



Board Agenda Item #	IV. D- Update Item
Date:	October 11, 2018
To:	Magnolia Educational & Research Foundation dba Magnolia Public Schools (“MPS”) Board of Directors (the “MPS Board”)
From:	Alfredo Rubalcava, CEO & Superintendent
Staff Lead:	Patrick Ontiveros, General Counsel & Director of Facilities
RE:	Board Informative – MPS Law Firms

I. Proposed Board Recommendation(s)

None.

II. Background

A. General

The Board has requested a list of all of the law firms MPS uses and the policies governing their use.

The law firms used by MPS is as follows:

Vendor	Specialty	Frequency of Use and Expected Use
Law Offices of William M. Nassar & Assoc.	General Legal; Has Advised Board on Various Matters	Not used since OIG investigation; may be used on a case by case basis
Law Offices of Young, Minney & Corr LLP	Charter School Law / Education Law	Expect ongoing use (for example, charter renewals, Prop 39 Co-Location Applications and Responses)
Musick, Peeler & Garrett LLP	Transactional	Expect ongoing use
Snell & Wilmer	Investigation of Gulen movement claims	Do not expect ongoing use



Vendor	Specialty	Frequency of Use and Expected Use
Gordon Rees	Employment Litigation	Represented MPS in Demir lawsuit; may be assigned by CharterSafe to defend MPS as further cases arise
Jackson & Lewis PC	Employment Litigation	Representing MPS in ongoing employment case; may be assigned by CharterSafe to defend MPS as further cases arise
Jeremy Woodburn	Intellectual Property Contracts	Handled reviewing and commenting on DMS contract; Do not expect ongoing use
Atkinson, Andelson, Loya, Ruud & Romo	Construction law	Expect ongoing use for resolution of MSA-SD and any other construction law matters that may arise
Liebert and Cassidy	CALSTRS/PERS	Expect one time use
Law offices of Kumar Nadaudur	Immigration	Presently working on a handful of permanent residency and H1-B non-immigrant visa applications

The area of charter school law has developed into its own area of specialty. Few lawyers and law firms have YMC’s breadth of expertise. YMC has been and continues to be MPS’s principal outside legal counsel. They assist with many aspects of MPS’s organizational and operational matters where it is most efficient to engage them to do so instead of having Patrick Ontiveros take on such matters. The area of employment law, for example, is a highly specialized and constantly evolving area both within the law in general and charter school law in particular.

B. Policy for Allocating Legal Work

Except for litigation matters, which are immediately tendered to CharterSafe, all requests for legal review go through MPS’s General Counsel. Based on his schedule or the area of law involved, he will either perform the work himself or else request that one of MPS’s exterior law firms be engaged. For example, the contract with DMS for back-office services required a more comprehensive back-ground in intellectual property law and related contracts than possessed by MPS’s general counsel. Therefore, at the suggestion of an MPS Board Member, Mr. Jeremy Woodburn was engaged to review and provide feedback on the DMS contract. Most contract review is done inhouse by MPS’s general counsel thereby saving MPS a significant amount of money.

III. Budget Impacts

None.