Andrew Hanen for the Southern District of Texas—Brownsville Division. Upon graduation from law school, Ms. Welter served as a federal law clerk to the Honorable Randy Crane also of the Southern District of Texas—McAllen Division. Ms. Welter is admitted to practice in all federal district courts in Texas. She has participated as counsel in both state and federal court trials and has experience throughout the litigation process. She has extensive experience with the Texas Public Information Act after serving as an attorney for the University of Texas System Administration. Ms. Welter has particular experience in media law and defamation claims having represented television stations and other media outlets. Ms. Welter is a recipient of the Texas Civil Rights Project's Kristi Couvillon Pro Bono Award, which is awarded yearly to attorneys who have handled significant cases for the Project.

DAVID CAMPBELL, J.D., dcampbell@808west.com. Mr. Campbell graduated with honors from both the University of Texas at Austin in 2000 and from the University of Texas School of Law in 2008. During law school, Dave clerked for the Texas Association of School Boards and has since developed a specialty in representing school districts and advising them on the unique legal issues they face. He also has a track record of success representing clients at every stage of the litigation process from administrative proceedings, bench trials, jury trials, or appeals. He is admitted to practice in all state trial and appellate courts in Texas, all federal district courts in Texas, and the U.S. Court of Appeal for the Fifth Circuit.

In addition to representing clients, Mr. Campbell also serves as an adjunct professor at the University of Texas School of Law. He has taught classes on legal research and writing and appellate advocacy since 2013.

LESLIE MCCOLLOM, J.D., lmccollom@808west.com. Ms. McCollom has been investigating, resolving, and (when necessary) litigating employment disputes since she served as an Assistant Attorney General in 1986, and she has continued in this practice since joining the firm. She has served as lead counsel and co-counsel in employment-related administrative and judicial litigation in both federal and state courts at the trial and appellate levels. For example, she has appeared before the Fifth Circuit on multiple occasions to litigate employment testing requirements for educators, First Amendment retaliation claims, and FMLA cases. Ms. McCollom is board certified in Labor & Employment Law and Civil Appellate Law. Ms. McCollom has been practicing since 1980, and she is admitted to practice in Texas, the Fifth Circuit, and all federal district courts in Texas.

KRISTI GODDEN, J.D., kgodden@808west.com. After graduating from law school at the University of Texas at Austin School of Law in 2011, Ms. Godden joined the Open Records Division at the Office of the Attorney General of Texas. As an Assistant Attorney General, Ms. Godden's practice focused on the confidentiality of governmental records under the Texas Public Information Act, as well as federal and state law. Ms. Godden was a frequent speaker at the Texas Open Government Conference. As an associate at O'Hanlon, Demerath & Castillo, Ms. Godden continues to specialize in issues involving the confidentiality and maintenance of government records, including records retention; FERPA and student records; and accessibility of records as required by Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and their implementing regulations. Ms. Godden has also worked on a range of issues including personnel matters, contracts, open government, and litigation. She is admitted to practice throughout Texas, and in all federal district courts in Texas.

SHARESA Y. ALEXANDER, J.D., LL.M.; syalexander@808west.com. Ms. Alexander graduated Cum Laud with an LL.M. from Thomas Jefferson School of Law and a Juris Doctorate from Texas Wesleyan School of Law, now Texas A&M School of Law; and received the Maclean Boulware Award; the highest honor of her graduating class. Ms. Alexander serves as general counsel to multiple school district, businesses and municipalities. Her representation includes school law; corporate law; administrative law; litigation; contract drafting, review and negotiations; procurement; construction law, property law; estates and trusts; copyrights, trademarks and multiple general matters. Also, Ms. Alexander represented the State of Texas in regulatory matters for over 7 years and owned her own general practice. Ms. Alexander is the former Legal Director for Texas Accountants and Lawyers for the Arts, a nonprofit organization that supports the Texas arts community by providing legal and accounting services, educational programs and publications to artists, and arts related nonprofits. Ms. Alexander has also served in various board member roles, including Minority Director of the Texas Young Lawyers Association, Member of the American Bar Association-YLD Public Service Team, and Advisory Board Member of the State Bar of Texas Legal Service to the Poor in Civil Matters.

NICHOLAS MADDOX, J.D., nmaddox@808west.com. Mr. Maddox represents clients in a diverse range of litigation issues and is currently serving as the managing associate attorney of the San Antonio office location. Mr. Maddox is licensed to practice both State and Federal court. Mr. Maddox specializes in special education law, representing districts and parents alike in disputes arising under the Individuals with Disabilities Education Act (IDEA), and from Section 504 of the Americans With Disabilities Act (ADA). Mr. Maddox also practices in administrative law representing governmental entities, including school districts, cities and housing authorities. Mr. Maddox handles matters of governance and litigation.

2.B. Location of Office & Resources

Our firm boast three offices across the Lone Star State, including one in the Rio Grande Valley that would serve as the primary office for South Texas College.

- a) **Rio Grande Valley Office**, 426 W. Caffery Ave. Pharr, TX 78577
5 miles from South Texas College

Attorneys:

Benjamin F. Castillo, *Partner*
Michael Salinas, *Senior Associate*
Eden Ramirez, Jr., *Associate*
Ricco Garcia, *Associate*

Staff:

Irasema Gonzalez, *Paralegal*
Jessica Foytek, *Legal Assistant*

- b) **San Antonio Office**, 117 E. Craig Place , San Antonio, TX 78212
240 miles from South Texas College

Attorneys:

Nicholas Maddox, *Partner*

Staff:

Irasema Gonzalez, *Paralegal*

- c) **Austin Office**, 808 West Ave., Austin, TX 78701
320 miles from South Texas College

Attorneys:

Kevin T. O'Hanlon, *Partner*
Leslie McCollom, *Senior Associate*
David J. Campbell, *Senior Associate*
Sharesa Alexander, *Senior Associate*
Kristi Godden, *Associate*
Audra Gonzalez Welter, *Associate*

Staff:

, *Paralegal*

All of our offices are offer full-scale services and are equipped with high-speed internet, extra-large conference rooms (available for STC use), 24/7 telephone service, large capacity printing resources, and safe document storage.

Additionally, all of our firm offices maintain a robust network of technology and library holdings to ensure reliability in our services. For example, Matthew Tallon & Associates, an Austin-based vendor, provides internal and computer network support. Our computer network runs off Dell PowerEdge servers running Intel processors using the latest version of the Microsoft Windows Server operating system. We have our own website and internet domain: www.808west.com. We access the internet via redundant high-speed internet services provided by AT&T and Spectrum.

The firm maintains its cutting-edge technology inventory with the able assistance of an experienced team of vendors. Star furnishes and maintains our VoIP telephone equipment and voice-messaging system. Along with our internal office systems, our legal staff maintain mobile computer laptops and tablets which offer additional remote access for the client during non-traditional working hours. We all carry cell phones and return business calls promptly.

Lastly, the firm maintains a LexisNexis and Westlaw accounts with full access to all state and federal statutes and case decisions. In addition to the computer-based law library, the firm maintains a library of books and periodicals in its primary areas of practice, *i.e.* school law, litigation, labor and employment law, civil rights litigation, and construction. The firm has direct, on-line access to Commissioner of Education Decisions, Special Education Decisions, Commissioner's Rules, Attorney General's Opinions, and the Texas Legislative Counsel. The firm maintains links to the United States Congress, the Department of Education, the Equal Employment Opportunity Commission, the United States Supreme Court, and the Fifth Circuit Court of Appeals. By actively monitoring these sources, the firm stays on the cutting edge of legal developments.

2.C. Professional Memberships & Certifications

Our attorneys are part of a wide range of practice areas and memberships in the Texas State Bar, including Board Certified attorneys and Bar College Recognized attorneys.

- a) Kevin T. O'Hanlon – Bar Card Number: 15235500
 - a. Board Certified: Civil Trial Law, Civil Appellate Law
 - b. Practice Areas: Administrative and Public, Alternative Dispute Resolution, Business, Technology, Government/Administrative, Labor-Employment, Litigation: Commercial, Litigation: Personal Injury, Construction, School Law, Appellate: Civil, Disability Law, Non-Profits
 - c. Courts of Admittance: All Texas Courts, and the following Federal Courts:
 - US Supreme Court
 - Fifth Circuit Court of Appeals
 - Eighth Circuit Court of Appeals
 - Eleventh Circuit Court of Appeals
 - Arkansas Western District Court
 - Texas Eastern District Court
 - Texas Northern District Court
 - Texas Southern District/Bankruptcy Court
 - Texas Western District Court
- b) Benjamin F. Castillo – Bar Card Number: 24077194
 - a. Practice Areas: Administrative and Public, Alternative Dispute Resolution, Business, Technology, Government/Administrative, Labor-Employment, Litigation: Commercial, Litigation: Personal Injury, Construction, School Law, Appellate: Civil, Disability Law, Non-Profits
 - b. Courts of Admittance: All Texas Courts, and the following Federal Courts:
 - Texas Southern District Court
- c) Eden Ramirez, Jr. – Bar Card Number: 24112355
 - a. Practice Areas: Administrative and Public, Business, Labor-Employment, Public Utility, School Law
 - b. Courts of Admittance: All Texas Courts
- d) Ricco Garcia – Bar Card Number: 24089671
 - a. Practice Areas: Consumer, Government/Administrative, Litigation: Personal Injury, School Law, Legislative / Campaign
 - b. Courts of Admittance: All Texas Courts, and the following Federal Courts:
 - Texas Southern District Court
- e) Michael Salinas – Bar Card Number: 24002887

- a. Practice Areas: Business, Litigation: Commercial, Litigation: Personal Injury, Real Estate, Wills-Trusts-Probate, Construction, School Law
 - b. Courts of Admittance: All Texas Courts, and the following Federal Courts:
Texas South District/Bankruptcy Court

- f) Audra Gonzalez Welter – Bar Card Number 24055564
 - a. Practice Areas: Administrative and Public, Alternative Dispute Resolution, Business, Technology, Government/Administrative, Labor-Employment, Litigation: Commercial, Litigation: Personal Injury, Construction, School Law, Appellate: Civil, Disability Law, Non-Profits
 - b. Courts of Admittance: All Texas Courts, and the following Federal Courts:
Texas Eastern District Court
Texas Northern District Court
Texas Southern District/Bankruptcy Court
Texas Western Court

- g) David Campbell – Bar Card Number: 24057033
 - a. Board Certified: Civil Appellate Law
 - b. Recognition: Texas Bar College
 - c. Practice Areas: Administrative and Public, Business, Government/Administrative, Insurance, Intellectual Property, Labor-Employment, Litigation: Commercial, Litigation: Personal Injury, Construction, School Law, Appellate: Civil, Civil Rights
 - d. Courts of Admittance: All Texas Courts, and the following Federal Courts:
Fifth Court of Appeals
Texas Eastern District Court
Texas Northern District Court
Texas Western District Court
Texas Southern District Court

- h) Sharesa Alexander – Bar Card Number: 24064197
 - a. Practice Areas: Administrative and Public, Alternative Dispute Resolution, Business, Consumer, Creditor-Debtor, Criminal, Environmental, Family, Government/Administrative, Insurance, Intellectual Property, International, Litigation: Commercial, Law Office Management, Taxation, Wills-Trusts-Probate, Other, Entertainment, Immigration, Finance, Non-Profits
 - b. Recognitions: Texas Bar College
 - c. Courts of Admittance: All Texas Courts, and the following Federal Courts:
US Supreme Court
US Tax Court
Texas Eastern District Court
Texas Northern District Court
Texas Western District Court
Texas Southern District Court

- i) Leslie McCollom – Bar Card Number: 13431975
 - a. Board Certified: Civil Appellate Law, Labor and Employment Law
 - b. Practice Areas: Administrative and Public, Government/Administrative, Labor-Employment, School Law, Appellate: Civil
 - c. Courts of Admittance: All Texas Courts, and the following Federal Courts:
 - US Tax Court
 - Fifth Circuit Court of Appeals
 - Sixth Circuit Court of Appeals
 - Texas Eastern District Court
 - Texas Northern District Court
 - Texas Southern District/Bankruptcy Court
 - Texas Western District Court
- j) Kristi Godden – Bar Card Number: 24079577
 - a. Practice Areas: Administrative and Public, Government/Administrative, Labor-Employment, School Law
 - b. Courts of Admittance: All Texas Courts, and the following Federal Courts:
 - Texas Eastern District Court
 - Texas Northern District Court
 - Texas Southern District Court
 - Texas Western District Court
- k) Nicholas Maddox – Bar Card Number: 24092739
 - a. Practice Areas: Administrative and Public, Government/Administrative, Labor-Employment, Juvenile, School Law, Appellate: Civil
 - b. Courts of Admittance: All Texas Courts, and the following Federal Courts:
 - Texas Southern District Court
 - Texas Western District Court

2.D. Experience & Qualification for Similar Types of Engagements

GENERAL COUNSEL

Board Meetings: Our attorneys have many years of experience attending board meetings for large and small public entity clients across the state, including colleges and public schools. We are available to assist in drafting agendas to assure their compliance with the Open Meetings Act.

Board Policy Development: Because of our many years of experience representing public entities, the firm is well qualified to provide periodic updates on board policy and local administrative practices. The purpose of these updates is to align District policy and procedure with current legal requirements imposed by changes in state and federal statutes, administrative regulatory changes, new court precedents, Attorney General's Opinions, and interpretations by the Texas Education Agency. We have the experience and the expertise to customize district policies to ensure that they accurately reflect both local needs and the intention of the Board.

Competitive Bidding: The firm has substantial experience in interpreting competitive bidding statutes. As General Counsel at the Texas Education Agency, Mr. O'Hanlon participated in the creation of the very first Resource Guide's Competitive Bidding Manual for Public Schools published jointly by the Texas Education Agency and the Texas Attorney General's Office covering competitive bidding. In other words, he helped write the book on these matters.

Election Law Advice: Firm members have drawn redistricting plans, drafted resolutions changing election dated, terms of office including the development of transition plans, engaged in single member district litigation, drafted joint election agreements, including agreements with the Cameron County Elections Department, participated in judicial election contests, and drafted multiple pre-clearance submissions to the United States Department of Justice.

Freedom of Religion and First Amendment Issues: Members of the firm have advised many governmental entities on compliance with federal and state constitutional and statutory mandates on freedom of religion and other First Amendment issues related to students and employees. The firm stays current in this developing area of the law and advises clients on legal questions about religion in the public schools and the First Amendment rights of students and employees. The firm has extensive First Amendment litigation experience.

Parliamentary Procedure: Our lawyers are expert in the use of Roberts Rules of Order and their use in conducting school Board meetings. Mr. O'Hanlon, in his role as Chief Counsel, served as the parliamentarian for the Texas State Board of Education. All of the lawyers at the firm have attended and helped manage many school board meetings. We understand the role of a parliamentarian is to expedite and facilitate communication among the Board Members; it is not to take an active role in the deliberations.

Preventive In-Service Training: We believe that training the Board of Trustees and employees is an important part of providing legal services to a school district. Timely training holds down legal costs by recognizing problems in advance, advising clients before violations occur, and educating clients in the various areas of the law that the clients routinely encounter. In addition, from the first day of our engagement, we will continuously survey the practices and procedures being implemented within the District. Based upon our observations, we will make recommendations for change in those areas which in our experience, the District has taken on an unwarranted legal risk. In all cases our recommendations will be just that, recommendations. We understand our role to be counselors not to act as substitute administrators. When we make recommendations, we will always explain the rationale for our opinion, and we will in all cases where possible, provide alternatives from which the policy makers may select.

Reviewing and Developing Board Policies and Procedures: Because of our many years of experience representing school boards, the firm is well qualified to provide periodic updates on board policy and local administrative practices. The purpose of these updates is to align District policy and procedure with current legal requirements imposed by changes in state and federal statutes, administrative regulatory changes, new court precedents, Attorney General's Opinions, and interpretations by the Texas Education Agency. The firm currently performs this function for a number of districts and the Region One Education Service Center.

Special Counsel to the Board of Trustees: The firm has provided advice to many different Boards of Trustees of school districts. In his capacity as General Counsel for the Texas Education Agency, Mr. O'Hanlon often provided training sessions to school district trustees, and has advised boards of trustees in many contested personnel matters and desegregation matters.

Special Opinions: The firm has many years of experience in preparing formal legal opinions for school district clients. Such formal opinions provide specific guidance upon which a district may legally rely in resolving the questions addressed.

Special Education and Section 504: From 1994-1999, Mr. O'Hanlon served as a Special Education Hearing Officer for the Texas Education Agency in contested Special Education cases. Since that time, our firm has handled numerous Special Education matters. We routinely advise our school district clients on Special Education and Section 504 of the Rehabilitation Act issues. Mr. O'Hanlon and Mr. Maddox have successfully litigated Special Education and Section 504 cases in both administrative and judicial forums. We feel strongly that we "add value" in this area by understanding the risk of the stakeholders in these controversies and resolving them without resort to costly judicial or quasi-judicial procedures. We have experience dealing with the Office of Civil Rights of the U.S. Department of Education regarding complaints of non-compliance with federal requirements regarding students and personnel with disabilities. The firm has advised many school districts and the Region One Educational Service on personnel policy revisions, including ADA and Section 504 issues.

Student Records: The firm has broad experience in advising both state and local entities on their obligations under the Family Educational Rights and Privacy Act. Our firm members are familiar

with privacy laws involving other state agencies. Additionally, we are familiar with the development and implementation of records retention policies.

Trustee Elections: In addition to pre-clearance, the firm has provided advice on election administration controversies to school district clients. The firm maintains a continuing liaison with the Secretary of State to ensure we remain current on all of the latest developments.

CONSTRUCTION LAW

The Firm has represented public entities, state agencies, units of local government, private contractors, and individual property owners in construction disputes and in litigation involving construction and architectural contracts. The firm has developed specialized architectural and construction contracts for colleges and school districts which more appropriately contain costs and allocate risks in the entity's favor, as compared with standard AIA contracts. Mr. O'Hanlon handled several complex construction litigation cases for state agencies at the Texas Attorney General's office. As a former construction foreman/superintendent, Mr. O'Hanlon reads and understands complex construction documents, including both drawings and technical specifications. This fundamental knowledge allows for a very short learning curve. The firm can quickly understand and manage construction controversies, thereby reducing costs. Our goal is to eliminate delay claims and put the project back on schedule as quickly as possible.

Contracts: The firm has extensive experience negotiating and drafting many different types of contracts, and managing disputes arising from contracts. The firm has an extensive library of construction, architect, and subcontractor agreements and we have successfully negotiated and litigated contract disputes.

EMPLOYMENT/LABOR LAW

The firm has successfully conducted numerous investigations for public entities regarding alleged acts or omissions by employees. In addition to conducting the investigations of alleged conduct in violation of Chapter 21, Texas Labor Code, and Title VI, Title VII, Title IX, the ADEA, and the ADA, we have prepared many responses to administrative charges of discrimination filed with the Texas Workforce Commission (formerly the Texas Commission on Human Rights) and the Equal Employment Opportunity Commission (EEOC). We have conducted investigations into alleged misconduct by employees in numerous school districts and have successfully avoided further litigation on claims of retaliation in cases of alleged sexual harassment and whistleblowing on First Amendment Retaliation. Ms. McCollom is Board Certified in Labor and Employment Law and has conducted numerous investigations of personal injuries, public health, and/or public safety concerns.

Compliance with Federal Civil Rights Law: The firm has handled many civil rights suits on behalf of state agencies and officials, in addition to school districts and their employees. Mr. O'Hanlon participated in *United States v. Texas*, the statewide desegregation lawsuit involving the State's Education System. His experience includes both litigation on behalf of the State of Texas, as well

as lecturing extensively and advising districts of their obligation to meet court requirements in the area of student assignments, personnel practices, extracurricular activities, student transfers and school district boundary changes. The entire firm engages in civil rights litigation and has been litigating such cases for more than thirty years. We remain on the cutting edge of developments in civil rights law and litigation.

FINANCE

General Public Finance: Nothing in public education is more complicated or more critical to the operation of a public-school district than a thorough understanding of school finance. This is one of Mr. O'Hanlon's primary areas of expertise. For more than twenty-five years, he has worked closely with state leaders at the highest levels to help create school finance solutions. Consequently, the firm can assist in leveraging maximum state aid for each dollar of local tax collections. We are also familiar with practice before the Comptroller's Property Tax Division and current interpretation of tax rollback provisions.

Tax and Property Law: We serve as general counsel for many school districts and regularly deal with district-related property tax issues. Mr. O'Hanlon has advised many districts on issues related to rollback elections, and I&S to M&O tax rate conversions. Our firm is the leading authority in the State of Texas on school district tax limitation agreements.

OPEN RECORD STATUTES

Open Meetings/ Open Government: Our attorneys have over 75 years collective experience in the area of Open Meetings compliance. Because of our expertise in this area, we can quickly and efficiently review meeting agendas for compliance without having to do costly research. We have substantial litigation experience in this area and know how to help our clients avoid compliance issues.

Open Records Issues, Open Government/Public Information Act: The firm has broad experience in advising both state and local entities of their obligations under the Public Information Act. Mr. O'Hanlon has successfully litigated these issues where necessary, but more importantly, he has helped his clients to avoid litigation by proffering timely and correct advice. We are familiar with privacy laws applicable to governmental bodies, with Public Information Act issues, and with the development and implementation of records retention policies.

PERSONNEL LAW (COMPLIANCE)

Americans with Disabilities Act Compliance: The firm is well qualified to assist our clients in complying with the Americans with Disabilities Act. Both Mr. O'Hanlon and Ms. McCollom have extensive litigation experience in this area.

Investigations: The firm has successfully conducted numerous investigations for public entities regarding alleged acts or omissions by employees. In addition to conducting the investigations

of alleged conduct in violation of Chapter 21, Texas Labor Code, and Title VI, Title VII, Title IX, the ADEA, and the ADA, we have prepared many responses to administrative charges of discrimination filed with the Texas Workforce Commission (formerly the Texas Commission on Human Rights) and the Equal Employment Opportunity Commission (EEOC). We have conducted investigations into alleged misconduct by employees in numerous school districts and have successfully avoided further litigation on claims of retaliation in cases of alleged sexual harassment and whistle-blowing on First Amendment Retaliation. We have also conducted numerous investigations of personal injuries, public health, and/or public safety concerns.

School Personnel: The firm has in excess of 75 years cumulative experience in the area of personnel litigation and has represented numerous public employers on personnel matters, including multiple matters of employee non-criminal misconduct. Our attorneys practice employment law on a daily basis for a wide range of clients including school districts, state agencies, teacher organizations, private employers, and individual clients. In conjunction with a district's staff and as part of its preventive/in-service training activities, the firm has developed and implemented streamlined processes to satisfactorily resolve personnel issues. We can do this without unnecessary Board meetings or numerous lengthy due process hearings. Should the need arise to conduct hearings or to litigate, the firm's attorneys are experienced trial lawyers who know how to try personnel cases in both administrative and judicial forums.

Workers' Compensation: We represented school districts throughout the Rio Grande Valley in litigation matters relating to the Texas Workers Compensation Act, particularly with respect to retaliation issues.

PUBLIC LAW/FEDERAL LEGISLATIVE

Compliance with Federal Civil Rights Laws: The firm has handled many civil rights matters on behalf of state agencies and officials, as well as school districts and their officials, officers and, employees. Mr. O'Hanlon participated in United States v. Texas, the statewide desegregation lawsuit involving the State's Education System. His experience includes both litigation on behalf of the State of Texas, as well as lecturing extensively and advising districts of their obligation to meet court requirements in the area of student assignments, personnel practices, extracurricular activities, student transfers and school district boundary changes. The entire firm engages in civil rights litigation and has been litigating such cases for more than thirty years. We remain on the cutting edge of developments in civil rights law and litigation.

Acquisition, Sale, and Leasing (landlord & tenant) of Real or Personal Property: In addition to purchasing and leasing raw land, active real estate portfolio management by school districts also entail construction law. We are knowledgeable about all statutes governing the disposition of public property, both real and personal. We have also drafted many joint use agreements between school districts and other political subdivisions, allowing for more efficient leverage of school district funds. Finally, we have successfully concluded condemnation cases, both by settlement and by litigation where that becomes necessary.

Intellectual Property Law and Copyright Issues: As General Counsel of the Texas Education Agency, Mr. O’Hanlon became intimately familiar with copyright issues and how they impact the publication of educational materials. Other members of the firm are also familiar with the parameters of the “Fair Use” doctrine and have studied the copyright issues integral to bringing the Internet into the classroom. The firm can help our school district clients understand its legal obligations in this complex area of intellectual property law.

Legislative Services: The firm has successfully represented many public clients in the legislative arena. We routinely track education legislation during legislative years. We are well situated to monitor developments in the Texas Legislature, and to monitor and review changes in Texas public school law recommended by the South Texas Schools Association or the Texas Association of School Boards General Assembly of Delegates. We can advise districts on both substantive issues and legislative strategies.

Municipal Planning and Environmental Ordinances: The firm represents municipalities and has direct experience with municipal government. In addition, we can assist our clients in complying with the complex municipal planning, zoning and environmental ordinances applicable to their situations. The firm has also assisted numerous clients in complying with a broad range of state and federal regulations applicable to governmental bodies.

Official Liabilities and Immunity: The firm has extensive experience with asserting and litigating the immunities of public officials and employees, so that school district officials and employees can continue to exercise their discretion without fear of personal liability. The firm has successfully litigated claims of official immunity, absolute immunity, and qualified immunity on behalf of governmental officials in the Texas and federal courts.

Real Estate (routine): Our Firm attorneys have drafted and closed many real estate transactions. They are familiar with all of the statutes relating to both the acquisition and disposition of real property, including but not limited to property obtained through the foreclosure process. Mr. O’Hanlon has been actively involved in the management of the properties acquired through the tax collection process. We are also knowledgeable about the assessment of environmental factors encountered in the acquisition of properties.

State and Federal Regulations; Local Planning, Zoning and Environmental Ordinances: The firm has assisted numerous clients in complying with a broad range of state and federal regulations applicable to governmental bodies. In addition, the firm has particular expertise in state and federal guidelines that are unique to school districts and municipal government. In addition, we assist our clients in complying with the complex municipal planning, zoning and environmental ordinances applicable to their situations.

Tort Claims Litigation: The firm consists of experienced litigators who are fully competent to handle any litigation in the jurisdiction of the Justice courts.

SCOPE OF SERVICES – LITIGATION OR NON-ROUTINE CONTRACTS AND CONSTRUCTION

Air and Water Pollution: Mr. Demerath is familiar with toxic torts. Mr. O’Hanlon has advised many units of government concerning environmental issues and has experience with the Superfund regulatory process administered by the United States Environmental Protection Agency.

Fiber Optic Communications Systems: Mr. O’Hanlon’s construction and purchasing experience also covers the complicated area of installation of fiber optic systems as well as all areas of law necessary for the operation of fiber optics-based technologies. In addition, we have extensive experience with the management of E-Rate contracts which usually provide the funding for these important resources.

Underground Storage Tanks: Mr. O’Hanlon has successfully obtained permits and, where necessary, led clients through effective removal and remediation projects due to underground storage leakage.

FINANCE

Bankruptcy: Mr. O’Hanlon has successfully represented school districts in bankruptcy matters related to Chapter 313 Economic Development Agreements.

PERSONNEL LAW

The firm has extensive experience in litigating all types of personnel and employment matters in state and federal trial courts, and U.S. Courts of Appeals. The firm has advised school districts in non-renewal and termination cases regarding teachers and administrators and has handled contested administrative litigation in non-renewal and termination cases before Certified Hearing Examiners, Boards of Trustees, and the Commissioner of Education. The firm has also litigated cases involving termination or non-renewal of teachers and administrators in the Texas state trial courts, the Courts of Appeal, and the Texas Supreme Court. The firm has the experience to get the job done with a maximum of efficiency.

Americans with Disabilities Act Compliance: The firm is well qualified to assist our clients in complying with the Americans with Disabilities Act. Both Mr. O’Hanlon and Ms. McCollom have extensive litigation experience in this area.

Freedom of Religion and First Amendment Issues: Members of the firm have advised many governmental entities on compliance with federal and state constitutional and statutory mandates on freedom of religion and other First Amendment issues related to students and employees. The firm stays current in this developing area of the law and advises clients on legal questions about religion in the public schools and the First Amendment rights of students and employees. The firm has extensive First Amendment litigation experience.

Employee Health Insurance Matters: We routinely advise our client districts on matters related to employee health insurance. We understand how to employ the RFP process to find the best values required for the most efficient operation of employer administered health plans. We are currently advising both Edinburg CISD and Weslaco ISD in their procurement processes

State Whistle Blower Act Compliance: Our firm has defended many whistleblower claims. We know how to prevent such claims by reviewing personnel recommendations and assuring that a proper rationale is always articulated as a part of the process.

Texas Teacher Retirement System: Members of the firm have a full understanding of the benefit policies and eligibility requirements for the Texas Teacher Retirement System and will be able to advise the District regarding compliance and rights to benefits under the system. We have used this experience in multiple ways to devise.

University Interscholastic League (UIL): As Assistant Attorney General, Mr. O'Hanlon was trial counsel for the UIL. Since that time, both he and the firm have successfully handled many UIL matters, not only involving eligibility questions, but also redistricting and other policy related issues.

STATE AND FEDERAL

Copyright Issues: As General Counsel of the Texas Education Agency, Mr. O'Hanlon became intimately familiar with copyright issues and how they impact the publication of educational materials. Other members of the firm are also familiar with the parameters of the "Fair Use" doctrine and have studied the copyright issues integral to bringing the Internet into the classroom. The firm can help our school district clients understand its legal obligations in the complex area of intellectual property law.

Federal Department of Education Matters: As General Counsel of the Texas Education Agency, Mr. O'Hanlon has been involved at the SEA level with negotiations and administrative litigation with the United States Department of Education. He is familiar with the USDE's EDGAR rules, and with the federal grant requirements which are drawn from them. He also has extensive involvement with the US Department of Agriculture's Food and Nutrition Service, which implements the free and reduced lunch program. He has used his knowledge to assist districts in time of controversy with regulators.

Federal Voting Rights Act Advice: Although, after the recent United States Supreme Court ruling, the need for advice on Voting Rights Act issues will substantially diminish, we have successfully obtained Preclearance under Section 5 of the Voting Rights Act for many electoral changes made by our client districts. These include redistricting, conversion to single member districts, changes in polling places, changes in terms of office, and changes in election dates, and transition provisions for implementing Board-directed changes.

Government Licenses and Easements: Where required, we have experience and expertise to apply for, obtain, and operate under all governmental licenses required for school district operations. We have negotiated easements for access by providers of services to school districts we represent, and we have negotiated easements assuring access by our clients where necessary.

Governmental Immunity: The firm has extensive experience with asserting and litigating the immunities of public officials and employees, so that school district officials and employees can continue to exercise their discretion without fear of personal liability. The firm has successfully litigated claims of official immunity, absolute immunity, and qualified immunity on behalf of governmental officials in the Texas and federal courts. The firm has long history of representing governmental entities, and thus, are experts on state and federal law and the various immunities of governmental entities. Other attorneys frequently consult our firm on these issues.

Governmental Tort Claims: Members of the firm have significant experience in the tort claims area. The firm has represented a number of governmental entities in cases arising under the Texas Tort Claims Act.

Intergovernmental Relations: Due to our diverse client base, we are routinely involved in conducting intergovernmental relations amongst units of government. Mr. O'Hanlon has negotiated and implemented over 130 economic development agreements which, almost universally, entail liaison with both TEA and the Texas Comptroller's Office and also with units of local government at both the state, county and the municipal level.

Public Utility Commission: The firm has specialized expertise in dealing with rate matters before public utility regulatory bodies. Mr. O'Hanlon has practiced before the Texas Public Utility Commission, representing at various times the State of Texas, private clients, and political subdivisions.

State and Federal Court Litigation: All of the lawyers in the firm are litigators. Mr. O'Hanlon has been continuously Board Certified as a Specialist in Civil Trial Litigation by the Texas Board of Legal Specialization since 1990. Our lawyers hold licenses to litigate in all Texas Courts and all federal Courts in Texas. We also have lawyers licensed to practice in the courts of Nebraska, Massachusetts, and Colorado.

State and Federal Court Appellate Matters: Mr. O'Hanlon has been continuously Board Certified as Specialists in Civil Appellate Law by the Texas Board of Legal Specialization since 1980's. We have practiced on a regular basis in both State and Federal Appellate courts. Mr. O'Hanlon has appeared before the Texas Supreme Court many times dating back to his first appearance in 1977.

State and Federal Regulations; Local Planning, Zoning and Environmental Ordinances: The firm has assisted numerous clients in complying with a broad range of state and federal regulations applicable to governmental bodies. In addition, the firm has particular expertise in state and federal guidelines that are unique to school districts and municipal government. In addition, we

assist our clients in complying with the complex municipal planning, zoning and environmental ordinances applicable to their situations.

Utility Law & Regulation: The firm has specialized expertise in dealing with rate matters before public utility regulatory bodies. Mr. O'Hanlon has practiced before the Texas Public Utility Commission.

2.E. List of Cases Relating for Higher Education

O'Hanlon, Demerath, and Castillo and it's attorneys, either through our firm or in their own experience, have been involved in numerous cases with involving universities. While most of our matters involved in universities are handled at the administrative level and resolved expeditiously, our firm attempts to avoid the costs of litigation with issues by making sure issues do not become cases. The following listed cases are major university cases and matters:

- 1) Kevin O'Hanlon represented the Texas Higher Education Coordinating Board as assigned counsel from the Texas Attorney Generals Office.
- 2) University of Texas Health Sciences Center – San Antonio – Internal Investigations
- 3) University of Texas Medical Branch – Internal Investigations
- 4) Texas Southern University –Internal Investigations & General Counsel
- 5) University of Texas at Austin – Firm is on legal panel and working on internal Investigation.
- 6) Tarleton State University v. K.A. Sparks Contractor, Inc. Court of Appeals of Texas, Waco.
- 7) James v. Wall Court of Appeals of Texas, Houston (14th Dist.).
- 8) Gulf Regional Educ. Television Affiliates v. University of Houston Court of Appeals of Texas, Houston (14th Dist.).
- 9) Eiland v. Wolf Court of Appeals of Texas, Houston (1st Dist.).
- 10) Schweitzer v. University of Texas Health Center at Tyler United States District Court, E.D. Texas, Tyler Division.
- 11) U.S. v. State of Tex. United States District Court, E.D. Texas, Tyler Division.
- 12) Texas Educ. Agency v. Stamos on Behalf of Class of All Public School Children in State of Tex. Court of Appeals of Texas, Houston (1st Dist.).
- 13) Dallas Gay Alliance, Inc. v. Dallas County Hosp. Dist. United States District Court, N.D. Texas, Dallas Division.

2.F. List of Past and Pending Lawsuits Against the Firm

The firm of O'Hanlon, Demerath & Castillo, nor any of the attorneys or staff listed above, has ever been successfully sued for malpractice, been the subject of complaints filed with the State Bar Chief Disciplinary Counsel's Office, or had any sanction imposed under the Texas Disciplinary Rules of Professional Conduct, or the corresponding rules of any other jurisdiction.

2.G. Grievances Filed with the State Bar of Texas Against Firm Lawyers

The firm of O'Hanlon, Demerath & Castillo, nor any of the attorneys or staff listed above, has ever been successfully sued for malpractice, been the subject of complaints filed with the State Bar Chief Disciplinary Counsel's Office, or had any sanction imposed under the Texas Disciplinary Rules of Professional Conduct, or the corresponding rules of any other jurisdiction.

3. Certificate of Non-Discrimination

RFQ# 20-21-1026 is amended as follows:

1. Page 12: Section 5.2 Statement of Qualifications

- Item No. 3: Certification of Non-Discrimination (Exhibit A) – This section has been removed from the request for qualifications.

2. Page 12: Section 5.2 Statement of Qualifications

- Item No. 4 References Form (Exhibit B) – The section title and exhibit has been updated as follows: Item No. 4 References Form (Exhibit 3).

End of Addendum

4. References Form (Exhibit 3)

**EXHIBIT 3
REFERENCES
THIS FORM MUST BE RETURNED**

District	Areas of Legal Services Provided
Texas Southern University Albert Myres, Chariman 3100 Cleburne St., Hannah Hall 115 Houston, Texas 77004 Office (713) 313-7992 Fax (713) 313-7901 BoardofRegents@tsu.edu Dates of Service: 2019 to present	Board Governance, Construction, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Trainings
Ben Bolt-Palito Blanco ISD Dr. Mike Barrera, Superintendent 283 Badger Lane, Ben Bolt, Texas 78342 Telephone: (361) 664-9904 Email: mbarrera@bbpbschools.net <i>Dates of Service: 2013 to present</i>	Board Governance, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act
Calvert ISD Dr. Thyrun Hurst, Superintendent PO Box 7, 310 Hickory St., Calvert, Texas 77837 Telephone: (979) 364-2824 Email: thurst@calvertisd.com <i>Dates of Service: 2018 to present</i>	Board Governance, Personnel Matters, Texas Open Meetings Act
Channing ISD Mr. Michael Stevens, Superintendent PO Box 9900, Greenwood Ave, Channing, Texas 79018 Telephone: (806) 235-3432 Email: michael.stevens@region16.net <i>Dates of Service: 2014 to 2019</i>	Contracts, Litigation
Clear Creek ISD Dr. Greg Smith, Superintendent 2425 East Main Street, League City, Texas 77573 Telephone: (281) 284-0002 Email: grsmith@ccisd.net <i>Dates of Service: 2018-2019</i>	Tax Rate Elections, Texas Open Meetings Act
Community ISD Dr. Roosevelt Nivens, Superintendent 611 FM 1138 North, Nevada, Texas 75173 Telephone: (972) 843-6000 Email: roosevelt.nivens@communityisd.org <i>Dates of Service: 2016 – present</i>	Board Governance, Construction, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act

Crowley ISD Dr. Michael McFarland, Superintendent 512 Peach Street, Crowley, Texas 76036 Telephone: 817-297-5800 Email: michael.mcfarland@crowley.k12.tx.us <i>Dates of Service: 2017 - present</i>	Board Governance, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act
Dallas ISD Ms. Ramona Soto, General Counsel 9400 North Central Expressway, Dallas, Texas 75231 Telephone: (972) 925-3250 Email: ramsoto@dallasisd.org <i>Dates of Service – 2018-present</i>	Board Governance, Personnel, Texas Open Meetings Act
Dilley ISD Dr. Clint McLain, Superintendent 245 W. FM 117, Dilley, Texas 78017 Telephone: (830) 965-1912 Email: clint.mclain@dillevisd.net <i>Dates of Service: 2018</i>	Investigations
Edcouch Elsa ISD Dr. Greg Rodriguez, Superintendent P.O. Box 127, Edcouch, Texas 78538 Telephone: (956) 262-6000 Email: grodriguez@eeisd.org <i>Dates of Service: 2014 – present</i>	Board Governance, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
Edinburg CISD Mr. Gilberto Garza, Interim Superintendent* 411 North 8 th Ave, Edinburg, Texas 78541 Telephone: (956) 289-2300 Email: g.garza@ecisd.us <i>Dates of Service: 2011- present</i> <i>* In February 2021, ECISD Board of Trustees announced Dr. Mario Salinas as the lone finalist for the Superintendent position.</i>	Board Governance, Construction, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Training
Fort Worth ISD Dr. Kent Scribner, Superintendent Ms. Cynthia Rincon, Chief HCM 100 N. University Fort Worth, Texas 76107 Telephone: (817) 814-2000 Email: cynthia.rincon@fwisd.org <i>Dates of Service: 2006-2014; 2019-present</i>	Board Governance, Personnel Matters, Immigration, Litigation, Texas Open Meetings Act
Hearne ISD Dr. Adrain Johnson, Superintendent 900 Wheelock St., Hearne, Texas 77859 Telephone: (979) 279-3200 Email: ajohnson@hearne.k12.tx.us <i>Dates of Service – 2016 to present</i>	TEA Accreditation Status Appeals

Hidalgo ISD Mr. Xavier Salinas, Superintendent 324 E. Flora St., Hidalgo, TX 78557 Telephone: (956) 843-4401 Email: xasalinas@hidalgo-isd.org <i>Dates of Service: 2012 to present</i>	Board Governance, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
Houston ISD Ms. Diana Davila 4400 W 18th St., Houston, Texas 77092 Telephone: (713) 556-6000 Email: ddavila3@houstonisd.org <i>Dates of Service: 2019 to present</i>	Board Governance, TEA Accreditation Status Appeals, Texas Open Meetings Act
Kerrville ISD Dr. Mark Foust 1009 Barnett St. Kerrville, Texas 78028 Telephone: (830) 257-2200 Email: mark.foust@kerrvilleisd.net <i>Dates of Service: 2017- present</i>	Board Governance, Special Education
Kingsville ISD Dr. Cecilia "Cissy" Reynolds-Perez, Superintendent 207 N 3rd St., Kingsville, Texas 78363 Telephone: (361) 592-3387 Email: dr.cissyperez@kingsvilleisd.com <i>Dates of Service: 2016 to present</i>	Board Governance, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
La Joya ISD Dr. Gisela Saenz, Superintendent 201 E. Expwy 83, La Joya, Texas 78560 Telephone: (956) 323-2000 Email: G.SAENZ2@LAJOYAISD.NET <i>Dates of Service: 2019 to present</i>	Board Governance, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Training
La Villa ISD Robert Munoz Jr., Superintendent PO Box 9, La Villa, TX 78562 Telephone: (956) 262-4755 Email: robert.munoz@lavillaisd.org <i>Dates of Service: 2014 to present</i>	Board Governance, Contracts, Personnel Matters, Texas Open Meetings Act
Lancaster ISD Ms. Shameka Miller, Superintendent 422 S. Centre Avenue, Lancaster, TX 75146 Telephone: (972) 218-1400 Email: shemekamillner@lancasterisd.org <i>Dates of Service: 2008- present</i>	Board Governance, Construction, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
McAllen ISD Dr. J.A. Gonzalez, Superintendent 2000 N. 23 rd Street, McAllen, Texas 78501-2000	Board Governance, Hearing Officer, Litigation, Personnel Matters, Texas Open Meetings Act

<p>Telephone: (956) 618-6000 Email: jose.gonzalez@mcallenisd.net <i>Dates of Service: 2004 to present</i></p>	
<p>Monte Alto ISD Dr. Richard Rivera, Superintendent 25149 1st Street, Monte Alto, TX 78538-9719 Telephone: (956) 262-1381 Email: richardrivera@montealtoisd.org <i>Dates of Service: 2000-2017; 2018 to present</i></p>	<p>Board Governance, Personnel Matters, Texas Open Meetings Act</p>
<p>Paint Rock ISD Mr. Ron Cline, Superintendent 698 S Sims Ave, Paint Rock, Texas 76866 Telephone: (325) 732-4314 Email: ron.cline@paintrockisd.net <i>Dates of Service: 2017 to present</i></p>	<p>Board Governance, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act</p>
<p>Pecos-Barstow-Toyah ISD Dr. Jose Cervantes, Superintendent 1301 S. Eddy, Pecos, Texas 79772 Phone: (432) 447-7201 Email: jcervantes@pbtisd.esc18.net <i>Dates of Service: 2018 to present</i></p>	<p>Board Governance, Construction, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act</p>
<p>Pharr-San Juan-Alamo ISD Dr. Jorge Arredondo Superintendent 601 E Kelly Ave, Pharr, Texas 78577 Telephone: (956) 354-2000 Email: dr.arredondo@psjaisd.us <i>Dates of Service: 2014 – present</i></p>	<p>Board Governance, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Training</p>
<p>Progreso ISD Mr. Sergio Coronado, Superintendent P.O. Box 610, Progreso, Texas 78579 Telephone: (956) 565-3002 Email: sergiocoronado@progresoedu.net <i>Dates of Service: 1994 to present</i></p>	<p>Board Governance, Construction, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, TEA Accreditation Status Appeals</p>
<p>Raymondville ISD Stetson Roane, Superintendent 419 FM 3168, Raymondville, Texas 78580 Telephone: (956) 689-8176 Email: sroane@raymondvilleisd.org <i>Date of Service: 2017 to present</i></p>	<p>Board Governance, Contracts, OCR Compliance, Personnel Matters, Special Education, Texas Open Meetings Act</p>
<p>San Benito CISD Dr. Nate Carman, Superintendent 240 N Crockett Street, San Benito, Texas 78586 Telephone: (956) 361-6110 Email: ncarman@sbcisd.net <i>Date of Service: 2012-2014; 2018 to present</i></p>	<p>Board Governance, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Training</p>

<p>Santa Maria ISD Mr. Martin Cuellar, Superintendent P.O. Box 448, Santa Maria, Texas 78592 Telephone: (956) 565-6308 Email: martincuellar@smisd.net <i>Date of Service:</i></p>	<p>Board Governance, Construction, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act</p>
<p>South San Antonio ISD Dr. Marc Puig, Superintendent 5622 Ray Ellison, San Antonio, Texas 78242 Telephone: (210) 977-7020 Email: aflores@southsanisd.net <i>Date of Service: 2015 to present</i></p>	<p>Board Governance, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act</p>
<p>Valley View ISD Leonel Galaviz, Superintendent 9701 S Jackson Road, Pharr, Texas 78577 Telephone: (956) 340-1000 Email: lgalaviz@vviewisd.net <i>Date of Service: 2012 to present</i></p>	<p>Board Governance, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act</p>
<p>Webb CISD Mr. Heriberto Gonzalez, Superintendent 619 Avenue F, PO Box 206 Bruni, Texas 78344 Telephone: (361) 747-5415 Email: bgonzalez@webbcisd.com <i>Date of Service: 2011 to present</i></p>	<p>Board Governance, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act, Tax Abatement Agreements</p>
<p>Weslaco ISD Dr. Priscilla Canales, Superintendent 319 West Fourth Street, Weslaco, Texas 78596 Telephone: (956) 969-6500 Email: superintendent@wisd.us <i>Date of Service: 2016 to present</i></p>	<p>Board Governance, Personnel Matters, Texas Open Meetings Act</p>

5. Additional Materials

RESUME - Kevin Thomas O'Hanlon

Education:

- 1991 - 1994 The University of Texas at Austin College of Education, Doctoral Program in Educational Policy Studies, 24 credit hours.
- 1974 - 1977 The University of Texas at Austin School of Law, Juris Doctor.
- 1970 – 1974 The University of Texas at Austin College of Arts and Sciences, Bachelor of Arts with Honors in General and Comparative Studies (Plan II Honors Program); elected to Phi Beta Kappa national honors fraternity in 1974.

Professional Memberships:

Texas Supreme Court Massachusetts -All Courts
U.S. Supreme Court
U.S. Court of Appeals for the Fifth Circuit, Eighth Circuit and Eleventh Circuit
U.S. District Court - Western, Southern, Northern, and Eastern Districts of Texas
U.S. District Court - Western District of Arkansas
U.S. District Court - Western District of Oklahoma
Certified in Civil Appellate Law by the Texas Board of Legal Specialization
Certified in Civil Trial Law by the Texas Board of Legal Specialization

Background and Experience:

Kevin Thomas O'Hanlon graduated from Bishop Lynch High School in Dallas, Texas in 1970. In 1974, after having been elected to Phi Beta Kappa, he graduated from The University of Texas at Austin with a Bachelor of Arts with Honors in General and Comparative Studies (also known as Plan II (the undergraduate honors program)). In 1977, he graduated from The University of Texas Law School and immediately founded the law firm of Feeney, O'Hanlon & Moore, P.C. His practice involved a broad range of litigation areas, with a strong emphasis on constitutional and civil rights litigation. In 1983, Mr. O'Hanlon was invited to join the staff of the Texas Attorney General's Office in order to assume responsibility for the Texas v. Mobil Litigation. He served as an assistant attorney general from 1983 until 1990. Mr. O'Hanlon specialized in public policy litigation involving public education including school finance, (Edgewood v. Kirby); pre-

employment testing (United States v. Texas); employment testing (State of Texas v. Project Principle, Inc.); and enforcement of Texas' famous "No-pass/No-play" rule (Stamos v. Spring Branch CISD). As a litigator Mr. O'Hanlon has tried well over a hundred of cases in both judicial and administrative settings. He has appeared on many occasions before the Texas Supreme Court, the Fifth Circuit Court of Appeals, and the intermediate appellate courts of the State of Texas. In 1987, Mr. O'Hanlon became board certified in civil appellate law by the Texas Board of Legal Specialization. In 1990, while serving as general counsel for the Texas Education Agency, Mr. O'Hanlon became board certified in civil trial law. In 1994 he founded the law firm of O'Hanlon & Associates. In 2008, O'Hanlon & Associates became O'Hanlon, McCollom & Demerath, first a partnership with Leslie McCollom and Justin Demerath, and the partnership became a professional corporation, in which currently Kevin O'Hanlon, Justin Demerath, and Benjamin Castillo are shareholders. Ms. McCollom has taken senior status. But remains an active member of the firm.

Starting in 1990, when he became General Counsel of the Texas Education Agency, Mr. O'Hanlon he has accumulated twenty-eight years of continuous experience as general counsel for public agencies and/or political subdivisions. During this time, Mr. O'Hanlon has attained an in-depth understanding of the legislative process, state and federal grants administration, administrative rule making and interpretation, and administrative practice. He is thoroughly familiar with the unique legal issues and perspectives encountered in representing public entities. He has also acquired a wealth of experience in all of the areas regulating open government , including open meetings, open records and purchasing functions. In addition to his law practice, Mr. O'Hanlon has served as an expert witness in cases involving general education, labor and employment, governmental procedure, school discipline, purchasing, and special education law.

Mr. O'Hanlon is licensed to practice in all Texas State Courts. He is licensed by the State of Massachusetts. He is licensed in federal district courts for the Western, Northern, Southern and Eastern Districts of Texas and the Western District of Arkansas. He is licensed to practice before the Fifth, Eighth and Eleventh Circuit Courts of Appeals and the United States Supreme Court. Mr. O'Hanlon also served as a special education hearing officer for the Texas Education Agency from 1994 to 1999.

Practice Area Information:

- Litigation: Trial and Appellate
- Constitutional Law
- Public Policy Litigation
- Employment Law
- Americans With Disabilities Act (ADA) and Rehabilitation Act of 1973
- Titles VI, VII, & IX of the Civil Rights Act of 1964
- 42 U.S.C . §1983 Civil Rights Litigation
- General Counsel Advice to Governmental Agencies and Subdivisions
- Open Government/ Records

List of matters in which Kevin O'Hanlon has testified as an Expert witness concerning public education policies and procedures:

1. Cause No. 98-03115, 200th Judicial District of Travis County, Texas *David R. Allen, Individually and d/b/a Cadra Associates and Cadra Employee Benefits v Clyde W Sommerlatte, Jr., CRS Marketing Agency, Inc., and National Plan Administrators, Inc.*

Nature of Testimony: Competitive bidding requirements and their impact on a school district's procedures for acquiring health/dental insurance. Testimony was by affidavit. Deposition was scheduled, but case settled.

2. Texas Education Agency Docket No. 067-R2-100, *Howard A. Tisby v. Dallas Independent School District* (Comm'r. Educ. February 23, 2000)

Nature of Testimony: School district practices regarding suspension of employees charged with felony criminal offenses. Testified at local Due Process Hearing.

3. Cause No. 4503-94-B, 93rd District Court of Hidalgo County, Texas, *Enrique Gallegos v Donna Independent School District and Garcia & Lopez Attorneys at Law.*

Nature of Testimony: School Attorney's ethical responsibilities towards his clients and standard of practice in a legal malpractice case. Testified at deposition.

4. District Court of Travis County, Texas. *San Benito Consolidated Independent School District v. Mike Moses, Commissioner of Education and the Harlingen Independent School District* an appeal from Texas Education Agency Docket No. 128-R6-193, *Treasure Hills Investments v. San Benito Consolidated Independent School District* (Com'r. Educ. May 1994).

Nature of Testimony: Factors to be considered by the Commissioner of Education in ruling on a contested Petition for Detachment and Annexation of real property from one school district into another. Testimony was by affidavit. Deposition was scheduled, but case settled.

5. Texas Education Agency Docket No. 028-R6-1095, *Jim Bethman, L. Bethman, et al v. Carrollton-Farmers Branch ISD and Coppel ISD*

Nature of Testimony: Testified at local hearing on the financial consequences to a school district of losing territory to another district in a Detachment and Annexation Process.

6. Texas Education Agency Docket No. 164-R2-599, *Nancy Lee v. Aransas County ISD*

Nature of Testimony: Testified through affidavit as to personnel practices in Texas school districts and the standard of care for a special education director. Testified via an affidavit. Case settled.

7. Cause No. 99-14128, 53rd District Court of Travis County, Texas, *Lynette Crane v. Commissioner of Education and Pettus Independent School District*.

Nature of Testimony: Testified through affidavit as to personnel practices in Texas school districts and the Due process requirements attendant to an employee contract termination. Deposition was scheduled but case settled.

8. Cause No. 98-10689, 126th District Court of Travis County, Texas, *Jessica Barnard, et al v. Durham Transportation*.

Nature of Testimony: Testified through deposition as to the nature of related services under the IDEA and the procedures for changing related services in the area of transportation. Case settled.

9. Cause No. 4:99CV238, United States District Court for the Eastern District of Texas, Sherman Division, *Doe, et al. v. S & S Consolidated Independent School District, et al.*

Nature of Testimony: Reviewed case and prepared expert affidavit as to the standard of care required in special education cases.

Legislative Testimony:

In addition to the above-listed court cases, Kevin O'Hanlon has given testimony to the Texas Legislature in virtually every session since the 1987 Legislative session on policy issues involving public education in the State of Texas. The topics of his testimony have involved school finance and school finance equity, teacher, professional practices and the structure of due process systems for dealing with ethical complaints. In addition, he has worked extensively and testified about personnel matters.

BENJAMIN F. CASTILLO

808 West Ave. Austin, TX 78701 | P 512-494-9949 | bcastillo@808west.com

SUMMARY

Partner at O'Hanlon, Demerath, & Castillo Attorneys at Law. School law focused attorney with extensive experience in governance, personnel, student services, and general education law. Uses former experience as teacher and school board member to better understand school law matters at hand to provide result-driven and detailed oriented legal and counselor advice.

EDUCATION

[South Texas College of Law](#)

Jurisprudence Doctorate

[University of Texas at Austin](#)

Bachelor of Arts

[Mercedes High School](#)

High School Diploma

EXPERIENCE

[O'Hanlon, Demerath, Castillo, P.C.](#)

Partner | 2014 - Present

Mr. Castillo facilitates everyday administrative operations of the law firm, supervises and supports staff, develops and implements office initiatives, and ensures compliance with state and federal laws. Mr. Castillo serves as lead board counsel to over a dozen school districts, including districts as large as 86,000 students. Additionally, Mr. Castillo serves as special counsel to various boards across the state, including overseeing special legal projects in the largest public-school system in the state of Texas. Finally, Mr. Castillo has directed nearly a dozen Superintendent searches, and has conducted trainings across the state on general education matters.

[Mercedes ISD](#)

School Board Member | 2007-2012

Mr. Castillo served as a school board member for Mercedes ISD throughout undergrad and law school, including Board President, becoming at one point the youngest school board member in Texas. He oversaw expansion of District buildings, construction of new schools, and development and enhancement programs of curriculum and instruction.

[Weslaco ISD](#)

Government Teacher | 2010-2011

Mr. Castillo served as a Government Teacher after undergrad.

EXHIBIT 2
EXECUTION OF OFFER

In compliance with this RFQ, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all goods and/or services at the prices quoted. Failure to sign this Execution of Offer ("Offer"), or signing it with a false statement, shall void the Qualifications and any resulting contract and may cause the Respondent to be removed from STC vendor lists.

By signature hereon, the Respondent hereby certifies that it:

- i) is a lawfully established business and is regularly engaged in providing the goods and/or services requested herein.
- ii) has the necessary experience, knowledge, abilities, skills, and resources to provide the goods and/or perform the services requested herein.
- iii) is not currently delinquent in the payment of any franchise taxes owed to the State of Texas under Chapter 171 of the Tax Code or is not subject to the payment of such taxes, and the Respondent agrees that any false statement with respect to its franchise tax status shall be a material breach of any contract that may result from the submission of the Qualifications.
- iv) is not currently delinquent in the payment of any property taxes owed to STC.
- v) is aware that if Texas Government Code § 2252.908 is applicable to any contract awarded to the Respondent as a result of this RFQ, the Respondent is required to make an electronic filing of Form 1295 with the Texas Ethics Commission as a condition of being awarded the contract.
- vi) is a publicly-traded company or, if not a publicly-traded company, no owner, employee or director of the Respondent is either currently employed by STC or has been an employee of STC within the immediate twelve (12) months prior to the time set for the submission of Qualifications to this RFQ.
- vii) is not debarred, suspended or otherwise declared ineligible to contract by any federal, state or local public agency.
- viii) has not, in connection with the Qualifications, given or offered to give, and does not intend to and shall not give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to an employee or trustee of STC or to a family member of an STC employee or trustee.

By signature hereon, the Respondent hereby certifies that:

- a) neither the Respondent nor anyone acting on its behalf has violated the antitrust laws of the State, codified in Section 15.01, et seq., Texas Business and Commerce Code or the Federal antitrust laws, or has disclosed, directly or indirectly, any information contained in the Respondent's Qualifications to any competitor or any other person engaged in such line of business.
- b) pursuant to *Texas Local Government Code*, Chapter 176, all vendors who contract or seek to contract with "local governmental entity" such as STC may be required to complete a conflict of interest questionnaire ("CIQ") if the vendor has a relationship with an officer of STC who is considered a "local government officer" or with a family member of such officer. If completion of a CIQ is required as of the effective date or at any time during the term of the Contract, the Respondent shall file the CIQ with STC's designated records

administrator: Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor. At <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>, the Respondent can find the official CIQ form along with a list of STC officers who are defined by Chapter 176 as "local government officers."

c) pursuant to *Texas Education Code*, Chapter 44.034, a person or business entity, **excluding** publicly-traded companies and certain vendors of library goods and services, that does business with STC, must notify STC if such person, or an owner or operator of such business entity, has ever been convicted of a felony, and must include in the notification a general description of the conduct that resulted in the felony conviction. At <https://finance.southtexascollege.edu/purchasing/purchase/files/Form-Criminal-History.pdf>, the Respondent can find a Criminal History Disclosure Form ("CHDF") that shall be used for this purpose. If the Respondent is required to submit a CHDF pursuant to Chapter 44.034 as of the effective date of the Contract or at any time during the term of the Contract, the Respondent shall send the CHDF to Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor, with a copy to Rebecca Cavazos, Director of Purchasing (beckyc@southtexascollege.edu), or her successor.

c) the individual signing this Offer as well as the other documents included in the Qualifications is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract which may result from the submission of the Qualifications.

d) pursuant to Texas Government Code, Title 10, Subtitle D, Section 2155.004(b), the individual or business entity named in the Qualifications or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate.

The Respondent hereby acknowledges that the Qualifications must include the Respondent's Taxpayer Identification Number and full legal name and address; the failure to sign the Qualifications will disqualify it; and the authorized agent signing the Qualifications may be required by STC to provide evidence of the agent's authority to bind the Respondent to a contract.

Signature: 

Printed Name: Kevin O'Hanlon

Title: President

Taxpayer Identification Number: 26-2691915

Respondent's Name: O'Hanlon, Demerath & Castillo

Street Address: 426 W. Caffery Ave

City/State/Zip: Pharr, TX 78577

Telephone No.: 956-318-0555

Email: kohanlon@808west.com

Fax No.: 956-318-1955

4. References Form (Exhibit 3)

**EXHIBIT 3
REFERENCES
THIS FORM MUST BE RETURNED**

District	Areas of Legal Services Provided
Texas Southern University Albert Myres, Chariman 3100 Cleburne St., Hannah Hall 115 Houston, Texas 77004 Office (713) 313-7992 Fax (713) 313-7901 BoardofRegents@tsu.edu Dates of Service: 2019 to present	Board Governance, Construction, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Trainings
Ben Bolt-Palito Blanco ISD Dr. Mike Barrera, Superintendent 283 Badger Lane, Ben Bolt, Texas 78342 Telephone: (361) 664-9904 Email: mbarrera@bbpbschools.net Dates of Service: 2013 to present	Board Governance, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act
Calvert ISD Dr. Thyrun Hurst, Superintendent PO Box 7, 310 Hickory St., Calvert, Texas 77837 Telephone: (979) 364-2824 Email: thurst@calvertisd.com Dates of Service: 2018 to present	Board Governance, Personnel Matters, Texas Open Meetings Act
Channing ISD Mr. Michael Stevens, Superintendent PO Box 9900, Greenwood Ave, Channing, Texas 79018 Telephone: (806) 235-3432 Email: michael.stevens@region16.net Dates of Service: 2014 to 2019	Contracts, Litigation
Clear Creek ISD Dr. Greg Smith, Superintendent 2425 East Main Street, League City, Texas 77573 Telephone: (281) 284-0002 Email: grsmith@ccisd.net Dates of Service: 2018-2019	Tax Rate Elections, Texas Open Meetings Act
Community ISD Dr. Roosevelt Nivens, Superintendent 611 FM 1138 North, Nevada, Texas 75173 Telephone: (972) 843-6000 Email: roosevelt.nivens@communityisd.org Dates of Service: 2016 – present	Board Governance, Construction, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act

Crowley ISD Dr. Michael McFarland, Superintendent 512 Peach Street, Crowley, Texas 76036 Telephone: 817-297-5800 Email: michael.mcfarland@crowley.k12.tx.us <i>Dates of Service: 2017 - present</i>	Board Governance, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act
Dallas ISD Ms. Ramona Soto, General Counsel 9400 North Central Expressway, Dallas, Texas 75231 Telephone: (972) 925-3250 Email: ramsoto@dallasisd.org <i>Dates of Service – 2018-present</i>	Board Governance, Personnel, Texas Open Meetings Act
Dilley ISD Dr. Clint McLain, Superintendent 245 W. FM 117, Dilley, Texas 78017 Telephone: (830) 965-1912 Email: clint.mclain@dilleyisd.net <i>Dates of Service: 2018</i>	Investigations
Edcouch Elsa ISD Dr. Greg Rodriguez, Superintendent P.O. Box 127, Edcouch, Texas 78538 Telephone: (956) 262-6000 Email: grodriguez@eeisd.org <i>Dates of Service: 2014 – present</i>	Board Governance, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
Edinburg CISD Mr. Gilberto Garza, Interim Superintendent* 411 North 8 th Ave, Edinburg, Texas 78541 Telephone: (956) 289-2300 Email: g.garza@ecisd.us <i>Dates of Service: 2011- present</i> <i>* In February 2021, ECISD Board of Trustees announced Dr. Mario Salinas as the lone finalist for the Superintendent position.</i>	Board Governance, Construction, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Training
Fort Worth ISD Dr. Kent Scribner, Superintendent Ms. Cynthia Rincon, Chief HCM 100 N. University Fort Worth, Texas 76107 Telephone: (817) 814-2000 Email: cynthia.rincon@fwisd.org <i>Dates of Service: 2006-2014; 2019-present</i>	Board Governance, Personnel Matters, Immigration, Litigation, Texas Open Meetings Act
Hearne ISD Dr. Adrain Johnson, Superintendent 900 Wheelock St., Hearne, Texas 77859 Telephone: (979) 279-3200 Email: ajohnson@hearne.k12.tx.us <i>Dates of Service – 2016 to present</i>	TEA Accreditation Status Appeals

Hidalgo ISD Mr. Xavier Salinas, Superintendent 324 E. Flora St., Hidalgo, TX 78557 Telephone: (956) 843-4401 Email: xasalinas@hidalgo-isd.org <i>Dates of Service: 2012 to present</i>	Board Governance, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
Houston ISD Ms. Diana Davila 4400 W 18th St., Houston, Texas 77092 Telephone: (713) 556-6000 Email: ddavila3@houstonisd.org <i>Dates of Service: 2019 to present</i>	Board Governance, TEA Accreditation Status Appeals, Texas Open Meetings Act
Kerrville ISD Dr. Mark Foust 1009 Barnett St. Kerrville, Texas 78028 Telephone: (830) 257-2200 Email: mark.foust@kerrvilleisd.net <i>Dates of Service: 2017- present</i>	Board Governance, Special Education
Kingsville ISD Dr. Cecilia "Cissy" Reynolds-Perez, Superintendent 207 N 3rd St., Kingsville, Texas 78363 Telephone: (361) 592-3387 Email: dr.cissyperez@kingsvilleisd.com <i>Dates of Service: 2016 to present</i>	Board Governance, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
La Joya ISD Dr. Gisela Saenz, Superintendent 201 E. Expwy 83, La Joya, Texas 78560 Telephone: (956) 323-2000 Email: G.SAENZ2@LAJOYAISD.NET <i>Dates of Service: 2019 to present</i>	Board Governance, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Training
La Villa ISD Robert Munoz Jr., Superintendent PO Box 9, La Villa, TX 78562 Telephone: (956) 262-4755 Email: robert.munoz@lavillaisd.org <i>Dates of Service: 2014 to present</i>	Board Governance, Contracts, Personnel Matters, Texas Open Meetings Act
Lancaster ISD Ms. Shameka Miller, Superintendent 422 S. Centre Avenue, Lancaster, TX 75146 Telephone: (972) 218-1400 Email: shemekamillner@lancasterisd.org <i>Dates of Service: 2008- present</i>	Board Governance, Construction, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
McAllen ISD Dr. J.A. Gonzalez, Superintendent 2000 N. 23 rd Street, McAllen, Texas 78501-2000	Board Governance, Hearing Officer, Litigation, Personnel Matters, Texas Open Meetings Act

<p>Telephone: (956) 618-6000 Email: jose.gonzalez@mcallenisd.net <i>Dates of Service: 2004 to present</i></p>	
<p>Monte Alto ISD Dr. Richard Rivera, Superintendent 25149 1st Street, Monte Alto, TX 78538-9719 Telephone: (956) 262-1381 Email: richardrivera@montealtoisd.org <i>Dates of Service: 2000-2017; 2018 to present</i></p>	<p>Board Governance, Personnel Matters, Texas Open Meetings Act</p>
<p>Paint Rock ISD Mr. Ron Cline, Superintendent 698 S Sims Ave, Paint Rock, Texas 76866 Telephone: (325) 732-4314 Email: ron.cline@paintrockisd.net <i>Dates of Service: 2017 to present</i></p>	<p>Board Governance, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act</p>
<p>Pecos-Barstow-Toyah ISD Dr. Jose Cervantes, Superintendent 1301 S. Eddy, Pecos, Texas 79772 Phone: (432) 447-7201 Email: jcervantes@pbtisd.esc18.net <i>Dates of Service: 2018 to present</i></p>	<p>Board Governance, Construction, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act</p>
<p>Pharr-San Juan-Alamo ISD Dr. Jorge Arredondo Superintendent 601 E Kelly Ave, Pharr, Texas 78577 Telephone: (956) 354-2000 Email: dr.arredondo@psjaisd.us <i>Dates of Service: 2014 – present</i></p>	<p>Board Governance, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Training</p>
<p>Progreso ISD Mr. Sergio Coronado, Superintendent P.O. Box 610, Progreso, Texas 78579 Telephone: (956) 565-3002 Email: sergiocoronado@progresoedu.net <i>Dates of Service: 1994 to present</i></p>	<p>Board Governance, Construction, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, TEA Accreditation Status Appeals</p>
<p>Raymondville ISD Stetson Roane, Superintendent 419 FM 3168, Raymondville, Texas 78580 Telephone: (956) 689-8176 Email: sroane@raymondvilleisd.org <i>Date of Service: 2017 to present</i></p>	<p>Board Governance, Contracts, OCR Compliance, Personnel Matters, Special Education, Texas Open Meetings Act</p>
<p>San Benito CISD Dr. Nate Carman, Superintendent 240 N Crockett Street, San Benito, Texas 78586 Telephone: (956) 361-6110 Email: ncarman@sbcisd.net <i>Date of Service: 2012-2014; 2018 to present</i></p>	<p>Board Governance, Contracts, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act, Training</p>

Santa Maria ISD Mr. Martin Cuellar, Superintendent P.O. Box 448, Santa Maria, Texas 78592 Telephone: (956) 565-6308 Email: martincuellar@smisd.net <i>Date of Service:</i>	Board Governance, Construction, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
South San Antonio ISD Dr. Marc Puig, Superintendent 5622 Ray Ellison, San Antonio, Texas 78242 Telephone: (210) 977-7020 Email: aflores@southsanisd.net <i>Date of Service: 2015 to present</i>	Board Governance, Contracts, Elections, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
Valley View ISD Leonel Galaviz, Superintendent 9701 S Jackson Road, Pharr, Texas 78577 Telephone: (956) 340-1000 Email: lgalaviz@vviewisd.net <i>Date of Service: 2012 to present</i>	Board Governance, Litigation, Personnel Matters, Special Education, Texas Open Meetings Act
Webb CISD Mr. Heriberto Gonzalez, Superintendent 619 Avenue F, PO Box 206 Bruni, Texas 78344 Telephone: (361) 747-5415 Email: bgonzalez@webbcisd.com <i>Date of Service: 2011 to present</i>	Board Governance, Contracts, Litigation, Personnel Matters, Texas Open Meetings Act, Tax Abatement Agreements
Weslaco ISD Dr. Priscilla Canales, Superintendent 319 West Fourth Street, Weslaco, Texas 78596 Telephone: (956) 969-6500 Email: superintendent@wisd.us <i>Date of Service: 2016 to present</i>	Board Governance, Personnel Matters, Texas Open Meetings Act

STATEMENT OF PROFESSIONAL QUALIFICATIONS
IN RESPONSE TO
SOUTH TEXAS COLLEGE, RFQ NUMBER – 20-21-1026
OPENING DATE: FEBRUARY 24TH, 2021, 3:00 PM

SUBMITTED BY

TROIANI AND SOSSI PLLC
611 EAST WASHINGTON STREET
BROWNSVILLE, TEXAS 78523
(956) 541 - 4235

SEALED QUALIFICATIONS ENCLOSED

STATEMENT OF PROFESSIONAL QUALIFICATIONS
IN RESPONSE TO
SOUTH TEXAS COLLEGE, RFQ NUMBER – 20-21-1026
OPENING DATE: FEBRUARY 24TH, 2021, 3:00 PM

SUBMITTED BY

TROIANI AND SOSSI PLLC
611 EAST WASHINGTON STREET
BROWNSVILLE, TEXAS 78523
(956) 541 - 4235

Troiani and Sossi pllc
611 East Washington Street
Brownsville, Texas 78523
(956) 541 - 4235

February 21, 2021

South Texas College
Purchasing Department
3200 W. Pecan Street
Bldg. N. Ste. 145
McAllen, Texas 78502 – 9500

Dear STC Board Member,

The firm of Troiani and Sossi pllc hereby extends this letter of interest to the Board of Directors of South Texas College regarding the provision of legal services under the terms and conditions set forth in RFQ 20-21-1026. Troiani and Sossi pllc is primarily engaged in the representation of public governmental bodies in the Rio Grande Valley. The partners of the Firm have decades of experience in the representation of governmental entities. The majority of the Firm's legal practice is concentrated on public sector law. This Statement of professional qualifications will set forth the firm's extensive background in all areas of public entity law including but not limited to the representation of public entities and public officials, the Texas Open Meetings Act, the Texas Open Records Act, Texas Public Procurement Law, Public Employment Law, Education Law, and litigation involving public entities in both state and federal courts.

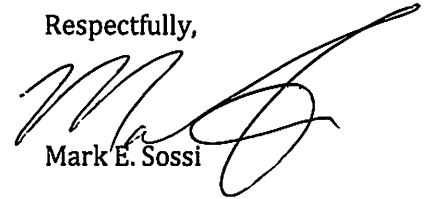
The two principals of the firm, Mr. Mark Sossi and Mr. Anthony Troiani, wish to express their interest in serving as General Counsel for South Texas College. Both of the firm's partners are authorized by the firm to contractually negotiate and obligate the firm;

Anthony Troiani
Partner
Troiani and Sossi pllc
611 East Washington Street
Brownsville, Texas 78521
Cell (956)

Mark Sossi
Partner
Troiani and Sossi pllc
611 East Washington Street
Brownsville, Texas 78521
Cell (956) 455-5414

We look forward to discussing with you how our Firm may serve the STC legal needs now and in the future. Please let us know if you have any questions relating to this submittal.

Respectfully,

A handwritten signature in black ink, appearing to read 'M. Sossi', with a long, sweeping horizontal stroke extending to the right.

Mark E. Sossi

Troiani and Sossi pllc
611 East Washington Street
Brownsville, Texas 78523
(956) 541 - 4235

Statement of Qualifications

A. Brief History of the Firm

- 1.) Mr. Sossi has been representing governmental throughout South Texas since the early 90's as a partner in a regional civil litigation firm which focused on governmental law. He has represented most, if not all of the cities, counties and several school districts over his legal career including the cities of Brownsville, Harlingen, McAllen, Edinburg, Mission, Pharr, Donna, both Hidalgo and Cameron Counties, the Brownsville Independent School District, and numerous international corporations. Mr. Sossi served as City Attorney for the City of Brownsville, Texas for approximately 15 years, during which time he negotiated the economic development agreements which brought Space X and the Italian manufacturer, SATA USA to Brownsville. After leaving Brownsville and focusing on his practice, Mr. Sossi, together with Mr. Troiani, a veteran attorney with his own experience in the public sector, formed the firm of Troiani and Sossi pllc in 2019 for the express purpose of providing high level of legal services to public entities in the Rio Grand Valley.

Mr. Troiani served as an Assistant District Attorney in Cameron County, Texas and has handled contested matters to verdict across the State of Texas, as well as matters in the U.S. District Court for the Southern and Western Districts of Texas, the Middle District of Tennessee, the District of Nevada, as well as the 5th Circuit Court of Appeals. Mr. Troiani has also litigated Federal Student Aid and Title IV eligibility issues before the Department of Education Office of Hearings and Appeals, and the Secretary of the Department of Education.

The Firm, headquartered in Brownsville, Texas, has a valley wide practice which focuses, almost exclusively on providing the highest level of legal services to public entities in Hidalgo and Cameron Counties.

2.) Curriculum Vitae of Mr. Sossi and Mr. Troiani

The curriculum vitae's of both Mr. Sossi and Mr. Troiani are attached as Exhibits A and B.

- 3.) **The location and listing of resources of the local office (e.g., number of partners, associates, clerical staff, etc.), and the distance from this office to the College.**

The Firm's main office is located less than a one-hour drive from the College, in Brownsville, Texas. The firm has two partners, Mr. Troiani and Mr. Sossi, both of whom have more than 30 years' experience practicing law. The firm's main office, located on both floors of a historic building in Brownsville, Texas houses both attorneys, two paralegals and two administrative support staff. The firm's office contains legal offices for both attorneys, support staff and meeting rooms which are available for our clients use on an as needed basis. Although housed in Brownsville, the firm partners are often working in Hidalgo County as the firm currently provides legal services to both the cities of Mercedes and Mission, Texas.

4. Professional memberships, certifications, licenses, and other qualifications for key individuals assigned to the College including the State Bar of Texas membership number for each of the lawyers who will be providing services to the College.

- a. The professional memberships, licenses and other qualifications for both Mr. Troiani and Mr. Sossi are attached as Exhibit A and B to this Statement of Professional Qualifications.
- b. The State Bar of Texas bar numbers for each of the attorneys who would provide legal services to the College under this Statement of Qualifications are as follows:

Antony Troiani SBN 00795914

Mark Sossi SBN. 18855680

5. Company's experience and qualifications for similar types of engagements; this summary must include your firm's experience in each of the areas of specialty listed herein for which respondent is submitting a Statement of Qualifications.

The Firm lawyers have decades of experience in governmental law, and have over the last several decades, represented various governmental entities in the RGV in both state and federal court. The firm lawyers have direct experience as public board counsel and have served as city attorney for the cities of Brownsville, San Benito and Mercedes, Texas, as civil service board attorneys in Mission, Texas, and as board counsel for a number of local economic development corporations including the Greater Brownsville Incentives Corporation (15 years), the Brownsville Community Improvement Corporation (14 years), the Development Corporation of Mercedes (2 years).

Troiani and Sossi pllc practice primarily in the area of governmental entity law to which is devoted 95% of the firms practice. The partners advise public elected officials and appointed officials on a daily basis on the requirements of the Texas Open Meetings Act, the Texas Public Information Act and the proper conducting of public and televised meetings.

Troiani and Sossi pllc
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Brownsville, Texas 78523
(956) 541 - 4235

As general counsel for public bodies, the firm's lawyers regularly advise local governments, city managers and personnel directors on all aspects of contracts and are regularly called upon to draft, review and negotiate various public sector contracts including those related to public procurement of goods and services, complex public construction contracts, real estate agreements, land use, environmental health and safety. The firm also regularly provides guidance on public purchasing, on the drafting of statements of qualifications and statements of proposal.

Both Mr. Troiani and Mr. Sossi are experienced trial attorneys and have significant experience litigating complex cases in both state and federal court. Mr. Sossi has served as approved litigation counsel for the Texas Municipal League for over twenty years. Mr. Troiani is regularly engaged litigating cases in state and federal court in both the RGV and in Houston, Texas. The firm attorneys have first chair experience litigating cases in both Texas Courts, before the United States District Courts and Courts both state and federal courts of appeals.

6. List of cases and outcomes relating for higher education clients that have been handled for the firm through negotiation, settlement, mediation, arbitration and litigation.

- a.) Department of Education Office of Hearings and Appeals, represented private post-secondary vocational institution throughout program review determination process (Financial Student Aid Title IV program funds and change of ownership issue). Client's \$3.1 million dollar liability vacated. This issue was litigated and appealed to the Secretary of Education.
- b.) Department of Education Office of Hearings and Appeals, represented private post-secondary vocational institution throughout program review determination, appeal and negotiated provisional program participation agreements with Federal Student Aid. (\$168,000.00 liability). Reduction in liability and payment plan were obtained on behalf of the client. This issue was litigated and appealed to the Secretary of Education. The matter settled after final decision was rendered.
- c.) Represented private post-secondary vocational institution on issues related to Department of Education Office of Inspector General (OIG) Federal Student Aid (FSA) review of student eligibility to receive Title IV funds. This issue was settled upon submission of revised admission policy and OIG review.

- d) Represented principal of private post-secondary vocational institution in U.S. District Court for allegations of fraud and breach of fiduciary duty related to use and application of Title IV funds. Issue resolved by way of plea agreement to lesser included offense.

In addition, the Firm has also handled a number of other large legal matters for public entity clients which relate to similar legal issues the College might face.

- d) Negotiated and drafted a 50 million dollar development agreement for the City of San Benito RGV Epicenter. The project includes disposition and development agreements for the development of a convention center, hotel and supporting retail establishments. The project involved the creation of special municipal zoning, the creation of a planned development district within the City. Firm attorneys were also involved in drafting proposed amendments to the Texas Tax Code which were passed into law during the last legislative session with the firm assistance of San Benito's legislative delegation.
- e) Negotiated and drafted development agreements with Space X for the development of a launch site in the City of Brownsville, Texas and with Space X and UT RGV Brownsville for Project Stargate.
- f) Negotiated and drafted real estate contracts and ROW agreements between UT RGV and City of Brownsville regarding real estate for downtown UT RGV campus.
- g) Successfully represented the City of Mission in a trial before the United States District Court for the Southern District of Texas in a civil rights suit challenging the cities use of eminent domain.
- h) Successfully represented the City of Harlingen in the United States District Court for the Southern District of Texas, Houston Division in an discrimination/ employment suit brought by a terminated female disabled police officer.
- i) The firm has extensive experience representing governmental employers in employment arbitration before the American Arbitration Association and has successfully resolved many of those case in their clients favor.

7.) List of past and pending lawsuits against your firm or against any lawyers in the firm who will provide services to the College.

Troiani and Sossi pllc
611 East Washington Street
Brownsville, Texas 78523
(956) 541 - 4235

There are no past or pending lawsuits against the firm. No lawsuits are pending against any lawyer with the firm.

8.) List and describe all of the grievances filed with the State Bar of Texas, or any other State Bar Association, against any lawyer in the firm who will provide services to the College.

Neither Mr. Troiani and Mr. Sossi have ever been disciplined by the Texas State Bar and there are no pending grievances against either attorney.

9) References Form (Exhibit B)

- a. A minimum of five (5) verifiable references from Texas public or private educational institutions shall be listed on the "References" sheet provided in this RFQ; this list may include current and former clients (with reason for cancellation if applicable), with all references being able to fully comment on the Respondent's related experience.

Please see attached.

**SECTION 1
ACKNOWLEDGEMENT OF RECEIPT**

**THIS FORM MUST BE COMPLETED AND FAXED OR EMAILED
UPON RECEIVING THE REQUEST FOR QUALIFICATIONS (RFQ)**

Please fill in the requested information below as acknowledgement that you have received the RFQ and intend to respond. Send the completed page via fax or as an email attachment with the subject line "20-21-1026 Request for Qualifications - Legal Services" to the following contact information:

South Texas College
Purchasing Department
Fax: (956) 872-4688
Email: stcpurchasing@southtexascollege.edu

By doing this, we will be able to provide notification of any addenda to the RFQ.

Name of Attorney or Firm: Troiani and Sossi, PLLC

Address: 611 East Washington Street

City/State/Zip: Brownsville, Texas 78521

Phone: (956) _____ Fax: () _____

Name: (Print) Mark Sossi

Title: Partner

Signature:  Date: Feb 21, 2021

✓ Yes, our firm does have an interest in responding.

_____ No, our firm does not have an interest in responding.

EXHIBIT 1
ADDENDA CHECKLIST

Any addenda issued by STC to this RFQ will become part of the RFQ. Addenda will be numbered sequentially. Respondent must indicate on this sheet the receipt of any and all addenda.

Receipt is hereby acknowledged of the following addenda to this RFQ.

No. 1 ✓

No. 2 _____

No. 3 _____

No. 4 _____

Firm Name: Troiani and Sossi PLLC

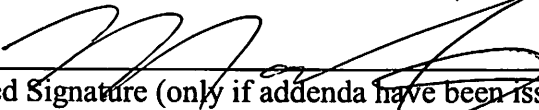

Authorized Signature (only if addenda have been issued)

EXHIBIT 2

EXECUTION OF OFFER

In compliance with this RFQ, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all goods and/or services at the prices quoted. Failure to sign this Execution of Offer ("Offer"), or signing it with a false statement, shall void the Qualifications and any resulting contract and may cause the Respondent to be removed from STC vendor lists.

By signature hereon, the Respondent hereby certifies that it:

- i) is a lawfully established business and is regularly engaged in providing the goods and/or services requested herein.
- ii) has the necessary experience, knowledge, abilities, skills, and resources to provide the goods and/or perform the services requested herein.
- iii) is not currently delinquent in the payment of any franchise taxes owed to the State of Texas under Chapter 171 of the Tax Code or is not subject to the payment of such taxes, and the Respondent agrees that any false statement with respect to its franchise tax status shall be a material breach of any contract that may result from the submission of the Qualifications.
- iv) is not currently delinquent in the payment of any property taxes owed to STC.
- v) is aware that if Texas Government Code § 2252.908 is applicable to any contract awarded to the Respondent as a result of this RFQ, the Respondent is required to make an electronic filing of Form 1295 with the Texas Ethics Commission as a condition of being awarded the contract.
- vi) is a publicly-traded company or, if not a publicly-traded company, no owner, employee or director of the Respondent is either currently employed by STC or has been an employee of STC within the immediate twelve (12) months prior to the time set for the submission of Qualifications to this RFQ.
- vii) is not debarred, suspended or otherwise declared ineligible to contract by any federal, state or local public agency.
- viii) has not, in connection with the Qualifications, given or offered to give, and does not intend to and shall not give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to an employee or trustee of STC or to a family member of an STC employee or trustee.

By signature hereon, the Respondent hereby certifies that:

- a) neither the Respondent nor anyone acting on its behalf has violated the antitrust laws of the State, codified in Section 15.01, et seq., Texas Business and Commerce Code or the Federal antitrust laws, or has disclosed, directly or indirectly, any information contained in the Respondent's Qualifications to any competitor or any other person engaged in such line of business.
- b) pursuant to *Texas Local Government Code*, Chapter 176, all vendors who contract or seek to contract with "local governmental entity" such as STC may be required to complete a conflict of interest questionnaire ("CIQ") if the vendor has a relationship with an officer of STC who is considered a "local government officer" or with a family member of such officer. If completion of a CIQ is required as of the effective date or at any time during the term of the Contract, the Respondent shall file the CIQ with STC's designated records

**EXHIBIT 3
REFERENCES
THIS FORM MUST BE RETURNED**

Please list at least five (5) references of educational institutions or current commercial customers who can verify the quality of service your company provides. STC prefers customers of similar size and scope of work as noted herein.

REFERENCE ONE

Government/Company Name: Salon & Spa Institute for Cosmetology
Address: 2695 N. Coria St. Brownsville, Texas 78520
Contact Person/Title: Mark Johnson, Chairman/OWNER
Telephone: (956) 266-9121 Email Address: mark@borderpropertiesinc.com
Description of Services: Legal Services rendered for matters with National Accrediting Commission of Career Arts & Sciences (NACCAS), Dept of Education, & FAFSA

REFERENCE TWO

Government/Company Name: City of Brownsville
Address: 1001 E. Elizabeth St., Brownsville, Tx 78520
Contact Person/Title: Ricardo Longoria, Former City Commissioner
Telephone: (956) 459-2913 Email Address: ricardo_longoria@outlook.com
Description of Services: City Attorney Services for City of Brownsville

REFERENCE THREE

Government/Company Name: City of San Benito
Address: 401 N. Sam Houston Blvd, San Benito, Tx 78586
Contact Person/Title: Manny de la Rosa, City Manager
Telephone: (956) 361-3800 Email Address: mdelarosa@cityofsanbenito.com
Description of Services: City Attorney Services for City of San Benito

(marye@southtexascollege.edu), or her successor. At <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>, the Respondent can find the official CIQ form along with a list of STC officers who are defined by Chapter 176 as "local government officers."

c) pursuant to *Texas Education Code*, Chapter 44.034, a person or business entity, **excluding** publicly-traded companies and certain vendors of library goods and services, that does business with STC, must notify STC if such person, or an owner or operator of such business entity, has ever been convicted of a felony, and must include in the notification a general description of the conduct that resulted in the felony conviction. At <https://finance.southtexascollege.edu/purchasing/purchase/files/Form-Criminal-History.pdf>, the Respondent can find a Criminal History Disclosure Form ("CHDF") that shall be used for this purpose. If the Respondent is required to submit a CHDF pursuant to Chapter 44.034 as of the effective date of the Contract or at any time during the term of the Contract, the Respondent shall send the CHDF to Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor, with a copy to Rebecca Cavazos, Director of Purchasing (beckyc@southtexascollege.edu), or her successor.

c) the individual signing this Offer as well as the other documents included in the Qualifications is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract which may result from the submission of the Qualifications.

d) pursuant to Texas Government Code, Title 10, Subtitle D, Section 2155.004(b), the individual or business entity named in the Qualifications or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate.

The Respondent hereby acknowledges that the Qualifications must include the Respondent's Taxpayer Identification Number and full legal name and address; the failure to sign the Qualifications will disqualify it; and the authorized agent signing the Qualifications may be required by STC to provide evidence of the agent's authority to bind the Respondent to a contract.

Signature: 

Printed Name: Anthony P. Troiani

Title: Attorney

Taxpayer Identification Number: 83-4283617

Respondent's Name: Troiani & Sossi, PLLC

Street Address: 611 E. Washington St.

City/State/Zip: Brownsville, Texas 78520

Telephone No.: (956) 541-4235

Email: anthony@troianilaw.com

Fax No.: (956) 992-1086

**EXHIBIT 3
REFERENCES
THIS FORM MUST BE RETURNED**

Please list at least five (5) references of educational institutions or current commercial customers who can verify the quality of service your company provides. STC prefers customers of similar size and scope of work as noted herein.

REFERENCE FOUR

Government/Company Name: City of Mercedes
Address: 400 South Ohio, Mercedes, Tx 78570
Contact Person/Title: Cristella Hernandez, Former City Commissioner
Telephone: (956) 793-8744 Email Address: cristelladeleon@yahoo.com
Description of Services: City Attorney Services for City of Mercedes

REFERENCE FIVE

Government/Company Name: City of Mission
Address: 1201 E. 8th St., Mission, Tx 78572
Contact Person/Title: Jesse Lerma, Civil Service Director for City of Mission
Telephone: (956) 451-0303 Email Address: j.lermausa@yahoo.com
Description of Services: Labor & Employment Services for City of Mission

REFERENCE SIX

Government/Company Name: United States District Attorney's Office
Address: 600 E. Harrison, Suite 201, Brownsville, Tx 78520
Contact Person/Title: Karen Betancourt, Asst. United States Attorney
Telephone: (956) 574-2550 Email Address: Karen.Betancourt@usdoj.gov
Description of Services: U.S. Attorney representing the U.S. Department of Education Federal Student Aid.

REFERENCE SEVEN

Government/Company Name: Salmon Sim Thomas, PLLC
Address: 12720 Hillcrest Rd. Ste 500
Contact Person/Title: Eileen Keeler, CPA PARTNER
Telephone: (872) 392-1143 Email Address: _____
Description of Services: Accounting Firm providing Accounting services
in private industry, education, and government.

REFERENCE FIVE

Government/Company Name: _____
Address: _____
Contact Person/Title: _____
Telephone: _____ Email Address: _____
Description of Services: _____

Accounting and Finance Department
University of the Pacific

ANTHONY P. TROIANI, P.C.

1927 Norfolk St., Houston, Texas 77098
phone (713) 520-7701 facsimile (713) 520-8612;
e-mail: anthony@troianilaw.com

Professional Representing Municipalities in South Texas, City of Mercedes, City of San Benito and City of Mission, Texas, as a member of Troiani & Sossi, PLLC, since 2019.

Independent law practice handling appellate and administrative proceedings before the U.S. Department of Education, general civil litigation, federal criminal law, and immigration (consular proceedings). Physical offices in both Houston and Brownsville, Texas.

Prosecutor, Cameron County and District Attorney's Office, Brownsville, Texas (1996).

Education South Texas College of Law, Houston, Texas
Juris Doctorate (JD) (1996)

Universidad de Barcelona Facultad de Derecho
Administrative and International Law (1995)

University of Houston, Houston, Texas
Bachelor of Science, Political Science and Economics (BS) (1991)

Bar Admissions

U.S. District Court, Western District of Tennessee
Pro Hac Vice (from 2011)
U.S. District Court of Nevada
Pro Hac Vice (from 2010)
U.S. District Court, Western District of Texas (from 2001)
Fifth Circuit Court of Appeals (from 1999)
U.S. District Court, Southern District of Texas (from 1997)
State Bar of Texas (from 1996)

Matters Department of Education Office of Hearings and Appeals, representing private post-secondary vocational institutions throughout the program review determination process (Financial Student Aid Title IV program funds and change of ownership issues). Client's \$3.1 million dollar liability vacated.

EOIR, successfully represented bipolar resident alien with multiple felony convictions in removal proceeding.

U.S. Consulate, Monterrey, Mexico, obtained passport for American Citizen after Mexican birth registration issued by midwife weeks after hospital birth in United States.

U.S. District Court Nevada, child abduction and return pursuant the International Child Abduction Remedies Act (ICARA).

- Appeals** *U.S. v. Hernandez*, 347 F. Supp. 2d 375 (S.D.Tx. 2004) (Holding government's deportation of alien, with knowledge favorable to defendant, violated defendant's compulsory process and due process rights).
- Padrino Maritime, Inc. v. Rizo*, 130 S.W.3d 243 (Tex. App.—Corpus Christi, 2003, no writ)(finding plaintiff had no duty to give defendant notice of default-judgment hearing).
- Community** Holy Spirit Episcopal School, Houston, Texas
 Board of Directors (2020-present)
- Italian Cultural & Community Center, Houston, Texas
 Contribution to Law and Society Award Recipient (2015)
- Immaculate Conception Finance Committee, Brownsville, Texas
 Board Member (2009 – 2012) Involved in budget and programing for Immaculate Conception Cathedral
- United Brownsville, Brownsville, Texas
 Board Member (2009 – 2011) Founding member of intergovernmental organization implemented to coordinate public and private development within and around Brownsville, Texas.
- City of Brownsville (COB) - Building Standards Committee
 Chairperson (2009) Land use development, preserve, repair and repurpose historic sites.
- Brownsville Community Improvement Corporation (BCIC)
 Treasurer (2009 – 2011) Type B economic development corporation (EDC) for the improvement of quality of life within the municipality.
- Immaculate Conception Restoration Committee

Co-Chair (2007 – 2012) Assisted to coordinate planning, development, review and fund raising to assist the diocese of Brownsville restore Gothic Revival style edifice founded in 1849 by the Oblates of Mary Immaculate.

COB City Commissioner Place A at Large (2007-2011) Elected to one of two at large positions of the seven-member legislative body of the City of Brownsville, responsible for taxation, appropriations, ordinances and other general functions.

COB - Planning and Zoning Update Committee
Board of Directors (2005 – 2006) Prepared review and recommendations for city commission for zoning overlay districts surrounding Palo Alto Battlefield National Historic Park

Military Service U.S.M.C. 1985-1991,
Honorable Discharge

Languages English and Spanish bilingual proficiency

Mark Sossi
Troiani and Sossi pllc.
611 East Washington Street
Brownsville, Texas 78521

Summary

Law firm with three decades of experience representing governmental entities
City Attorney for the City of Mercedes. (Present)
City Attorney for the City of San Benito. (Present)
City Attorney for the City Brownsville. (2009 to 2017)
Former litigation counsel for Texas Municipal League and Texas Association of Counties
Former General Counsel for both the Greater Brownsville Incentives Corporation and the
Brownsville Community Improvement Corporation.
Former litigation partner at a leading regional a.v. rated civil litigation firm .

Professional Experience

City Attorney for the City of Mercedes, Texas.	2019 to present
City Attorney for City of San Benito, Texas	2018 to present
Civil Service Attorney for City of Mission, Texas	2005 to present
City Attorney, City of Brownsville, Texas	2009 to July 2017

Chief Legal Officer for largest city in the Rio Grande Valley (pop. 185,000):
Supervised a legal department tasked with the representation of the City on matters related to litigation, contracts, employment, civil service, collective bargaining, acquisition, sale and lease of property, economic development agreements, Chapter 380 Agreements, public private partnerships, tax abatement agreements, administrative licenses and regulatory permits, matters involving planning, permitting and construction, eminent domain and condemnation, legislative relations, election matters and procedures, general rights ,powers ,duties, obligations and limitations of pubic officers and employees, land use regulation, open meetings, public records requests, utilities, housing, public finance and bond issues.

General Counsel, Greater Brownsville Incentives Corporation 2010 to August 2016

Chief legal officer for Texas Economic Development Corporation (Type A):
Provided legal guidance in areas of economic development including but not limited to job creation incentive agreements, Chapter 380 Agreements, and general counsel services.

General Counsel, Brownsville Community Improvement Corporation 2009 to August 2016

Chief legal officer for Texas Economic Development Corporation (Type B);

Provided legal assistance and guidance to 4(b) type economic development corporation focused on quality of life issues within the City of Brownsville, Texas.

Mark Sossi, PC 2000 to 2010

Civil trial practice in state and federal courts (75% defense and 25 % plaintiff).
Concentration on representation of public entities . Provided legal representation to the City of Brownsville on various litigation issues including but not limited to breach of contract and construction law. Provided legal representation to the Brownsville Independent School District on issues related to the Texas Education Code and purchasing contracts.

Willette, Guerra and Aguilar LLP a.v. 1991 to 2000; Elected partner in 1997

Partner in civil litigation defense firm. Primary responsibility (first chair) in numerous trial and appellate cases. Areas of practice included federal civil rights litigation, 42 USC § 1983, product liability and negligence claims, employment and construction litigation. Represented Cameron County in case of *Natalia Flores vs Cameron County*, No. 94-60262, United States Court of Appeals for 5th Circuit, successfully reversing a 2 million dollar judgment.

Private Practice 1989 to 1991

Private practice of law concentrating on defense of police officers in State and Federal Court.

Harris County District Attorney's Office 1987 to 1989

Served as Assistant District Attorney, Harris County, Texas. Prosecuted misdemeanor and felony cases in District and County Court.

Education

Saint Mary's University School of Law, Juris Doctor, 1987
Recipient, American Jurisprudence Award 1987

Virginia Military Institute, Bachelor of Arts, English Literature, 1984
Minor, International Relations
President of International Relations Club
Commissioned Officer, United States Army Reserve

Civic and Community Involvement

Former Speaker: Annual Texas State Bar "Suing and Defending Governmental Entities" seminar.
Former Speaker: Annual Defense Research Institute seminar.
Cameron County Bar Association, Past Director and member
Former member of City of Brownsville Charter Review Committee
Former General Counsel; Brownsville Affordable Homeownership Corporation
Former General Counsel; Brownsville Community Improvement Corporation
Volunteer Mock Trial Coach; Brownsville Early College High School (BECHS)

Additional Certifications: Mediator certificate (non practicing)

Military Service: Commissioned Officer. United States Army Reserve, 1987 to 1998.
Honorable Discharge

TEMPORARY AND CONDITIONAL BINDER
PROFESSIONAL LIABILITY INSURANCE

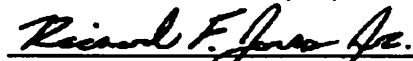
DATE: June 23, 2020
COMPANY: Berkshire Hathaway - AmGUARD Insurance Company
PRODUCER: Forrest T. Jones and Company
10440 North Central Expressway, Suite 1130
Dallas, Texas 75231
INSURED: Troiani & Sossi PLLC
611 E Washington Street
Brownsville, Texas 78520
BINDER EFFECTIVE: 12:01 am 6/23/2020 to 12:01 am 7/23/2020
POLICY PERIOD: 12:01 am 6/23/2020 to 12:01 am 6/23/2021
RETROACTIVE DATE: 6/23/2020
LIMIT: Per Claim \$1,000,000
Aggregate \$1,000,000
DEDUCTIBLE: Per Claim \$1,000
PREMIUM: \$3,643
POLICY NUMBER: TRPL101459

TERMS AND CONDITIONS:

- LPL DEC 03 18 Policy Dec
- LPL RISK FLYER Lawyers Professional Liability Risk-Management Resources
- LPL 00 00 08 15 Lawyers Professional Liability Coverage
- IL 99 00 08 13 Authorization and Attestation
- LPL 00 12 08 15 Full Firm Prior Acts Endorsements [Retroactive Date: 06/23/2020]
- LPL 00 18 08 15 Prior Acts Exclusion [Anthony Troiani 06/23/2020; Mark Sossi 06/23/2020]
- LPL 42 01 08 15 Texas Changes
- LPL 42 02 08 15 Texas DTPA
- PN TX 01 10 16 TX Policyholder Notice - Complaint numbers
- PN TX 02 03 17 TX Policyholder Notice - Loss Control Information
- PRIV POL Privacy Policy

Coverage is based on the information you provided to us and on which we have relied. If any material information has been excluded or if any of the information provided is now inaccurate please advise us immediately in order that we may seek revalidation of terms. **THIS BINDING ACKNOWLEDGEMENT IS A LIMITED SUMMATION OF INFORMATION CONTAINED IN THE QUOTE DOCUMENT, ALL OF WHICH IS SUPERSEDED BY THE ACTUAL POLICY WHEN ISSUED.**

Forrest T. Jones & Company


Richard F. Jones, Jr., Vice President

REQUEST FOR QUALIFICATIONS FOR LEGAL SERVICES

ISSUED BY:
SOUTH TEXAS COLLEGE
RFQ No. 20-21-1026

DUE: FEBRUARY 24, 2021 @ 3:00 P.M. CST

SUBMITTED BY:



WALSH GALLEGOS
TREVINO RUSSO & KYLE P.C.

TABLE OF CONTENTS

I. Letter of Interest & Listing of Firm Principals	1
II. Statement of Qualifications	1
Year Established and Firm Overview	1
Firm Offices	1
Lead Counsel to South Texas College	2
Proposed Counsel to South Texas College	3
Key Support Staff	4
Complete Attorney Listing	5
Professional Memberships	6
Broad and Deep Experience	6
Matters in Which the Administration is Represented Separately	6
Governance Training, Roles and Responsibilities of the Board, and Policy Development	7
Higher Education Cases	9
Litigation/Lawsuits	9
III. References	10
Exhibit 3, References Form	
IV. Additional Materials	12
Communication, Availability and Accessibility	12
Technology	12
Potential Conflicts	12
Professional Liability Insurance	12
Affirmation of Good Standing	13
Non-Discriminatory Hiring Practices	13
Minority and Women Business Enterprise	13
We are Uniquely Qualified	13

APPENDIX

- A. Attorney Profiles
- B. Listing of All Firm Attorneys
- C. Representative List of Firm's School District, Higher Education, and Other Governmental Entity Clients
- D. Professional Liability Insurance
- E. Required Forms



TAB 1



WALSH GALLEGOS
TREVIÑO RUSSO & KYLE P.C.

February 24, 2021

Ms. Becky Cavazos
Director of Purchasing
South Texas College
3200 W. Pecan Blvd.
Bldg. N Room 145
McAllen, Texas 78501

Re: Request for Qualifications # 20-21-1026, Legal Services
Due: February 24, 2021 @ 3:00 P.M.

Dear Ms. Cavazos:

Walsh Gallegos has the legal experience and knowledge needed by South Texas College. Our attorneys focus exclusively on education law, representing K-12 schools as well as colleges and universities. We have maintained a fully staffed office in the Rio Grande Valley since 2006 and our attorneys have deep connections to the Valley. Walsh Gallegos was founded on the belief that public education makes a difference and we would be proud to partner with South Texas College as it works to continue to make a difference in the Rio Grande Valley.

We have reviewed all elements of the College's request, and are uniquely prepared to provide the services requested. I have attached a listing of our firm's principals. Please note that our Rio Grande Valley office is located in Harlingen and with 66 attorneys firm wide focused solely on education law, we have the experience and depth of knowledge to handle any issue that may arise for South Texas College.

We are also pleased to enclose (1) original, eight (8) copies, and one (1) USB flash drive of our Response as requested. I am authorized to negotiate contract terms and render binding decisions on contractual matters with South Texas College, as is Joe De Los Santos, the firm's Managing Shareholder. Our contact information is below:

Leandra Costilla Ortiz, Shareholder
Walsh Gallegos Treviño Russo & Kyle P.C.
6770 W. Expressway 83, Suite 301
Harlingen, Texas 78552
Phone: 956-647-5122
Fax: 956-647-5421
Email: lortiz@wabsa.com

Joe De Los Santos, Managing Shareholder
Walsh Gallegos Treviño Russo & Kyle P.C.
1020 N.E. Loop 41, Suite 450
San Antonio, Texas 78209
Phone: 210-979-6633
Fax: 210-979-7024
Email: jdelossantos@wabsa.com

In addition to myself, we propose Miguel Saldaña to also serve as General Counsel for South Texas College. The contact phone number for both of us is 956-647-5122.

Please contact me if you need additional information. We would be happy to make a presentation to the Board, if needed. As a Valley native, it is an honor to have this opportunity to present our qualifications for consideration.

Sincerely,

A handwritten signature in blue ink that reads "Leandra C. Ortiz". The signature is fluid and cursive, with the first name "Leandra" being the most prominent part.

Leandra Costilla Ortiz
Shareholder

Enclosures



WALSH GALLEGOS
TREVIÑO RUSSO & KYLE P.C.

Firm Principals

Christine Badillo	Stacy Castillo	Todd Clark
Joe De Los Santos	Robb Decker	Winifred Dominguez
Elena Gallegos	Mark Goulet	Ann Greenberg
Denise Hays	Elvin Houston	Evelyn Howard-Hand
Kelley Kalchthaler	Paige Kyle	Nona Matthews
Joey Moore	John Muñiz	Elizabeth Neally
Leandra Costilla Ortiz	Katie Payne	Tony Resendez
Paula Maddox Roalson	Bridget Robinson	Laura Rodriguez McLean
Eric Rodriguez	Karla Schultz	Sandi Tarski
Oscar Treviño	Haley Turner	Meredith Walker
Jim Walsh	Jan Watson	Craig Wood



TAB 2

STATEMENT OF QUALIFICATIONS

Year Established and Firm Overview:

Walsh Gallegos was established on September 1, 1983 with the belief that public education makes a difference and the desire to work toward making a difference in our communities. Our founding shareholders' commitment to quality representation of public schools remains the core foundation of the firm today. We have maintained a fully staffed office in the Rio Grande Valley since 2006 and our attorneys have deep connections to the Valley. Walsh Gallegos was founded on the belief that public education makes a difference and we would be proud to partner with South Texas College as it works to continue to make a difference by providing a quality education that prepares its students for success.

Walsh Gallegos serves as board counsel for many of our clients, providing advice and counsel on all matters that would come before the Board, including conflicts of interest, employment matters, Title IX investigations, open meetings questions, facilities planning and construction, elections, public information and media relations, and all aspects of litigation. Our extensive experience has produced positive outcomes for our clients, as evidenced by numerous cases that have become the statewide standard for successfully handling issues that are important to public education. Our attorneys are available 24 hours/7 days a week to provide advice and counsel to the South Texas College Board of Trustees.

As part of our work serving as Board Counsel, our attorneys will also work closely with the President and other administrators. By coordinating regularly with the College's administration, especially the President, we will be able to assist the College with keeping its priorities in alignment and help minimize distraction from the College's vision, mission, goals, and strategic plan.

Firm Offices:

Walsh Gallegos enjoys a statewide presence in Texas and New Mexico with strategically located offices in the Rio Grande Valley, San Antonio, Austin, Houston, Irving, and Amarillo, Texas, and Albuquerque, New Mexico. Our Rio Grande Valley office is located in Harlingen, approximately 35 miles from the South Texas College Administration Building.




Rio Grande Valley Office Texas Regional Bank Building 6770 W. Expressway 83, Suite 301 Harlingen, Texas 78552	956-647-5122 (Phone) 956-647-5421 (Fax)	1 Shareholder 2 Associates
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San Antonio Office One International Centre 1020 N.E. Loop 410 Suite 450 San Antonio, Texas 78209	210-979-6633 (Phone) 210-979-7024 (Fax)	13 Shareholders 4 Associates
Amarillo Office 6900 I-40 W, Suite 195 Amarillo, Texas 79106	806-310-7150 (Phone) 806-223-1256 (Fax)	1 Associate
Austin Office – Principal Office Centennial Towers 505 E. Huntland Drive Suite 600 Austin, Texas 78752	512-454-6864 (Phone) 512-467-9318 (Fax)	11 Shareholders 8 Associates
Houston Office Millennium Tower 10375 Richmond Avenue Suite 1357 Houston, Texas 77042	713-789-6864 (Phone) 713-789-9318 (Fax)	1 Shareholder 6 Associates
Irving Office 105 Decker Court Suite 700 Irving, Texas 75062	214-574-8800 (Phone) 214-574-8801 (Fax)	5 Shareholders 8 Associates
Albuquerque Office 500 Marquette Ave. N.W. Suite 1310 Albuquerque, New Mexico 87102	505-243-6864 (Phone) 505-843-9318 (Fax)	3 Shareholders 3 Associates

Lead Counsel to South Texas College

Leandra Ortiz and Miguel Saldaña are prepared to serve as Lead Counsel to South Texas College, with assistance from Priscilla de la Garza, Craig Wood, Winnie Dominguez, Eddy Perez and Max Trinidad. As Lead Counsel, Ms. Ortiz & Mr. Saldaña will make sure that one attorney remains knowledgeable in all services provided to South Texas College. However, the Board has the opportunity to provide input concerning the team that they will rely upon with its primary contact at all times. Ms. Ortiz and Mr. Saldaña are available to discuss the composition of the legal team as needed.

Proposed Counsel to South Texas College

<u>NAME</u>	<u>EDUCATION</u>	<u>YRS OF PRACTICE</u>	<u>AREA OF PRACTICE</u>	<u>YRS WITH FIRM</u>
 <p>Leandra Costilla Ortiz Bar # 24043854 Admitted: 2004</p>	<p>South Texas College of Law (2003) (Doctor of Jurisprudence) Texas A&M University at College Station (1997) (Bachelor of Arts – Journalism)</p>	16	Employment Law, Immigration Law, Litigation, Student Issues and Governance	6
 <p>Miguel Saldaña Bar # 17529450 Admitted: 1989</p>	<p>University of Texas School of Law, J.D. (1988) University of Texas at Austin, Bachelor of Business Administration, with Honors (1975)</p>	31	Employment Law, Insurance Defense Services, Litigation and Facilities & Business	13
 <p>Priscilla de la Garza Bar # 24105786 Admitted: 2017</p>	<p>University of Texas School of Law- Member of the Chicano-Hispanic Law Students Association University of Texas Pan-American (B.A. in Psychology)</p>	3	Employment Law, Student Issues, Special Education, Litigation and Governance	3
 <p>D. Craig Wood Bar # 21888700 Admitted: 1989</p>	<p>University of Texas School of Law (1989) Oklahoma State University (1986)</p>	30	Employment Law and Litigation	13

 Winnie Dominguez Bar # 5965700 Admitted: 1986	St. Mary's School of Law (1987) University of Texas at Austin, Social Work	33	Construction, Facilities & Business and Real Estate	13
 Eddy Hernandez Perez Bar # 24105929 Admitted: 2017	University of Texas School of Law Harvard Graduate School of Education (Ed.M. in Education Policy and Management Boston College (B.A. in History, Magna Cum Laude)	3	Facilities & Business	3
 Brian "Max" Trinidad Bar # 24106517 Admitted: 2017	University of Houston Law Center (2017) University of Texas-Austin (2011)	3	Employment Law, Governance, Student Issues, Elections and Higher Education	<1

Brief biographical profiles for each of the attorneys listed above is attached behind Appendix Tab A.

As a shareholder in our RGV office, Ms. Ortiz is authorized to negotiate contract terms and render binding decisions on contractual matters, as is Joe De Los Santos, the Managing Shareholder for the firm. Contact information for each is below:

Leandra Ortiz
Shareholder
lortiz@wabsa.com
(956) 647-5122

Joe De Los Santos
Managing Shareholder
jdelossantos@wabsa.com
(210) 979-6633

Key Support Staff:

Currently there are 3 attorneys and 5 staff members in our Rio Grande Valley office. Below is a chart listing key support staff and their years of experience. The Rio Grande Valley office has an

office coordinator to oversee the day-to-day operations of the office. The firm has a full-time information technology manager, a network administrator and 4 full-time help desk technicians to provide technical support, and a fully staffed finance team to provide billing and accounting support.

Paralegal Support Staff	Years with Firm	Years of Experience	Attorney(s) Supported
Andree Macias	23	14	All Attorneys
Gaiana Sarkisian	1	<1	All Attorneys
Secretarial Support Staff	Years with Firm	Years of Experience	Attorney(s) Supported
Nora Zamora	6	40	Leandra Ortiz, Miguel Saldaña, Priscilla de la Garza
Patricia Watson	14	30	Winnie Dominguez, Eddy Perez
Elizabeth Koenig	1	6	Craig Wood
Felicia Jimenez	6	11	Max Trinidad
Administrative Support Staff	Years with Firm	Years of Experience	Title
Aurea Arellano	12	17	Office Coordinator
Endelia Diaz	6	6	Office Clerk
Rocio Contreras	6	6	Office Clerk
Cindy Gonzales	27	35	Firm Personnel Manager
Yvonne Love	9	15	Firm Billing Specialist
Lisa Gonzalez	3	10	Firm Finance Manager
Diana Stangl	30	36	Firm Administrator

Complete Attorney Listing:

Walsh Gallegos employs 66 attorneys in seven offices located throughout Texas and New Mexico. Of the Firm's 66 attorneys, 52 have been engaged in the active practice of law for at least 5 consecutive years prior to the date of this response. Sixty-three attorneys are licensed in Texas and eleven attorneys are also licensed to practice law in other states. Elena M. Gallegos, Evelyn Howard-Hand, Karla Schultz, Rodney Gabaldon, Barry Berenberg, Lorie Gerkey, and Eric Rodriguez are also licensed to practice in New Mexico. Robb Decker is also licensed to practice in Georgia. Evelyn Howard-Hand and Todd Clark are also licensed to practice in Colorado. Hank Bostwick is also licensed to practice in Virginia and Alabama.

A complete listing of all of the firm's attorneys is attached behind Appendix Tab B.

Professional Memberships:

Walsh Gallegos attorneys receive the highest degree of professional development available to the legal profession. In addition to ongoing, specialized training and mentoring, membership in the following professional associations provides the added advantage of staying informed of developments and changes in all relevant areas of law:

- Bar Association of Fifth Federal Circuit
- Federal Bar Association
- American Bar Association (including the Litigation Section and Construction Industry Forum)
- State Bar of Texas, including the School Law, Litigation, Administrative Law, Labor Law, Construction Law, and Advocacy Law Sections
- Hidalgo County Bar Association and/or Cameron County Bar Association, Austin Bar Association, Tarrant County Bar Association, Dallas County Bar Association, San Antonio Bar Association, Bexar County Women's Bar Association, as applicable
- National School Boards' Association Council of School Attorneys
- Texas Association of School Boards Council of School Attorneys
- Education Law Association
- Texas Association of Defense Counsel
- Texas Association of Community College Attorneys
- Texas Council of Administrators of Special Education
- Texas Association of School Business Officials

BROAD AND DEEP EXPERIENCE

Attorneys designated in this proposal have combined experience of over 100 years advising boards on the most difficult questions – from high-stakes litigation to fractious board disputes; from long-term strategic planning to maintaining student and staff safety during the coronavirus pandemic. Experience matters. In addition to providing counsel to many of the schools in Hidalgo and Cameron County over the years, our designated South Texas College Board Counsel Team has advised well over 100 school boards. We have also advised boards of large community college districts such as Ranger Community College and the Laredo Community College.

Matters in Which the Administration is Represented Separately:

The priorities and interests of a board and administrative team are typically aligned, and Walsh Gallegos works with hundreds of clients serving as counsel to both administration and board. In those unique situations when there exists a need for separate counsel, our team has a great deal of experience facilitating this professionally and ensuring that all sides receive the highest quality of legal representation. This may arise in several situations, including: (1) grievance appeals; (2) president hiring or contract negotiations; (3) litigation in which the College and individuals are sued; or (4) contract nonrenewal or termination hearings. Our approach is simple. First, we listen

to our client, the Board of Trustees. It is imperative that each member of the Board is heard and has all of their legal questions addressed and answered. Next, we provide options which will lead to desired outcomes. These discussions can be difficult and highly charged. We come prepared, not only with the underlying legal knowledge, but also with a steady and fair presence that honors the Board's role and each Trustee's voice. We respect the fact that the Board owns the decision and the results, and we are present to assist, educate, advise, and facilitate.

Governance Training, Roles and Responsibilities of the Board, and Policy Development:

For a leadership team to function at the highest level, the Board needs to work in harmony with the administrative team, and the Trustees need to work in a trusting relationship as fellow board members. Our approach to training keeps that concept as a goal. Our team has provided training sessions for boards over the past 37 years. Each one is unique. We do not adopt a one-size-fits-all approach to our work in Governance training. We first diagnose what our client needs, and tailor the training to those specific needs. Some focus on improving communication between Board and administration, others on improving and repairing interpersonal relationships. With our depth of experience, we can work with the Board to address what is needed, and then tailor a training to meet the needs of the Board. At times, we have structured training sessions with one or two Trustees who were not in alignment with the rest of the Board. We have found that this can be an effective strategy for fostering alignment and a team approach.

From time to time, serious conflicts or questions of a Trustee's conduct or eligibility may arise. We have handled such matters with tact and skill, keeping the interests of the Board majority in the forefront, while respecting the rights and interests of individual Trustees. Our experience allows us to assist, advise, diagnose and facilitate at the highest levels. We would be honored to serve as South Texas College Board Counsel as it faces the challenges and opportunities that the future will present.

The following items are typical of the work we do as board counsel:

- Advising the Board on employee, student, and citizen grievances.
- Advising the Board on employment matters.
- Attending Board meetings to advise on special projects, as directed.
- Providing clear, concise, written reports, as requested, regarding special projects performed by the firm to the Board.
- Advising the Board on legally mandated procedures for purchasing or selling real estate.
- Assisting in reviewing and/or drafting bid specifications, requests for proposals, and agreements between the College and its suppliers.
- Advising the Board on questions relating to the release of records under the Public Information Act.

- Advising the Board on the proper safety and retention of College records under state and federal guidelines, including certified board agendas and official board records.
- Advising the Board on procedural questions that arise during the course of board meetings relating to interpretation of, or compliance with, the Texas Open Meetings Act.
- Advising the Board on parliamentary issues and rulings, as directed.
- Advising the Board regarding statutory requirements for competitively bidding purchases of personal property.
- Providing preventive law training for Trustees.
- Advising the Board regarding the statutory requirements related to construction and design issues.
- Assisting in negotiating contracts and agreements between the College and its engineers, architects, other design professionals, and contractors relating to College construction projects.
- Advising the Board and Administration on easement and land use issues relating to use of College property.
- Representing the College in state or federal litigation involving recovery of damages for construction defects, design failings, and other challenges related to architect or contractor performance issues.
- Advising the Board and Administration on election calendar timelines and procedures.
- Reviewing election orders, notices, procedures, and other documents related to Trustee elections.
- Advising the Board and College personnel regarding their rights and responsibilities in the context of Trustee elections.
- Assist the administration and the board and facilitate the redistricting process for single member districts after the release of the next US Census data. Most likely, population increases, decreases and/or shifts between the 2010 Census and the 2020 Census will require the redistricting of the South Texas College trustee districts if the new data shows a deviation of 10% or more from the district with the most population compared to the district with the least population. If such a deviation results, both state and federal law require revising the individual single-member district boundaries to reduce the deviation to less than 10%.
- Defending the College in litigation challenging election practices.
- Assisting with bond and tax rate ratification, elections planning, and implementation.
- Provide such other related legal services as directed by the Board of Trustees.

HIGHER EDUCATION CASES

As noted earlier, we have worked with numerous colleges and universities. Since October 2017, we have handled 27 distinct matters for 10 different colleges or universities. Many of these cases are employment matters that are either in litigation or are still in the pre-litigation stage. Other matters involved policy review, commercial lease review, trustee election inquiries, and employment contract reviews.

LITIGATION/LAWSUITS

No lawsuits have been filed against the firm. Two lawsuits filed by employees of Brownsville ISD in early 2009 named Mike Saldana, an associate attorney in the firm, along with the superintendent of Brownsville ISD and individual trustees of the district. The claims arose from two separate employment terminations that involved the former superintendent of schools and the former chief financial officer. The termination of the superintendent was upheld by the Commissioner of Education. Neither termination was overturned by a court of law. Mike Saldana and the firm were dismissed from both lawsuits by the courts in 2011 and the firm has continued to represent the district in other matters. We will be happy to provide additional information regarding these suits upon request.

There have been no grievances filed with the State Bar of Texas, or any other State Bar Association, against the firm or any attorneys who will provide services to South Texas College.



TAB 3

REFERENCES

Walsh Gallegos represents more than 500 educational entities, many of whom the firm has represented for more than five years. A representative list of the firm's current Texas school district clients, institutions of higher learning, and other governmental entities can be found behind Appendix Tab C. We encourage you to contact them for feedback on how we have helped them over the years.

The following clients can be contacted as references for Walsh Gallegos and can provide an accurate representation of our work for them. Exhibit 3, References, is located on the next page.

Ranger College:

Dr. William Campion, President – bcampion@rangercollege.edu
1100 College Circle
Ranger, Texas 76470
Phone: 254-647-3234
Client since

Laredo Community College:

George "Rusty" Muerer, General Counsel – gmeurer@kmp-law.com
West End Washington Street
Laredo, Texas 78040
Phone: 956-712-1600
Client since 1992

Harlingen Consolidated Independent School District:

Dr. Alicia Noyola, Superintendent – alicia.noyola@hcisd.org
407 N 77 Sunshine Strip
Harlingen, Texas 78550
Phone: 956-430-9500
Client since 1992

South Texas Independent School District:

Dr. Marco Antonio Lara, Jr., Superintendent – tony.lara@stisd.net
100 Med High Drive
Mercedes, Texas 78570
Phone: 956-565-2454
Client since 2008

Los Fresnos Consolidated Independent School District:

Dr. Gonzalo Salazar, Superintendent – gsalazar@lfcisd.net

P.O. Box 309

Los Fresnos, Texas 78566-0309

Phone: 956-254-5000

Client since 2006

Non School District Governmental Entities Represented:

Walsh Gallegos has provided services to the Texas Association of School Boards (TASB), the Texas Association of School Personnel Administrators (TASPA), the Texas Association of School Business Officials (TASBO), the Texas Association of Secondary School Principals (TASSP), the Texas Council of Administrators of Special Education (TCASE), the Texas Educational Diagnosticians' Association (TEDA) and many other professional associations involved in public education.

In addition to school districts and institutions of higher learning, we have represented county appraisal districts, cities and counties. Our work for these entities has included employment issues, governance issues, business contract review, and litigation.

**EXHIBIT 3
REFERENCES
THIS FORM MUST BE RETURNED**

Please list at least five (5) references of educational institutions or current commercial customers who can verify the quality of service your company provides. STC prefers customers of similar size and scope of work as noted herein.

REFERENCE ONE

Government/Company Name: Ranger College
Address: 1100 College Circle, Ranger, TX 76470
Contact Person/Title: Dr. William Campion, President
Telephone: 254-647-3234 Email Address: bcampion@rangercollege.edu
Description of Services: Legal Services, including Employment, Governance, Business Transactions, and Litigation

REFERENCE TWO

Government/Company Name: Laredo Community College
Address: West End Washington Street, Laredo, TX 78040
Contact Person/Title: George "Rusty" Meurer, General Counsel
Telephone: 956-712-1600 Email Address: grmeurer@kmp-law.com
Description of Services: Legal Services, including Employment, Governance, Business Transactions, and Litigation

REFERENCE THREE

Government/Company Name: Harlingen Consolidated Independent School District
Address: 407 N 77 Sunshine Strip, Harlingen, TX 78550
Contact Person/Title: Dr. Alicia Noyola, Superintendent
Telephone: 956-430-9500 Email Address: alicia.noyola@hcisd.org
Description of Services: Legal Services, including Employment, Governance, Business Transactions, and Litigation

REFERENCE FOUR

Government/Company Name: South Texas Independent School District
Address: 100 Med High Drive, Mercedes, TX 785770
Contact Person/Title: Dr. Marco Antonio Lara, Jr., Superintendent
Telephone: 956-565-2454 Email Address: tony.lara@stisd.net
Description of Services: Legal Services, including Employment, Governance, Business Transactions, and Litigation

REFERENCE FIVE

Government/Company Name: Los Fresnos Consolidated Independent School District
Address: P.O. Box 309, Los Fresnos, TX 78566
Contact Person/Title: Dr. Gonzalo Salazar, Superintendent
Telephone: 956-254-5000 Email Address: gsalazar@lfcisd.net
Description of Services: Legal Services, including Employment, Governance, Business Transactions, and Litigation



Leandra Costilla Ortiz, Shareholder
Walsh Gallegos Treviño Russo & Kyle P.C.

02/21/21

Date



TAB 4

ADDITIONAL MATERIALS

Communication, Availability and Accessibility:

College designees may seek advice and counsel via the firm's local and toll-free telephone numbers and will have telephone access to attorneys after normal business hours. E-mail access is available at any time. All firm offices are connected via e-mail, telephone and video conferencing to facilitate connection of clients with an available attorney.

The firm's website (www.WalshGallegos.com) is available for reference and information as well as providing an e-mail link to individual attorneys and to the Austin office for inquiries.

Technology:

Walsh Gallegos uses its technology resources to enhance and improve the delivery of our legal services. We provide secure extranet sites for our clients on a matter level to facilitate the transfer of documents between the firm, client, outside consultants and opposing counsel. We have a dedicated in-house IT staff that works closely with our attorneys and paralegals on data intensive files in the following areas:

- Mass File/Format Conversions
- PIA Requests
- Capturing information/evidence from social media sources
- Capturing information/evidence from metadata contained in files and documents
- Video Redaction
- Audio Enhancement

Potential Conflicts:

At this time, we are not aware of any actual or potential conflicts that would prevent us from working for South Texas College. If selected as legal counsel, Walsh Gallegos agrees, to the extent permitted by the Texas Disciplinary Rules of Professional Conduct, not to undertake future representation of any person or entity in a manner adverse to the College's interests during the term of the contract and for a period of two years after termination of the contract.

Professional Liability Insurance Policy:

QBE Insurance Corporation provides complete professional liability insurance coverage for the firm. All attorneys in the firm are covered under this policy. Coverage consists of \$5 million per claim and \$5 million aggregate. The firm currently has a \$25,000 deductible on its policy. The current policy is effective through April 29, 2021. A copy of the policy declarations page is attached behind Appendix Tab D.

Affirmation of Good Standing:

The firm and all engaged employees are in good standing with all agencies or departments of the State of Texas.

Non-Discriminatory Hiring Practices:

Walsh Gallegos is a diverse firm and does not discriminate against any employee or applicant for employment because of age, disabilities, race, religion, sex, color, or national origin. All recruitment, selection, assignment, training, compensation, transfer and promotions are made based upon the individual employee's experience, education, qualifications, ability and performance. The firm is proud of the excellent staff hired under these nondiscriminatory practices and pledges to continue efforts to recruit women and minorities for employment.

Minority and Women Business Enterprise:

Walsh Gallegos commits to utilizing MWBE's on matters assigned by the College whenever an opportunity to do so exists. While not a certified MWBE entity, Walsh Gallegos is predominantly women owned.

We are Uniquely Qualified:

As the largest law firm in Texas that is solely dedicated to serving public education, Walsh Gallegos is uniquely qualified to provide legal services to South Texas College. Our statewide practice provides us the opportunity to share best practices adopted across Texas to which the College may not otherwise have access.

We would be honored to work with South Texas College and we hope to have the opportunity to do so. We believe that public education makes a difference. That belief, and the desire to work toward making a difference in our communities, is why we are here today. We have prepared a short video that celebrates the power of your work—because it matters. You can view it at <https://www.youtube.com/watch?v=wNKrciQ65Vw>.

We welcome the opportunity to visit with the Board to answer any questions you may have about the services we provide.



APPENDIX A



RIO GRANDE VALLEY OFFICE

LEANDRA COSTILLA ORTIZ

SHAREHOLDER

Phone: (956) 647-5122 | Fax: (956) 647-5421

“My roots are sunk deep in the Rio Grande Valley. Keeping our public schools strong helps keep our families and communities thriving, right here.”



Leandra Costilla Ortiz was raised in the Rio Grande Valley, and is proud to focus her legal practice on strengthening the area’s public schools. She practices in the areas of litigation, employment law, student law, and board governance.

Before joining Walsh Gallegos, Mrs. Ortiz served as the first in-house staff attorney for the Brownsville Independent School District where she worked on school employment and personnel issues, general school law, and civil litigation.

Leandra began her legal career as an associate for the Law Office of Frank Costilla, L.L.P. where she practiced primarily civil litigation. She went on to establish the law firm of Costilla & Ortiz, LLC where her practice focused on civil litigation and family law.

PRACTICE AREAS

Litigation
Students
Governance
Employment

EDUCATION

South Texas College of Law (2003)
Texas A&M University at College Station (1997)

MEMBERSHIP

National School Boards Association Council of School Attorneys
Texas Council of School Attorneys
State Bar of Texas, School Law Section
American Bar Association
Hidalgo County Bar Association
Cameron County Bar Association

LICENSING & COURT ADMISSIONS

Licensed in the State of Texas
United States District Court for the Southern District of Texas
United States Fifth Circuit Court of Appeals
United States Supreme Court

RIO GRANDE VALLEY OFFICE

**MIGUEL A.
SALDAÑA****ASSOCIATE**

Phone: (956) 647-5122 | Fax: (956) 647-5421

“We’re here to support the schools of the Rio Grande Valley. When we can free-up our educators to focus on serving students, we’ve done good work for our community.”



Miguel A. Saldaña is a native of Brownsville, Texas and the current leader of Walsh Gallegos’ Rio Grande Valley Office. In addition to his general school law practice, Mike focuses on litigation involving school employment and personnel issues as well as facilities and business.

An experienced litigator with over 69 jury trials in his career, Mike has argued successfully before the Texas 13th Court of Appeals, the Texas Supreme Court, and the U.S. 5th Circuit Court of Appeals.

Prior to joining the firm, Mike served as a school board trustee, board president and later as general counsel to the Brownsville Independent School District.

PRACTICE AREAS

Litigation
Governance
Employment

EDUCATION

University of Texas School of Law, J.D. (1988)
University of Texas at Austin, Bachelor of
Business Administration, with Honors (1975)

MEMBERSHIP

National School Boards Association Council of School
Attorneys
Texas Council of School Attorneys
State Bar of Texas, School Law Section
American Bar Association
Hidalgo County Bar Association
Cameron County Bar Association

**LICENSING & COURT
ADMISSIONS**

Licensed in the State of Texas
United States District Court for the Southern District
of Texas
United States Fifth Circuit Court of Appeals



RIO GRANDE VALLEY OFFICE

PRISCILLA DE LA GARZA

ASSOCIATE

Phone: (956) 647-5122 | Fax: (956) 647-5421

"I want to take legal burdens from educators, administrators, and boards and allow them to focus on what they do best - educating the kids of America."



Priscilla de la Garza was born and raised in the Rio Grande Valley, and made it a priority to return upon law school graduation in order to serve her community. She aspires to do so by being an advocate for public school districts and allowing them to focus on educating those children who are the future of this country.

Ms. de la Garza received her legal degree at the University of Texas School of Law. There, she was a member of the Chicano-Hispanic Law Students Association and actively participated in the University's clinical program. Prior to law school, she attended the University of Texas Pan-American, where she received a Bachelor of Arts in Psychology.

PRACTICE AREAS

Students
Governance
Facilities & Business

EDUCATION

University of Texas School of Law
- Chicano/Hispanic Law Students Association (CHLSA), Member

University of Texas Pan-American (B.A. Psychology)

LICENSING & COURT ADMISSIONS

Licensed in the State of Texas

MEMBERSHIP

State Bar of Texas, School Law Section
National School Boards Association
Council of School Attorneys
Texas Council of School Attorneys

SAN ANTONIO OFFICE

D. CRAIG WOOD

SHAREHOLDER

Phone: (210) 979-6633 | Fax: (210) 979-7024

“School districts have a lot on their plates. Sharing legal knowledge in a straightforward manner helps them lower risk and up effectiveness. That’s what we all want.”



D. Craig Wood represents school districts across a broad array of legal issues in the areas of employment and student law, governance, and litigation.

Craig has handled civil rights and other constitutional claims, employment disputes, student discipline and personnel matters, and elections and voting rights issues. He has also represented school districts in special education, construction contracts, risk management, real estate, and various types of litigation involving the potential liability of school districts, board members and administrators.

An active speaker, Craig has conducted hundreds of presentations to train school personnel, fellow lawyers, and graduate students on a great variety of school law topics.

PRACTICE AREAS

Students
Litigation
Governance
Employment

MEMBERSHIP

National School Boards Association
Council of School Attorneys
Texas Council of School Attorneys
State Bar of Texas
San Antonio Bar Association
Bar Association of the Fifth Federal Court

EDUCATION

University of Texas School of Law (1989)
Oklahoma State University (1986)

LICENSING & COURT ADMISSIONS

Licensed in the State of Texas
Supreme Court of the United States
United States Fifth Circuit Court of Appeals
United States District Court for the Northern, Southern, and Western District of Texas

SAN ANTONIO OFFICE

**WINIFRED (WINNIE)
DOMINGUEZ****SHAREHOLDER**

Phone: (210) 979-6633 | Fax: (210) 979-7024

“Growth is change, and change is tough for people in any profession. I can help clients make more confident, timely decisions. It’s all about information and communication.”



Winifred (Winnie) Dominguez brings an in-depth understanding of people to her practice of law. Prior to attending law school, she gained first-hand experience with community challenges while practicing as a professional social worker in mental health.

After graduating law school, Winnie worked in both public and private sectors on commercial facilities, business, and related litigation, as well as construction and real estate, bankruptcy, and creditors' rights.

From 1994 to 2004, Winnie owned and operated her own, full-service law firm. Immediately prior to joining Walsh Gallegos, she worked for the City of San Antonio regarding real estate and construction matters for the San Antonio International Airport Expansion Program.

PRACTICE AREAS

Facilities & Business

EDUCATION

St. Mary's School of Law (1987)

University of Texas at Austin, Social Work

LICENSING & COURT ADMISSIONS

Licensed in State of Texas

MEMBERSHIP

National School Boards Association Council of School Attorneys

Texas Association of School Boards Council of School Attorneys

State Bar of Texas

SAN ANTONIO OFFICE

EDDY HERNANDEZ PEREZ

ASSOCIATE

Phone: (210) 979-6633 | Fax: (210) 979-7024

“Providing school districts with first-rate legal advice allows educators to focus on the bottom line: making sure kids and families succeed. As a former teacher, it is an honor and privilege to assist educators achieve their goals.”



Eddy Hernandez Perez has a track record of service and dedication to Texas public schools. Eddy pursues his passion for supporting educators through his representation of school districts in the areas of general school law, governance, and business transactions.

Prior to joining Walsh Gallegos, Eddy taught bilingual fifth grade on the West Side of San Antonio through Teach for America. He later earned a master's degree in education policy and management from Harvard University, and worked in the family and community engagement department of a large urban school district.

Eddy excelled in law school and served as the president of the Chicano/Hispanic Law Students Association (CHLSA), as well as staff editor for the Texas Journal for Civil Liberties and Civil Rights. During law school, Eddy clerked for the Texas Association of School Boards (TASB), the Texas Charter Schools Association, and Walsh Gallegos.

PRACTICE AREAS

Governance
Facilities & Business
General School Law

MEMBERSHIP

National School Boards Association
Council of School Attorneys
Texas Council of School Attorneys
State Bar of Texas, School Law Section
and Construction Law Section

LICENSING & COURT ADMISSIONS

Licensed in the State of Texas

EDUCATION

University of Texas School of Law
- Chicano/Hispanic Law Students Association (CHLSA), President
- Texas Journal for Civil Liberties and Civil Rights, Staff Editor
- Hispanic National Bar Association Moot Court Team
Harvard Graduate School of Education (Ed.M. in Education Policy and Management)
- Urban Scholars Fellow
Boston College (B.A. in History, Magna Cum Laude)
- Order of the Cross and Crown
- Phi Beta Kappa

HOUSTON OFFICE

**BRIAN (MAX)
TRINIDAD****ASSOCIATE**

Phone: (713) 789-6864 | Fax: (713) 789-9318

"I believe in the power of education and in equitable opportunity for students, and these beliefs drive my work for our clients, ensuring every student reaches their full potential."



Max is passionate about public service, access to education, civil rights, and equal opportunity. Before joining Walsh Gallegos, Max worked as a Staff Attorney at Lone Star Legal Aid in Houston where he assisted clients affected by Hurricane Harvey. After legal aid, Max worked as Assistant Compliance Officer in the University of Houston's Office of Compliance & Ethics. In this role, he served as Director of Policy Management, where he managed the system's policy development process, including analyzing, drafting, reviewing, and editing policies for the university to ensure legal and regulatory compliance.

Max earned his legal degree from the University of Houston Law Center and his undergraduate degree from the University of Texas at Austin. While in law school, Max was a judicial intern for the U.S. District Court, Southern District of Texas, and received a public interest fellowship to intern in the Financial Services Reform Initiative at Texas Appleseed in Austin, Texas. Max then served as a legal extern at the U.S. Department of Housing and Urban Development's office in Houston, and was also a law clerk both at the Office of the Chair at the U.S. Equal Employment Opportunity Commission in Washington, D.C., and at an employee rights law firm in New York City. Max also was a law clerk at the Texas Civil Rights Project in Houston, and interned in the Texas Senate during the 2017 legislative session.

PRACTICE AREAS

Governance
Employment
Students

**LICENSING & COURT
ADMISSIONS**

Licensed in State of Texas

EDUCATION

University of Houston Law Center (2017)
University of Texas-Austin (2011)

MEMBERSHIP

National School Boards Association
Council of School Attorneys
Texas Council of School Attorneys
State Bar of Texas, School Law Section



APPENDIX B



List of All Firm Attorneys as of February 19, 2021

RIO GRANDE VALLEY ATTORNEYS

<u>NAME</u>	<u>YEAR OF ADMISSION</u>	<u>AREA OF PRACTICE</u>	<u>YEARS OF PRACTICE</u>
<u>SHAREHOLDERS</u>			
Leandra Ortiz 24043854	2004	Employment Law, Student Issues and Governance	16
<u>ASSOCIATES</u>			
Priscilla de la Garza 24105786	2017	Employment Law, Student Issues and Governance	3
Miguel A. Saldaña 17529450	1989	Employment Law, Insurance Defense Services, Litigation and Facilities & Business	31

SAN ANTONIO ATTORNEYS

<u>NAME</u>	<u>YEAR OF ADMISSION</u>	<u>AREA OF PRACTICE</u>	<u>YEARS OF PRACTICE</u>
<u>SHAREHOLDERS</u>			
Joe A. De Los Santos 24007100	1998	Governance, Litigation and Insurance Defense Services	22
Stacy Castillo 796322	1996	Employment Law, Student Issues, Governance, and Litigation	24
Robb Decker 24029513	1999	Employment Law, Student Issues,	21

		Governance, and Litigation	
Winifred Dominguez 5965700	1986	Construction, Facilities & Business and Real Estate	34
Elvin W. Houston 24046110	2004	Special Education/Disability Law	16
Paige C. Kyle 01951050	1987	Employment Law and Governance	33
John M. Muniz 24083539	2012	Special Education/Disability Law	8
Elizabeth G. Neally 14840400	1987	Employment Law, Student Issues, Insurance Defense Services and Litigation	33
Katie Payne 24071347	2010	Employment Law, Student Issues, Governance, and Litigation	10
Tony Resendez 00798460	1997	Employment Law, Elections and Governance	23
Eric G. Rodriguez 24049755 (TX) 152859 (NM)	2005 (TX) 2019 (NM)	Insurance Defense Services, Student Issues, Litigation, Governance and Employment Law	15
Robert Russo 17443500	1977	Student Issues, Governance, Election and Employment Issues	43
D. Craig Wood 21888700	1989	Employment Law and Litigation	31
<u>ASSOCIATES</u>			
Jameson C. Baker 24077904	2014	Employment Law and Litigation	6
Destinee Gesing 24096406	2018	Facilities & Business	2

Jennifer Hall 24004763	1998	Student Issues, Governance, and Employment Law	22
Eddy Hernandez Perez 24105929	2017	Facilities & Business	3

AMARILLO ATTORNEY

<u>NAME</u> <u>BAR NUMBER</u>	<u>YEAR OF</u> <u>ADMISSION</u>	<u>AREA OF PRACTICE</u>	<u>YEARS OF</u> <u>PRACTICE</u>
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ASSOCIATE

Andrea Slater Gulley 24045994	2004	Students, Special Education, Governance, and Employment	16
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AUSTIN ATTORNEYS

<u>NAME</u> <u>BAR NUMBER</u>	<u>YEAR OF</u> <u>ADMISSION</u>	<u>AREA OF PRACTICE</u>	<u>YEARS OF</u> <u>PRACTICE</u>
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SHAREHOLDERS

Christine Badillo 24046866	2004	Elections, Student Issues, Employment Law and Governance	16
Todd A. Clark 04298850	1991	Litigation, Facilities & Business and Employment Law	29
Mark C. Goulet 00787572	1993	Employment Law, Governance and Student Issues	27
Ann Greenberg 00795814	1996	Construction, Facilities & Business, and Litigation	24
Denise Hays 09299700	1989	Special Education/Disability Law and Student Issues	31

Kelley Kalchthaler 24074509	2010	Employment Law, Governance, and Student Issues	10
Joey Moore 24027523	2000	Employment Law, Student Issues, and Governance	20
Bridget R. Robinson 17086800	1988	Litigation (Board Certified, Civil Trial Law, Texas Board of Legal Specialization), Employment Law	32
Oscar G. Treviño 20211275	1991	Employment Law and Litigation	29
Haley E. Turner 24067914	2009	Employment Law, Governance, and Student Issues	11
Jim Walsh 20800200	1975	Special Education/Disability Law, Employment Law, Governance and Student Issues	45
<u>ASSOCIATES</u>			
Carlos E. Alferez 24116015	2019	Facilities and Business, Governance, Employment, Students	1
Henry Green Bostwick 24099415	2016	Special Education, and Student Issues	4
Douglas Brock 24078261	2011	Employment Law, Governance, and Student Issues	9
Jennifer Childress 00789220	1994	Litigation	26
Shellie Hoffman Crow 09788380	1991	Employment Law, Student Issues and Governance	29
David Holmes 24108786	2018	Employment, Litigation, Elections Law, Students, Governance	2

Kelly Janes 24066069	2008	Special Education/Disability Law and Construction	12
Jamie Turner 24044118	2004	Special Education, and Student Issues	16

HOUSTON ATTORNEYS

<u>NAME</u>	<u>YEAR OF ADMISSION</u>	<u>AREA OF PRACTICE</u>	<u>YEARS OF PRACTICE</u>
<u>SHAREHOLDERS</u>			
Paula Maddox Roalson 00788286	1993	Special Education/Disability Law	27
<u>SENIOR COUNSEL</u>			
Melanie Charleston 24041008	2003	Employment Law, Student Issues and Governance	17
<u>ASSOCIATES</u>			
Morgan Beam 24101447	2016	Employment Law, Governance, Student Issues and Litigation	4
Christina G. Henshaw 24055522	2006	Special Education, Governance and Students Issues	14
P. Blake Henshaw 24059925	2007	Employment Law, Governance, Student Issues and Litigation	13
Sydney Keller 24108742	2020	Special Education/Disability Law	<1
Brian "Max" Trinidad 24106517	2017	Employment Law, Governance, Student Issues, Elections and Higher Education	3

IRVING ATTORNEYS

<u>NAME</u>	<u>YEAR OF ADMISSION</u>	<u>AREA OF PRACTICE</u>	<u>YEARS OF PRACTICE</u>
<u>SHAREHOLDERS</u>			
Nona C. Matthews 00787982	1993	Special Education/Disability Law	27
Laura Rodriguez McLean 24007937	1998	Employment Law, Student Issues, Governance, Elections and Litigation	22
Sandi Pearson Tarski 15695550	1986	Employment Law, Student Issues and Governance	34
Meredith Walker 24056487	2006	Litigation	14
Jan Watson 24035847	2005	Special Education/Disability Law	15
<u>ASSOCIATES</u>			
Trilby Argubright 24109595	2018	Governance, Facilities & Business	2
Rhodes "Lindy" French 24115052	2020	Special Education/Disability Law	<1
Ali Mosser 24107297	2019	Litigation, Employment, Students	1
Elisabeth Nelson 24050525	2005	Governance, Facilities & Business	15
Wesley Nute, Jr. 24085728	2013	Governance, Employment & Students	7
John Wilder 24110532	2018	Employment Law, Student Issues, Governance	2

Demi Williams 24084101	2012	Litigation	8
Leah Wingerson 24044970	2006	Employment Law, Student Issues, Governance	14

ALBUQUERQUE ATTORNEYS

<u>NAME</u>	<u>YEAR OF ADMISSION</u>	<u>AREA OF PRACTICE</u>	<u>YEARS OF PRACTICE</u>
<u>SHAREHOLDER</u>			
Elena M. Gallegos 21775 (NM) 07588870 (TX)	2005 (NM) 1988 (TX)	Board Governance, Litigation, Student Issues, Special Education / Disability Law	32
Evelyn N. Howard-Hand 144001 (NM) 10089200 (TX)	2012 (NM) 1983 (TX)	Special Education / Disability Law, Litigation	37
Karla A. Schultz 132591 (NM) 24056819 (TX)	2009 (NM) 2007 (TX)	Labor and Employment Law, Governance, Student Issues	13
<u>SENIOR COUNSEL</u>			
Rodney Gabaldon 10514 (NM) 24056644 (TX)	1998 (NM) 2006 (TX)	Labor and Employment Law, Governance, Student Issues, Litigation, Business Transactions	22
<u>ASSOCIATES</u>			
Barry J. Berenberg 28105 (NM)	2007	Litigation, Governance, Employment, and Facilities & Business	13
Lori Gerkey 150550 (NM)	2017	Special Education and Student Issues	3



APPENDIX C



QBE Insurance Corporation
A Stock Company

LAWYERS PROFESSIONAL LIABILITY INSURANCE POLICY DECLARATIONS

INSURER	UNDERWRITING OFFICE	PRODUCER
QBE Insurance Corporation 55 Water Street, New York, New York 10041	55 Water Street 20th Floor New York, NY 10041	Willis of New Hampshire, Inc. 4211 W. Boy Scout Blvd., Suite 1000 Tampa, FL 33607

NOTICE: THIS IS A CLAIMS MADE AND REPORTED POLICY AND SUBJECT TO ITS PROVISIONS APPLIES ONLY TO CLAIMS WHICH ARE BOTH FIRST MADE AGAINST THE INSURED AND REPORTED TO THE INSURER DURING THE POLICY PERIOD OR ANY EXTENDED REPORTING PERIOD, IF APPLICABLE. CLAIM EXPENSES ARE INCLUDED WITHIN THE LIMIT OF LIABILITY.

PLEASE READ THE ENTIRE POLICY CAREFULLY.

Terms appearing in **bold** are defined in the Policy.

Item 1: **Named Insured:** Walsh Gallegos Trevino Russo & Kyle P.C.
Mailing Address: 505 East Huntland Drive, Suite 600
Austin, TX 78752

Item 2: **Policy Period** From: 4/29/2020 To: 4/29/2021
At 12:01 A.M. Standard Time at the mailing address stated in Item 1

Item 3: Limit of Liability:

a. Each Claim	<u>\$5,000,000</u>
b. Aggregate	<u>\$5,000,000</u>

Item 4: Deductible Amount:

a. Each Claim	<u>\$25,000</u>
b. Aggregate	<u>\$25,000</u>

Item 5: Predecessor Firm(s):

Item 6: Premium:

Premium:	<u>\$90,349</u>
Surcharges and Taxes (if any)	<u>\$0</u>
Total Premium, Surcharges, and Taxes	<u>\$90,349</u>

Item 7: Retroactive Date: NONE

Item 8:	A. Notice to Insurer of a Claim or circumstance:	B. All Other Notices to Insurer
	[QBE Insurance Corporation]	[QBE Insurance Corporation]
	[Attn: The Claims Manager]	[Attn: Underwriting]
	[55 Water Street]	[55 Water Street]
	[New York, New York 10041]	[New York, New York 10041]
	[Telephone: (877) 772-6771]	[Telephone: (877) 772-6771]
	[Email: professional.liability.claims@us.qbe.com]	[Email: MLPLadmin@us.qbe.com]

Item 9: Endorsements Applicable to Coverage at Inception of Policy: See Schedule of Forms and Endorsements

THESE DECLARATIONS, TOGETHER WITH THE COMPLETED AND SIGNED APPLICATION FOR THIS POLICY, ALL MATERIALS SUBMITTED THEREWITH OR MADE A PART THEREOF AND THE POLICY FORM ATTACHED HERETO, CONSTITUTE THE POLICY.

This Policy shall not be valid unless signed by a duly authorized representative of the **Insurer**.

Countersigned:

Date

by



Authorized Representative



APPENDIX D

Walsh Gallegos Treviño Russo & Kyle P.C.

List of Texas Clients as of 2/19/2020

588 Special Education Co-op
Abilene ISD
Academy ISD
Alamo Heights ISD
Aledo ISD
Alice ISD
Allen ISD
Fort Elliott CISD
Alpine ISD
Alvarado ISD
Alvin ISD
Amarillo ISD
Anderson County SE Co-op
Anderson County Appraisal District
Anderson-Shiro CISD
Anna ISD
Agua Dulce ISD
Aransas Pass ISD
Arp-Troup SSA
Athens ISD
Austin College
Austwell-Tivoli ISD
Azle ISD
Ballinger ISD
Bandera ISD
Bartlett ISD
Bastrop ISD
Bay City ISD
BCFS Education Services
Beeville ISD
Bell County Co-op
Bells ISD
Bellville ISD
Belton ISD
Freestone-Navarro Bi-County Co-op
Bi-County Special Education SSA (Gail)
Big 4 Educational Services Co-op
Big Sandy ISD
Big Sandy ISD (Dallardsville)
Big Spring ISD
Big Thicket Co-op
Birdville ISD
Blanco ISD
Blanket ISD
Bloomington ISD
Bluff Dale ISD

Boerne ISD
Boling ISD
Bonham ISD
Bosqueville ISD
Brady ISD
Braination, Inc.
Brazos ISD
Breckenridge ISD
Bridge City ISD
Brooks County ISD
Bronte ISD
Brookeland ISD
Brookesmith ISD
Brownsville ISD
Brownwood ISD
Bruceville-Eddy ISD
Brush Country Co-op
Bryan ISD
Buddy Alford DAEP Of Western Bowie County
Buna ISD
Burkburnett ISD
Burleson-Milam Co-op
Burnet CISD
Bushland ISD
Calallen ISD
Caldwell ISD
Callisburg ISD
Campbell ISD
Canton ISD
Canutillo ISD
Canyon ISD
Carrizo Springs CISD
Carroll ISD
Carrollton-Farmers Branch ISD
Cass County SSA
Castro County Comprehensive Education SSA
Cedar Hill ISD
Center Point ISD
Center ISD
Central ISD
Central Heights ISD
Channelview ISD
Chapel Hill ISD (Tyler)
Charlotte ISD
Chico ISD
Chilton ISD
China Spring ISD

Chireno ISD
City View ISD
Clay-Jack SSA
Cleburne ISD
Clifton ISD
Clint ISD
Cluster XII Co-op
Clyde CISD
Coldspring-Oakhurst CISD
Coleman ISD
Coleman-Ballinger-Winters Co-op
Colorado River SSA
Columbus ISD
College Station ISD
Comanche ISD
Comanche Special Services Co-op
Comfort ISD
Commerce ISD
Community ISD
Como-Pickton CISD
Comstock ISD
Connally ISD
Cooke County SSA
Coppell ISD
Copperas Cove ISD
Corpus Christi ISD
Corpus Christi Montessori School
Corsicana ISD
Cotulla ISD
Crandall ISD
Crane ISD
Crawford ISD
Crowley ISD
Cuero ISD
Culberson County-Allamore ISD
Cypress-Fairbanks ISD
D'Hanis ISD
Dalhart ISD
Dayton ISD
Desoto ISD
Decatur ISD
Del Valle ISD
Denison ISD
Denton ISD
Devine ISD
Dew ISD
Deweyville ISD
Dewitt-Lavaca SE Co-op
Diboll ISD

Walsh Gallegos Treviño Russo & Kyle P.C.

List of Texas Clients as of 2/19/2020

Dickinson ISD
Dilley ISD
Dimmitt ISD
Donna ISD
Doss CCSD
Dripping Springs ISD
Dumas ISD
Duncanville ISD
Eagle Mt. - Saginaw ISD
Responsive Education Solutions
East Bernard ISD
Eanes ISD
Early ISD
East Central ISD
East End Education SSA
Eastland ISD
Eastern Panhandle SSA
Ector County ISD
Edinburg CISD
Edna ISD
Education Career Alternatives Program, Ltd.
El Campo ISD
El Paso ISD
Electra ISD
Elgin ISD
Ellis County SSA
Ennis ISD
Evadale ISD
Ezzell ISD
Fabens ISD
Fairfield ISD
Faith Family Academy
Falls City ISD
Falls Education Co-op
Fannin County SSA
Fayetteville ISD
Ferris ISD
Florence ISD
Floresville ISD
Forney ISD
Forsan ISD
Frank Phillips College
Franklin ISD
Friendswood ISD
Frisco ISD
Fort Bend ISD
Fort Davis ISD
Fort Sam Houston ISD

Fort Stockton ISD
Fort Worth ISD
Frank Phillips College
Gainesville ISD
Garland ISD
Gause ISD
Georgetown ISD
Gholson ISD
Giddings ISD
Gladewater ISD
Glen Rose ISD
Goldthwaite ISD
Goliad ISD
Gonzales ISD
Goose Creek CISD
Graford ISD
Granbury ISD
Grand Prairie ISD
Grand Saline ISD
Grapeland ISD
Grapevine-Colleyville ISD
Grayson County Co-op
Greater Gulf Coast Co-op
Gregg County Special Education SSA
Gregory-Portland ISD
Grimes County SE Co-op
Groesbeck ISD
Gustine ISD
High Plains SSA
Central Texas Shared Services
Hallettsville ISD
Hamshire-Fannett ISD
Hardin ISD
Hardin-Jefferson ISD
Harlandale ISD
Harlingen CISD
Harper ISD
Harrison County Co-op
Haskell-Knox SSA
Hawkins ISD
Hays CISD
Heartland Special Education Co-op
Henderson ISD
Hereford ISD
Hermleigh ISD
High Island ISD
Highland Park ISD

Hill Country Co-op
Hill County SSA
Hillsboro ISD
Hitchcock ISD
Holland ISD
Hopkins County Co-op
Joaquin ISD
Johnson City ISD
Holliday ISD
Honda SSA
Hondo ISD
Houston-Trinity County Shared Services
Hudson ISD
Hunt ISD
Huntington ISD
Huntsville ISD
Hurst-Eules-Bedford ISD
Huston-Tillotson University
Hutto ISD
Ingleside ISD
Iowa Park CISD
Iredell ISD
Irving ISD
Italy ISD
Itasca ISD
Jacksboro ISD
Jacksonville ISD
Jarrell ISD
Jasper ISD
Jonesboro ISD
Jourdanton ISD
Judson ISD
Karnack ISD
Karnes City ISD
Katy ISD
Kaufman ISD
Keller ISD
Kemp ISD
Kenedy ISD
Kenedy County-Wide CSD
Kennedale ISD
Kermit ISD
Kilgore ISD
Knippa ISD
Kountze ISD
La Feria ISD
La Grange ISD
La Porte ISD

Walsh Gallegos Treviño Russo & Kyle P.C.

List of Texas Clients as of 2/19/2020

La Pryor ISD
La Vega ISD
La Vernia ISD
Lackland ISD
Lago Vista ISD
Lake Dallas ISD
Lake Travis ISD
Lake Worth ISD
Lancaster ISD
Lasara ISD
Lavaca County Central Appraisal District
Leander ISD
Lewisville ISD
Lexington ISD
Liberty Hill ISD
Linden-Kildare CISD
Little Cypress-Mauriceville CISD
Little Elm ISD
Livingston ISD
Llano ISD
Lockhart ISD
Loraine ISD
Los Fresnos CISD
Lovejoy ISD
Lubbock ISD
Lufkin ISD
Luling ISD
Lytle ISD
Magnolia ISD
Malakoff ISD
Manor ISD
Mansfield ISD
Marathon ISD
Marble Falls ISD
Marfa ISD
Marion ISD
Mart ISD
Martinsville ISD
Matagorda ISD
Matagorda County Educational Services
McAllen ISD
McDade ISD
Medina Valley ISD
Menard Special Education Co-op
Menard ISD
Merkel ISD
Mesquite ISD

Meyersville ISD
Midland ISD
Midlothian ISD
Midway ISD
Miles ISD
Montague County SSA
Montague ISD
Montgomery ISD
Moody ISD
Morgan ISD
Morgan Mill ISD
Moulton ISD
Mullin ISD
Nacogdoches County Schools' SSA
Nacogdoches ISD
Natalia ISD
Navarro ISD
Navasota ISD
Nederland ISD
New Braunfels ISD
New Caney ISD
New Diana ISD
Nixon-Smilely CISD
Nordheim ISD
Northside ISD
Northwest Texas SSA
Nursery ISD
Oakwood ISD
Odem-Edroy ISD
Olney ISD
Olton ISD
Orange Grove ISD
Orangefield ISD
Ore City ISD
Paint Creek ISD
Palacios ISD
Palestine ISD
Palmer ISD
Palo Pinto County Special Education SSA
Pampa ISD
Panther Creek CISD
Parmer County SSA
Pawnee ISD
Pearland ISD
Pearsall ISD
Pecos-Barstow-Toyah ISD
Pecos River Valley Co-op

Perryton Special Education SSA
Penelope ISD
Pettus ISD
Pflugerville ISD
Pine Tree ISD
Pittsburg ISD
Plano ISD
Pleasant Grove ISD
Pleasanton ISD
Point Isabel ISD
Poteet ISD
Poth ISD
Port Arthur ISD
Prairie Lea ISD
Prairie Valley ISD
Prosper ISD
Quinlan ISD
Quitman ISD
Rains ISD
Ranger College
Red Oak ISD
Redwater ISD
Region 1 ESC
Region 2 ESC
Region 3 ESC
Region 6 ESC
Region 7 ESC
Region 9 ESC
Region 10 ESC
Region 12 ESC
Region 13 ESC
Region 15 ESC
Region 16 ESC
Region 19 ESC
Region 20 ESC
Ricardo ISD
Richardson ISD
Riesel ISD
Rio Grande City CISD
Rio Hondo ISD
Riviera ISD
River Road ISD
Robertson County Special Services
Robinson ISD
Robstown ISD
Rochelle ISD
Rockdale ISD
Rockwall ISD
Rogers ISD

Walsh Gallegos Treviño Russo & Kyle P.C.

List of Texas Clients as of 2/19/2020

Rotan ISD
Round Rock ISD
Round Top-Carmine ISD
Royal ISD
Royse City ISD
Runge ISD
Rusk County Special Education SSA
Sabinal ISD
Sabine County SSA
Salado ISD
San Angelo ISD
San Benito CISD
San Marcos CISD
San Perlita ISD
Sanger ISD
Santa Anna ISD
Santa Gertrudis ISD
Santa Rosa ISD
Schertz-Cibolo-Universal City ISD
Schulenburg ISD
Scurry-Rosser ISD
Sealy ISD
Seguin ISD
SELCO SSA
Seminole ISD
Seymour ISD
Sheldon ISD
Shepherd ISD
Sherman ISD
Shiner ISD
Sierra Blanca ISD
Silsbee ISD
Skidmore-Tynan ISD
Small Schools Co-op
Smithville ISD
Snook ISD
Snyder ISD
Somerset ISD
Somerville ISD
Sonora ISD
South Jasper County Co-op
South San Antonio ISD
South Texas ISD
Southside ISD
Southwest ISD
Southwest Texas Junior College
South Plains Educational Co-op (SPECO SSA)

Splendora ISD
Spring Creek ISD
Springtown ISD
Stamford ISD
Stephenville ISD
Stockdale ISD
Strawn ISD
Sulphur Springs ISD
Sunnyvale ISD
Sweeny ISD
Sweet Home ISD
Tarkington ISD
Texas Association for School Nutrition
Tatum ISD
Taylor ISD
Taylor-Callahan Education SSA
Teague ISD
Texarkana ISD
Terrell ISD
Terrell County ISD
Thrall ISD
Three Rivers ISD
Timpson ISD
Tolar ISD
Texas Professional Educational Diagnosticians' Board of Registry, Inc.
Throckmorton Collegiate ISD
Tornillo ISD
Tri-County Education SSA (Stamford/Reg 14)
Tri-County Educational SSA (Commerce/Reg 10)
Trinity Basin Preparatory Schools
Trinity ISD
Troy ISD
Tuloso-Midway ISD
Tyler ISD
Uplift Education
Upshur County SSA
Utopia ISD
Uvalde CISD
Van ISD
Van Vleck ISD
Valley Mills ISD
Valley View ISD
Venus ISD
Victoria ISD

Vidor ISD
Waco ISD
Waelder ISD
Wall ISD
Waxahachie ISD
Webb CISD
Weslaco ISD
West ISD
West Central Texas SSA
West Hardin County CISD
West Oso ISD
West Sabine ISD
West Wichita County SE Co-op
Western Bowie County SSA
Western Red River SSA
Wharton ISD
Whitehouse ISD
Whitewright ISD
White Settlement ISD
Wichita Falls ISD
Wil-Cam Pupil Services Co-op
Willis ISD
Wills Point ISD
Wimberley ISD
Windthorst ISD
Winona ISD
Winnsboro ISD
Winters ISD
Wise County Shared Services
Woden ISD
Wolfe City ISD
Wood County Special Education SSA
Woodsboro ISD
Wylie ISD
Yantis ISD
Yoakum ISD
Yorktown ISD
Ysleta ISD

Walsh Gallegos Treviño Russo & Kyle P.C.
List of Governmental Entity or Association Clients

CLIENT NAME
ANDERSON COUNTY APPRAISAL DISTRICT
CENTRAL TEXAS ASSOCIATION OF SCHOOL PERSONNEL ADMINISTRATORS
CITY OF WEST LAKE HILLS
DEWITT COUNTY APPRAISAL DISTRICT
HUSTON-TILLOTSON UNIVERSITY
FRANK PHILLIPS COLLEGE
LAREDO COMMUNITY COLLEGE
LAVACA COUNTY CENTRAL APPRAISAL DISTRICT
RANGER COLLEGE
SOUTHWEST TEXAS JUNIOR COLLEGE
TACS ADVOCACY FUND
TARRANT APPRAISAL DISTRICT
TEDA
TEXAS ASSOC. FOR THE GIFTED & TALENTED
TEXAS ASSOCIATION FOR SCHOOL NUTRITION
TEXAS ASSOCIATION OF SCHOOL BOARDS
TEXAS ASSOCIATION OF SCHOOL PERSONNEL ADMIN
TEXAS ASSOCIATION OF SECONDARY SCHOOL PRINCIPALS
TEXAS COUNCIL OF ADMINISTRATORS OF SPECIAL EDU.
TEXAS PROFESSIONAL EDUCATIONAL DIAGNOSTICIANS' BOARD OF REGISTRY, INC.
TEXAS SOUTHMOST COLLEGE DISTRICT
TRAVIS COUNTY
UNIVERSITY OF HOUSTON SYSTEM
UNIVERSITY OF INCARNATE WORD
UNIVERSITY OF TEXAS SYSTEM, THE
YMCA OF GREATER WILLIAMSON COUNTY



APPENDIX E

**SECTION 1
ACKNOWLEDGEMENT OF RECEIPT**

**THIS FORM MUST BE COMPLETED AND FAXED OR EMAILED
UPON RECEIVING THE REQUEST FOR QUALIFICATIONS (RFQ)**

Please fill in the requested information below as acknowledgement that you have received the RFQ and intend to respond. Send the completed page via fax or as an email attachment with the subject line "20-21-1026 Request for Qualifications - Legal Services" to the following contact information:

South Texas College
Purchasing Department
Fax: (956) 872-4688
Email: stcpurchasing@southtexascollege.edu

By doing this, we will be able to provide notification of any addenda to the RFQ.

Name of Attorney or Firm: Walsh Gallegos Treviño Russo & Kyle P.C.

Address: 6770 W. Expressway 83, Suite 301

City/State/Zip: Harlingen, Texas 78552

Phone: (956) 647-5122 Fax: (956) 647-5421

Name: (Print) Leandra Costilla Ortiz

Title: Shareholder

Signature: Leandra C. Ortiz Date: 02/21/21

X Yes, our firm does have an interest in responding.

 No, our firm does not have an interest in responding.

EXHIBIT 2
EXECUTION OF OFFER

In compliance with this RFQ, and subject to all the conditions herein, the undersigned offers and agrees to furnish any or all goods and/or services at the prices quoted. Failure to sign this Execution of Offer ("Offer"), or signing it with a false statement, shall void the Qualifications and any resulting contract and may cause the Respondent to be removed from STC vendor lists.

By signature hereon, the Respondent hereby certifies that it:

- i) is a lawfully established business and is regularly engaged in providing the goods and/or services requested herein.
- ii) has the necessary experience, knowledge, abilities, skills, and resources to provide the goods and/or perform the services requested herein.
- iii) is not currently delinquent in the payment of any franchise taxes owed to the State of Texas under Chapter 171 of the Tax Code or is not subject to the payment of such taxes, and the Respondent agrees that any false statement with respect to its franchise tax status shall be a material breach of any contract that may result from the submission of the Qualifications.
- iv) is not currently delinquent in the payment of any property taxes owed to STC.
- v) is aware that if Texas Government Code § 2252.908 is applicable to any contract awarded to the Respondent as a result of this RFQ, the Respondent is required to make an electronic filing of Form 1295 with the Texas Ethics Commission as a condition of being awarded the contract.
- vi) is a publicly-traded company or, if not a publicly-traded company, no owner, employee or director of the Respondent is either currently employed by STC or has been an employee of STC within the immediate twelve (12) months prior to the time set for the submission of Qualifications to this RFQ.
- vii) is not debarred, suspended or otherwise declared ineligible to contract by any federal, state or local public agency.
- viii) has not, in connection with the Qualifications, given or offered to give, and does not intend to and shall not give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor, or service to an employee or trustee of STC or to a family member of an STC employee or trustee.

By signature hereon, the Respondent hereby certifies that:

- a) neither the Respondent nor anyone acting on its behalf has violated the antitrust laws of the State, codified in Section 15.01, et seq., Texas Business and Commerce Code or the Federal antitrust laws, or has disclosed, directly or indirectly, any information contained in the Respondent's Qualifications to any competitor or any other person engaged in such line of business.
- b) pursuant to *Texas Local Government Code*, Chapter 176, all vendors who contract or seek to contract with "local governmental entity" such as STC may be required to complete a conflict of interest questionnaire ("CIQ") if the vendor has a relationship with an officer of STC who is considered a "local government officer" or with a family member of such officer. If completion of a CIQ is required as of the effective date or at any time during the term of the Contract, the Respondent shall file the CIQ with STC's designated records

administrator: Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor. At <https://www.ethics.state.tx.us/data/forms/conflict/CIQ.pdf>, the Respondent can find the official CIQ form along with a list of STC officers who are defined by Chapter 176 as "local government officers."

c) pursuant to *Texas Education Code*, Chapter 44.034, a person or business entity, **excluding** publicly-traded companies and certain vendors of library goods and services, that does business with STC, must notify STC if such person, or an owner or operator of such business entity, has ever been convicted of a felony, and must include in the notification a general description of the conduct that resulted in the felony conviction. At <https://finance.southtexascollege.edu/purchasing/purchase/files/Form-Criminal-History.pdf>, the Respondent can find a Criminal History Disclosure Form ("CHDF") that shall be used for this purpose. If the Respondent is required to submit a CHDF pursuant to Chapter 44.034 as of the effective date of the Contract or at any time during the term of the Contract, the Respondent shall send the CHDF to Mary G. Elizondo, Vice President of Finance and Administrative Services (marye@southtexascollege.edu), or her successor, with a copy to Rebecca Cavazos, Director of Purchasing (beckyc@southtexascollege.edu), or her successor.

c) the individual signing this Offer as well as the other documents included in the Qualifications is authorized to sign such documents on behalf of the Respondent and to bind the Respondent under any contract which may result from the submission of the Qualifications.

d) pursuant to Texas Government Code, Title 10, Subtitle D, Section 2155.004(b), the individual or business entity named in the Qualifications or contract is not ineligible to receive the specified contract and acknowledges that the contract may be terminated and payment withheld if this certification is inaccurate.

The Respondent hereby acknowledges that the Qualifications must include the Respondent's Taxpayer Identification Number and full legal name and address; the failure to sign the Qualifications will disqualify it; and the authorized agent signing the Qualifications may be required by STC to provide evidence of the agent's authority to bind the Respondent to a contract.

Signature: Leandra C. Ortiz

Printed Name: Leandra Costilla Ortiz

Title: Shareholder

Taxpayer Identification Number: 74-2279224

Respondent's Name: Walsh Gallegos Treviño Russo & Kyle P,C,

Street Address: 6770 W. Expressway, Ste. 301

City/State/Zip: Harlingen, Texas 78552

Telephone No.: 956-647-5122

Email: lortiz@wabsa.com

Fax No.: 956-647-5421

EXHIBIT 1
ADDENDA CHECKLIST

Any addenda issued by STC to this RFQ will become part of the RFQ. Addenda will be numbered sequentially. Respondent must indicate on this sheet the receipt of any and all addenda.

Receipt is hereby acknowledged of the following addenda to this RFQ.

No. 1 LC

No. 2 _____

No. 3 _____

No. 4 _____

Firm Name: Walsh Gallegos Treviño Russo & Kyle P.C.

Leandra C. Ortiz, Leandra Costilla Ortiz, Shareholder
Authorized Signature (only if addenda have been issued)