

MEETING MINUTES
SCHOOL BOARD OF SANTA ROSA COUNTY
WORKSHOP
October 25, 2012-2:00 PM

Items for Review and Discussion

A. RFP for BP Oil Spill Legal Services

Mr. Wyrosdick began by stating the reason we are here today is to listen to the presentation and ask questions of the law firms that have responded to our request to attend the workshop.

A request for proposal was originally issued January, 2011 inviting attorneys and/or legal firms interested in representing the School District in submitting claims and/or pursuing legal actions against parties responsible for any damages suffered by the School District or to be suffered by the School District as a result of the event referred to as the "BP Oil Spill." Five responses were received as a result of the RFP, however no decision was made at that time by the School District as to which law firm to use.

All five firms were contacted and asked if they were still interested in representing the School District. Two firms responded, Beasley, Allen, Crow, Methvin, Portis & Miles, P.C., and Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A. Both were asked to attend the workshop today to make a presentation and answer questions from the board.

Mr. Rick Stratton, Beasley Allen spoke to the board first noting that his company has been involved in complex class action suits, namely the Viox case. They have attorneys in their firm that are working with BP already and are in a unique situation with that process. They have filed suits for other Government entities, namely the State of Alabama, State of Louisiana, Walton County and numerous other municipalities. They currently do not represent any school districts.

Mr. Stratton explained the immediate concern is the deadline the court has set of January 14, 2013 to make a "presentment of our claim." The 3 years statute of limitation runs until April 20, 2013. The district must file the presentment of their claim prior to January 20, 2013 which will start a 90 day period in which BP can respond before the April 20th statute of limitation deadline.

There was additional discussion regarding Ad Valorem and property tax revenue loss. Mr. Stratton told the board that BP has decided they will not pay Ad Valorem tax losses, however we may be able to work something else out to show the losses the district has incurred as a result of the oil spill. Beasley Allen has economist that work with them to calculate losses. They already have a model in place that is suitable for a government body and we would not have to reinvent one. They have over 20 attorneys dedicated to the oil spill work with 3 of them working on government entities alone.

Mr. Nix Daniels, Beggs & Lane explained that the Levin Papantonio firm has formed a coalition with the firms of Weitz & Luxenberg, based in New York, Baron and Budd, based in Texas, Hinkle & Foran, based in Tallahassee, Beggs & Lane, based in Pensacola, and Morgan and Morgan, based in Orlando, to represent governmental entities who have suffered losses due to the oil spill. He shared with the board they have a great deal of experience representing government entities faced with losses from the BP oil spill. They currently include 13 cities in Florida, 8 counties, 1 town and 13 school districts. He was asked which school districts they represent and he responded Calhoun, Escambia County, Jefferson, Lee, Leon, Liberty, Martin, Miami-Dade, Monroe, Palm Beach, Polk, Volusia, and Wakulla.

Mr. Daniels also brought it to the board's attention that there is some urgency to making a decision. The presentment is an analysis of your claim if you intend to file a lawsuit. The statute of limitations

and the deadline for the presentment is coming up as Mr. Stratton explained earlier.

Mr. Daniels introduced Mr. O'Sullivan, an accountant whose firm has merged with two other companies and is working directly with Levin and Papantonio. Mr. O'Sullivan shared with the board that he has experience in and understands how government is funded. His agency will be working for the next 6-7 weeks thru December crunching numbers to prepare the "presentments."

Mr. Daniel shared with the board that there is power in numbers and since they have already submitted claims on behalf of several government entities a model has already been created. It would be just a matter of plugging in the appropriate figures for our district.

Mr. Daniels was asked about handling losses that might occur after we present our claim. He was also asked if the loss in student numbers could be included in a claim. Santa Rosa County was seeing growth prior to the oil spill and now the growth seems to have tapered off.

Last there was discussion regarding the urgency of making a decision on which law firm to sign with and whether to schedule a special meeting to handle this item only. A special school board meeting was scheduled for November 6, 2012.