CITY OF BENSON
MUNICIPAL LEGAL SERVICES

Prepared for: City Clerk's Office

Submission Deadline: August 16, 2013, 3:00 p.m.,

Submittal Date: August 9, 2013

Submitted By:

MANGUM, WALL, STOOPS & WARDEN, P.L.L.C.
100 N. Elden Street
P.O. Box 10
Flagstaff, AZ 86001

Contact Persons:

Kellie A. Peterson – Proposed City Attorney
kpeterson@mwswlaw.com

Brandon Kavanagh – Proposed Acting City Attorney
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Franklin J. Hoover
Kenneth H. Brendel
Kellie A. Peterson
Brandon J. Kavanagh
Anthony W. Contente-Cuomo
Jeffrey D. Dollins
Clyde P. Halstead
--
Of Counsel:
Eliza Read
--
Of Counsel/Retired:
Douglas J. Wall
Daniel J. Stoops
Stephen K. Smith
A. Dean Pickett
--
H. Karl Mangum
1908 – 1993
Robert W. Warden
1930 – 2012

100 North Elden Street
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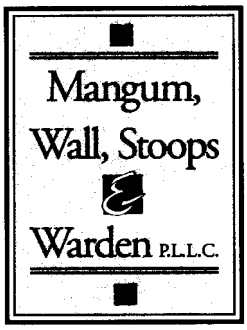
Kellie A. Peterson
Partner/Member

Also admitted to practice
in the Courts of the Navajo Nation,
Hopi Tribe and Federal District Court
for Arizona



Attorneys Serving
Arizona Since 1955

August 9, 2013

City Clerk
City of Benson
120 W. 6th Street
Benson, AZ 85602

Re: Request for Proposals Municipal Legal Services
Submission Deadline: Friday, August 16, 2013, 3:00 p.m.

Dear City Clerk:

Mangum, Wall, Stoops & Warden, P.L.L.C., respectfully requests that it be considered as a candidate for Benson City Attorney. Given our qualifications and the size of our firm, we believe we are well equipped to handle the needs of the City of Benson in an efficient and cost effective manner. Moreover, we are unaware of any conflicts of interest that would prevent us from assuming responsibility for any pending cases and projects.

This letter will provide you with a description, as requested, of our firm, its attorneys and staff. The letter also describes the experience this firm has as it relates to the City's legal needs, provides references, and describes our approach to providing legal services. Enclosed, behind Tab 1, please find the resumes of our attorneys, research analyst and legal assistants.

Please do not hesitate to contact me if you or the City Council or Manager have any questions, or should you require any further information.

Sincerely,

MANGUM, WALL, STOOPS & WARDEN, P.L.L.C.

Kellie Peterson

Kellie Peterson

KAP/klo

FIRM INTRODUCTION

Mangum, Wall, Stoops & Warden, P.L.L.C., is one of the oldest law firms in Northern Arizona, founded by Karl Mangum approximately 58 years ago. Our firm presently consists of seven (8) full-time attorneys, which is comprised of four (4) partners, one active "Of Counsel" attorney, and three (3) associate attorneys. We are rated "A-V" by Martindale-Hubbell, a rating reserved for a select group of attorneys whose peers in the bar and on the bench consider them to represent the highest ethical standards, and to demonstrate "very high to pre-eminent" legal abilities.

In addition to our eight (8) full-time attorneys, we have two paralegals, a highly qualified legal research assistant (with two law degrees), and four (4) "Of Counsel/Retired" attorneys, each of whom enjoyed long and distinguished legal careers in Arizona. We also have a full compliment of highly qualified support staff. In addition, we have a large in-house law library, subscribe to the Lexis/Nexis computerized legal research service, and have Internet access to numerous government and other public data bases. Our resources enable us to provide thorough and timely assistance to all of our clients in an efficient manner.

RESPONSE TO SPECIFIC RFP REQUIREMENTS

D. Qualifications and Background Experience in Arizona Municipal Law

Mangum, Wall has, over the years, provided comprehensive legal services to various public entities located throughout northern Arizona, including: municipalities such as Williams, Fredonia, Cottonwood, Sedona, Colorado City and Pinetop-Lakeside; the Greater Flagstaff Economic Council; the Industrial Development Authorities of Flagstaff, and Coconino and Mohave Counties; the Coconino County Pollution Control Corporation; the Pinewood Sanitary District and other special districts; Northern Arizona University and its satellite facilities; Coconino Community College and its satellite facilities; Mohave Community College and Yavapai Community College; various school districts, grant and charter schools throughout Arizona, including Maricopa and Yuma Counties; the Hopi Tribal Housing Authority and the Hopi Tribe. We currently represent over 50 public entities. Based on this depth of knowledge and experience, we often can quickly handle tasks that would require a great deal more groundwork for other attorneys or firms to handle.

Additionally, our attorneys work to stay informed regarding current issues facing Arizona municipalities through membership in the Arizona League of Cities and Towns and attendance at legal conferences and continuing legal education seminars. We monitor legislation and cases affecting public entities in order to provide a pro-active approach to legal issues.

E. Qualifications And Background Experience In Serving As Legal Counsel Or In Providing Consulting Services To Municipalities Or Governmental Agencies

In addition to our work with municipal clients, we also serve as both general counsel and defense counsel to the Northern Arizona Council of Governments ("NACOG"); general counsel to several Joint Technological Education Districts ("JTED's"); general counsel to the Coconino

County Pollution Control Authority; and general counsel to a number of Northern Arizona's publicly funded community behavioral health centers, including Community Behavioral Health Services (serving Page, Fredonia, and the Arizona Strip region); Mohave Mental Health Clinic, Inc. (serving Mohave County); Little Colorado Behavioral Health Centers (serving Apache County); and Community Counseling Centers, Inc. (serving Navajo County).

Importantly, for our municipal law practice, we have long served as Town Attorneys for the City of Williams, the Town of Fredonia (and have defended the Town in a number of litigation matters), the Town of Colorado City (for which we have also defended, and continue to defend, the Town in many litigious matters); and we also regularly serve as both special counsel and defense counsel for the City of Flagstaff. Our municipal law practice covers a wide range of legal specialties, including labor and employment; elections; preparation of ordinances, resolutions, contracts and intergovernmental agreements; local lawmaking; lobbying and government relations; open meetings; public records; administrative hearings; zoning and land use regulation; public utilities; construction; commercial transactions; procurement; and public finance. We also provide comprehensive insurance defense and other litigation services for public and private clients alike.

This experience has given us the tools to work with public entities of all forms, and to truly understand our role in representing a public entity. That is, we represent the entity as a whole and while we work closely with board members and administrative staff, our advice is for the benefit of the entity itself and never to serve the interests of the individual. Ultimately, we report to the City Council and any work done by our office is available to the Council as a whole. Further, it is our role to act as advisor and provide you with the best information in terms of legal advice and our practical experience as to the consequences of potential courses of action, but it is never our role to make the decision for you.

F. Qualification And Background Experience In Planning, Zoning And Land Use Development

We routinely advise our municipal clients and their Boards of Adjustments in zoning variances and other matters. We have assisted our clients in revising zoning ordinances; ranging from minor revisions to adopting entirely new codes. Through this work we have developed an understanding of the many competing forces in determining appropriate land use strategies, and have identified many options for balancing these needs. While it is not possible to satisfy all interested parties, we will get to know your community values and provide options designed to address the concerns unique to your community.

G. General Qualifications And Background Experience / Areas In Which The Firm Could Not Represent The City

Of course, our experience as (1) general legal counsel to Williams, Cottonwood, Sedona, Fredonia, Colorado City, Page, Camp Verde and the Pinewood Sanitary District, and (2) special counsel to Camp Verde, Flagstaff and Page is the firm qualification most relevant to the needs of the City of Benson. As a result of this work, our law firm possesses a breadth of knowledge in the substantive and procedural areas of law that are of concern to the City, including: land use

planning, regulation and enforcement (including protection of private property rights / regulatory "takings"); public construction and financing; operation of utilities; economic development issues; and the full range of employment matters. We have years of experience assisting our clients in matters of public law, including procurement, the open meeting law, government grants and contracting, public records law, licensing/permitting procedures, conflict of interest issues, and administrative hearings and appeals. We also have experience with taxation, environmental and natural resource matters, public entity liability and risk management concerns. We are knowledgeable about parliamentary procedure and the proper operations of governmental bodies. We have handled numerous election matters and safely guided several municipal clients through many elections, including initiatives and referenda. Mangum, Wall has served as city prosecutor for Williams, Cottonwood, Colorado City, Fredonia, Page and Camp Verde, as well as advisors to their police departments. We have defended law enforcement officers and other municipal employees against a variety of claims, including those based on 42 United States Code §1983.

While we can assist the City with some bond issues, we do not act in the specific role of "Bond Counsel" and would assist the City in finding qualified counsel for that purpose. Additionally, our experience in immigration law is limited to obtaining specific categories of work visas. If the City were in need of more extensive services in this area, we would refer to qualified counsel.

H. Previous Experience Serving Municipal Governments

As described above, the firm has represented municipal clients since its formation in 1955. As a result of our work with public entities, including municipalities, we have a unique understanding of the fact that decision-making ultimately rests with our clients. Our philosophy for providing legal services is to begin with a preventative approach, counseling our clients so they may avoid or minimize legal problems and potential liability. Often we conduct workshops to share information with our clients on procedural and substantive areas of law so that they are prepared to successfully deal with matters on their own. We assist our clients in managing their risks and assessing their options, and we advise them as to alternative courses of action. When preventative approaches are not possible, however, we are prepared to litigate matters aggressively in administrative hearings and court proceedings. Regardless of the circumstances, we recognize and respect that the client retains final control of all legal decisions.

The attorneys and staff of Mangum, Wall are used to handling matters with immediate deadlines, many by telephone/facsimile/email due to the distances involved in Arizona. We also travel on a regular basis to meet directly with our clients, attend council sessions, Governing Board meetings and court/administrative proceedings. We have developed a team approach to providing general counsel services. We will work with the City to establish more than one point of contact, so that someone is always readily available to respond to the City's needs. Depending on the nature of the project, the actual work on a particular matter will be assigned to the most knowledgeable and appropriate attorney and/or staff person. For example, our research analyst handles complex legal research assignments at a lower billing rate. Similarly, the legal assistants are very skilled in document collection and organization, interviewing, and generally pulling together facts through telephone contacts, email and correspondence.

I. Principal Attorneys For The Job Of City Attorney And Acting City Attorney

The principal attorney who would be assigned to assist the City as City Attorney would be myself, Kellie Peterson, with Brandon Kavanagh as the Acting City Attorney. We are both Partners / Members in the law firm. If needed, Kenneth Brendel, head of our Litigation Division and also a Partner / Member, would also be available to assist if matters escalated to the litigation phase. Attached for your reference are resumes of those attorneys who would be responsible for handling the legal matters relating to the City. Should the City decide to engage our firm in this capacity, you might have occasion to work with any one of us, but I will serve as your primary point of contact.

J. Applicable Team Member Profiles

Resumes may be found behind Tab 1.

K. References

City Attorney (Civil/Municipal Matters)

1. Brandon Buchanan – City Manager
   Mayor John Moore
   City of Williams
   113 South First Street
   Williams, AZ 86046
   (928) 635-4451

2. Kevin Burke - City Manager
   Jim Wine - Deputy City Manager
   City of Flagstaff
   211 W. Aspen St.
   Flagstaff, AZ 86001
   (928) 779-7685

3. David Darger - Town Manager
   Town of Colorado City
   P.O. Box 70
   Colorado City, AZ 86021
   (928) 875-2646

4. Carrie McDonald – Interim Town Manager
   Town of Fredonia
   P.O. Box 217
   Fredonia, AZ 86022
   (928) 643-7513

5. James T. Wilson – District Manager
Pinewood Sanitary District
P.O. Box 18758
Munds Park, AZ 86017
(928) 286-9166

L. Potential Conflicts

Be advised that Mangum, Wall, Stoops & Warden, P.L.L.C., has not served as a defense attorney in the municipal court of the City of Benson, nor have we ever represented another client against the City. We believe no conflicts exist either currently or, if selected as legal counsel for the City, in the future.

M. and N. Proposal Price Breakdown Sheet

Please find the Proposal Price Breakdown Sheet behind Tab 2.

O. Summation

Mangum, Wall, Stoops & Warden, P.L.L.C., serves public and private clients from all over the State of Arizona. We are well versed in the intricacies of town and city government and are more than capable in providing our clients with prompt and experienced service. We would welcome the opportunity in representing the legal needs of the City of Benson and hope that our law firm is selected to do so.

P. Sample Contract

Our Contract for Legal Services can be found behind Tab 3.

KELLIE PETERSON

Member/Partner

Admitted to Practice in Arizona in 2003

Arizona State Bar I.D. No. 022417

Also admitted to practice in the U.S. District Court, District of Arizona, U.S. Court of Appeals for the Ninth Circuit, the Courts of the Navajo Nation and the Hopi Tribal Courts

Individual Practice Emphasis

Education Law, Indian Law, Municipal Law, Employment Law, Environmental Law and Public Lands Law

Education

Undergraduate:	Gonzaga University, Bachelor of Business Administration, Emphasis in Law and Public Policy with a focus on Human Resources Management, *with honors*, 2000
Graduate:	University of Montana School of Law, J.D., 2003

Professional Memberships

Coconino County Bar Association
Navajo Nation Bar Association
State Bar of Arizona

Employment Related to Providing Legal Services

Partner/Member – Mangum, Wall, Stoops & Warden, P.L.L.C., January 2010 - present
Associate Attorney - Mangum, Wall, Stoops & Warden, P.L.L.C., November 2004 - 2009
Staff Attorney – DNA-People's Legal Services, January 2004 – November 2004
Summer Clinical Student – Rocky Mountain Elk Foundation, June 2002 – August 2002
Research Assistant – University of Montana School of Law, June 2002 – August 2002
Legal Intern – Montana Power Company, June 2001 – August 2001

BRANDON J. KAVANAGH

Partner/Member

Admitted to Practice in Arizona in 1999

Arizona State Bar I.D. No. 019510

Also admitted to practice in the Courts of Maryland, the Federal District Court, District of Arizona, and United States Court of Appeals for the 9th Circuit.

Individual Practice Emphasis:

Real Estate Law and Transactions, Civil and Commercial Litigation, General Business Law and Contracts, Formation of Business Entities, Municipal Law and Administrative Law

Education:

Undergraduate:	Georgetown University, *cum laude*, B.A. 1994
Graduate:	George Washington Law School, J.D. 1997

Professional Memberships:

State Bar of Arizona; Coconino County Bar Association (Bar President 2004); Maryland State Bar Association (inactive).

Other Memberships and Distinctions:

- AV Rated attorney by Martindale-Hubbell, 2011-present.
- State Bar of Arizona (Business Law Section: Chair, 2008; Chair-elect/Co-Vice Chair, 2007; Co-Vice Chair, 2006; Budget Officer, 2005; Member-at-Large, 2002-2005, 2008-present)
- Flagstaff 40 Community Leadership group (Secretary, 2012-present, Board Member, 2012-present, Member, 2011-present)
- Boys & Girls Club of Flagstaff (Secretary, 2012-present, Board Member, 2012-present)
- Coconino County Bar Association (President, 2004; Vice President, 2003; Treasurer and Secretary, 2002)
- Arizona Association of Economic Development (Member of the Year, 2012; Chair of Northern Arizona Committee, 2011-present; Member, 2008-present)
- Arizona Bar Foundation, Top 50 Pro Bono Attorney (2002, 2004)
- DNA People's Legal Services, Inc., Second Place Pro Bono Award (2001)

Employment Related to Providing Legal Services:

- Partner/Member - Mangum, Wall, Stoops & Warden, P.L.L.C., 2010 – present
- Partner - Gust Rosenfeld, 2008 – 2010
- Associate Attorney - Gust Rosenfeld, 2005 – 2008
- Associate Attorney - Mangum, Wall, Stoops & Warden, P.L.L.C., 1999-2005
- Attorney - Self-Employed/Consulting, 1997-1999

KENNETH H. BRENDEL

Member/Partner

Admitted to Practice in Arizona in 1998

Arizona State Bar I.D. No. 019003

Also admitted to practice in the United States District Court, District of Arizona; United States Court of Appeals for the 9th Circuit; United States Supreme Court; Courts of the Navajo Nation; Courts of the White Mountain Apache Tribe; Courts of the Hopi Tribe; and Courts of the Hualapai Tribe

Individual Practice Emphasis

Civil Litigation, Insurance Defense, Personal Injury, Municipal Prosecution/Criminal Law

Education

Undergraduate:	Arizona State University, B.S., 1994
Graduate:	McGeorge School of Law, University of the Pacific, J.D., 1998

Professional Memberships

AV Rated-Martindale-Hubbell
State Bar of Arizona
Coconino County Bar Association
American Bar Association
Hopi Tribal Court
Navajo Nation Bar Association
White Mountain Apache Tribal Court
Arizona Trial Lawyer's Association
Association of Trial Lawyers of America
Defense Research Institute

Employment Related to Providing Legal Services

Partner/Member – Mangum, Wall, Stoops & Warden, P.L.L.C., 2006 - Present
Associate Attorney - Mangum, Wall, Stoops & Warden, P.L.L.C., 2000 - 2005
Assistant Attorney General - Flagstaff, Arizona, 1998-2000
Legal Clerk - AgAmerica/Western Farm Credit Bank, Sacramento, CA, 1997 - 1998
Assistant Calendar Clerk - Special Education Hearing Office, Sacramento, CA, 1996 - 1997

FRANKLIN HOOVER

Member/Partner

Admitted to Practice in Arizona in 1993

Arizona State Bar I.D. No. 015110

Also admitted to practice in the United States District Court, District of Arizona, United States Court of Appeals for the Ninth Circuit, Courts of the Navajo Nation, Courts of the White Mountain Apache Tribe, Courts of the Gila River Indian Community and Courts of the Hopi Tribe

Individual Practice Emphasis

Civil Litigation, Tribal Law, Education Law, Construction Law, Environmental and Natural Resources Law, Administrative Law, General Business Law

Education

Undergraduate:	Northern Arizona University, B.S., 1990
Graduate:	Vermont Law School, J.D., 1993
	Vermont Law School, M.S.L. (Environmental Law), 1993

Professional Memberships

American Bar Association
Native American Grant Schools Association
Navajo Nation Bar Association
State Bar of Arizona

Other Memberships and Distinctions:

BV Rated attorney by Martindale-Hubbell

Employment Related to Providing Legal Services

Partner/Member - Mangum, Wall, Stoops & Warden, P.L.L.C., 2003 - Present
Associate Attorney - Mangum, Wall, Stoops & Warden, P.L.L.C., 1998 - 2002
Assistant General Counsel/Legislative Counsel - The Hopi Tribe, 1994 - 1998

ANTHONY W. CONTENTE-CUOMO

Associate Attorney

Admitted to Practice in Arizona in 2007

Arizona State Bar I.D. No. 025062

Also admitted to practice in the United States District Court, District of Arizona

Individual Practice Emphasis

Education Law, Municipal Law, Family Law

Education

Graduate: New York University, B.A., Literature, 2000
Pace University School of Law, J.D., 2006

Professional Memberships

Coconino County Bar Association
State Bar of Arizona

Employment Related to Providing Legal Services

Associate Attorney – Mangum, Wall, Stoops & Warden, P.L.L.C., September 2008 – Present
Staff Attorney – Attorney General's Office, Protective Services Section, Mesa, 2007 – 2008

JEFFREY D. DOLLINS

Associate Attorney

Admitted to practice in Arizona in 1996

Arizona State Bar I.D. No. 016903

United States District Court, District of Arizona

Individual Practice Emphasis:

Education Law, Employment Law, Contract Law, Municipal Law and Government Law

Education:

Undergraduate:	University of Massachusetts, B.A., Political Science, 1991
Graduate:	Willamette University College of Law, J.D., 1995

Professional Memberships:

State Bar of Arizona
Coconino County Bar Association
Arizona Council of School Attorneys
NSBA Council of School Attorneys

Employment Related to Providing Legal Services:

Associate Attorney - Mangum, Wall, Stoops & Warden, P.L.L.C., March 2009-Present
Assistant Attorney General – Attorney General's Office – Admin. Law Division, December 2005 – January 2009
Mohave County Attorney's Office – Civil Division, June 1999 – December 2005
Curtis Goodwin Sullivan Udall Schwab, February 1998 – March 1999

CLYDE P. HALSTEAD

Associate Attorney

Admitted to Practice in Arizona in 2007

Arizona State Bar I.D. No. 025108

Also admitted to practice in the United States District Court, District of Arizona, United States Court of Appeals for the 9th Circuit, and Courts of the Navajo Nation

Individual Practice Emphasis

Civil Litigation; Insurance Defense; Criminal Prosecution; Indian Law

Education

Undergraduate: Willamette University, B.A., 2002
Ludwig Maximillians University, 2000-2001
Graduate: Arizona State University, College of Law, J.D., 2006

Professional Memberships

State Bar of Arizona
Coconino County Bar Association
Navajo Nation Bar Association

Distinctions

Pedrick Scholar-Arizona State University
CALI Award-Indian Law-Arizona State University
Navajo County Award of Excellence, 2008
Arizona Game and Fish Department Award of Excellence, 2008

Representative Cases

Bonito Partners, LLC v. City of Flagstaff, 229 Ariz. 75, 270 P.3d 902 (App. Div 1 2012)
Holmes v. City of Flagstaff, 2010 U.S. Dist. LEXIS, 31962 (D. Ariz. March 17, 2010)

Employment Related to Providing Legal Services

Associate Attorney - Mangum, Wall, Stoops & Warden, P.L.L.C., November 2009 - Present
Associate Attorney – The Ledbetter Law Firm, April, 2009 to October, 2009
Assistant County Attorney, Navajo County, 2007 to 2009
Legal Clerk, Attorney General's Office, Environmental Enforcement Section, August, 2005 to December, 2005

ELIZA DALEY READ

Of Counsel

Admitted to Practice in Arizona in 1997
Also admitted to practice before the Hopi Tribal Courts and U.S. District Court of Arizona

Licensed Fiduciary
Arizona Fiduciary License No. 20710

Primary Practice Focus
Elder Law
Estate Planning, Probate and Trust Administration
Business Succession Planning
Probate and Trust Litigation
Guardianship and Conservatorship
Special Needs, Aging and Disability Issues
Mediation and Alternative Dispute Resolution

Education

Undergraduate:	John Carroll University, 1990
Graduate:	Case Western Reserve University School of Law, 1997 Colbert Scholar

Professional Memberships
Coconino County Bar Association
State Bar of Arizona
National Academy of Elder Law
The Arizona Fiduciaries Association

Other Memberships and Community Service
Vestry, Episcopal Church of the Epiphany, 2012
Mental Health and Elder Law Executive Committee - Chair 2006-2007
Board of Trustees, Flagstaff Medical Center, 2004-2006
Flagstaff Leadership Program, 2002

Professional Experience
Of-Counsel – Mangum, Wall, Stoops & Warden, P.L.L.C., 2013 - present
Partner/Member - Helford & Read, P.L.L.C., 2010 - 2013
Sole Practitioner - Law Office of Eliza Daley Read, 2004 - 2010
Associate - Mangum, Wall, Stoops & Warden, 2000 - 2004

JOHN FEENEY

Research Assistant

Legal Education:

Cambridge University (England):	B.A.(Law) with Honors, 1987 LL.M. with Honors, 1988 M.A., 1991

General Education:

Graduate:	Harvard University, M.T.S., 1975
Undergraduate:	Middlebury College, B.A., magna cum laude, 1972

Professional Memberships:

American Society of International Law
Ninth Judicial Circuit Historical Society
Phi Beta Kappa Society of America

Employment Related to Providing Legal Services:

Research Analyst and Librarian for Mangum, Wall, Stoops & Warden since 1976 –Present
With periodic sabbaticals for post-graduate degree work
Assistant Manuscript Librarian, Harvard Law School, 1974-1975

SHERI A. BIRO

Legal Assistant

Education

B.S. Paralegal Studies - Northern Arizona University, 1983

Professional Memberships

President - Northern Arizona Paralegal Association (1982 - 83)
Member - National Association of Legal Assistants

Other Memberships Distinctions

Who's Who Among American College Students
The National Register of Outstanding College Graduates

Areas of Specialization

Investigate and interview employees and/or witnesses, and conduct legal research regarding employment and personnel matters with an emphasis on claims under the Fair Labor Standards Act; investigate and prepare responses to claims filed with the Equal Employment Opportunity Commission; probate and estate planning, including funding of trusts and trust administration; conservatorships and guardianships, including the creation of both and preparation of conservatorship accountings; elder law; real property transfers, ownership issues and/or discrepancies; corporate law, including the creation of corporations, limited liability companies or partnerships and the yearly upkeep of corporate records; collection and evictions.

Employment Related to Providing Legal Services

Mangum, Wall, Stoops & Warden, P.L.L.C., Flagstaff, AZ, 1985 - present

Law Offices of Phillip E. Broadbent, P.C., Phoenix, AZ, 1983 - 85
Specializing in personal injury, corporations, securities

CATHRYN S. ANDERSON, CLA

Certified Legal Assistant

Professional Certifications

National Association of Legal Assistants' Certificate received in May, 1990

Professional Memberships

Arizona Paralegal Association
Former member of Maricopa County Bar Association
National Association of Legal Assistants, Inc.

Areas of Specialization

Civil litigation with emphasis on personal injury, insurance defense, employment, civil rights, discrimination, contract disputes, real estate and collection matters. Proficient in managing, analyzing and preparation of complex issue cases. Performs investigative duties, interviewing clients and witnesses, legal and medical research, and preparation of legal documents.

Employment Related to Providing Legal Services

Mangum, Wall, Stoops & Warden, P.L.L.C. – 1996 - Present

State of Arizona, Flagstaff, AZ, 1993 - 1996
Emphasis in child support collections and worker's compensation matters

Aspey, Watkins & Diesel, P.L.L.C. Flagstaff, AZ, 1992 - 1993
Emphasis in defense personal injury, collection, contract disputes and bad faith matters

Harris & Palumbo, P.C., Phoenix, AZ, 1989 - 1992
Specializing in catastrophic personal injury, medical malpractice and insurance defense

Lalliss, Trompeter, Noziglia & Hulse, Phoenix, AZ, 1983 - 1988
Emphasis in personal injury, corporations, domestic relations, contract disputes

DOUGLAS J. WALL

Of Counsel / Retired

Admitted to Practice in Arizona in 1956

Arizona State Bar I.D. No. 000832

Also admitted to practice in the United States District Court, District of Arizona, United States Court of Appeals, Ninth Circuit, Supreme Court of the United States

Individual Practice Emphasis

Education Law, Probate and Estate Planning, Litigation, Hospital Law

Education

Undergraduate: University of Kansas, B.S.
Graduate: University of Kansas, J.D., 1955

Professional Memberships

Arizona Board of Regents, 1988 - 1996
Arizona Water Commission, 1965 - 1976
Chairman: Arizona Water Commission, 1965 - 1969
State Bar of Arizona, Coconino County Bar Association
State Bar of Arizona Committee on Coordination with American Bar Association, 1962 - 1964
State Bar of Arizona Disciplinary Committee, 1976 - 1978

Other Memberships and Distinctions

American College of Trust and Estate Counsel
Fellow: American Bar Foundation
Flagstaff Citizen of the Year, 1968
Former Trustee: Embry/Riddle Aeronautical University
Former Director: Northern Arizona Health Care Foundation
Former Member: Board of Directors, Flagstaff Medical Center
Member - Board of Directors: Pinnacle West Capital Corporation, SunCor Development Co.
Phi Delta Phi

Employment Related to Providing Legal Services

Of Counsel - Mangum, Wall, Stoops & Warden, P.L.L.C., 1987 - present
Partner/Member - Mangum, Wall, Stoops & Warden, 1961 - 1987
Associate Attorney - Mangum, Wall, Stoops & Warden, 1959 - 1961
General Counsel - Northern Arizona University, 1961 - 1987

DANIEL J. STOOPS

Of Counsel / Retired

Admitted to Practice in Arizona in 1959 / Kansas in 1958

Arizona State Bar I.D. No. 001028

Also admitted to practice in the United States District Court, Districts of Arizona and Kansas, United States Court of Appeals, Ninth Circuit, Supreme Court of the United States

Individual Practice Emphasis
Insurance Defense, Personal Injury, Commercial Litigation

Education

Undergraduate:	Washburn University, A.B.
Graduate:	Washburn University, J.D., 1958

Professional Memberships
American Bar Association
Coconino County Bar Association, (President, 1962 - 1964)
State Bar of Arizona (Member, Board of Governors, 1976 - 1982)
State Bar of Arizona, (President, 1980 - 1981)

Other Memberships and Distinctions
Fellow, American College of Trial Lawyers
Committee Member 1994 - 1995 of State Judiciary
Fellow, International Society of Barristers
Association of Defense Trial Attorneys
International Association of Insurance Counsel
Past Vice President/Founding Fellow: Arizona Bar Foundation
Fellow: American Bar Foundation
Best Lawyers in America (Litigation) 1987 - Present
President: Flagstaff Festival of the Arts 1988 - 1990
Phi Alpha Delta

Employment Related to Providing Legal Services
Of Counsel - Mangum, Wall, Stoops & Warden, P.L.L.C., 1998 - Present
Partner/Member - Mangum, Wall, Stoops & Warden, P.L.L.C., 1967 - 1998
Legal Counsel - Coconino County Industrial Development Authority
Legal Counsel - Flagstaff Industrial Development Authority
Legal Counsel - Coconino County Pollution Control
Legal Counsel - The Industrial Authority of the County of Mohave

STEPHEN K. SMITH

Of Counsel / Retired

Admitted to Practice in Arizona in 1975

Arizona State Bar I.D. No. 004076

Was admitted to practice in the U.S. District Court, District of Arizona, U.S. Court of Appeals, Ninth Circuit, Supreme Court of the United States, Courts of the Navajo Nation and Hopi Tribe

Individual Practice Emphasis

Education Law, Employment and Labor Law, Indian Law, Charter School Law

Education

Undergraduate:	Graceland College, A.A., Western Illinois University, B.A.
Graduate:	Indiana University, M.M.E., 1967
	Arizona State University, J.D. magna cum laude, 1975

Professional Memberships

Arizona Attorneys in Education
Coconino County Bar Association
Native American Grant Schools Association
National Council of School Attorneys
Navajo Nation Bar Association
State Bar of Arizona

Employment Related to Providing Legal Services

Of Counsel - Mangum, Wall, Stoops & Warden, P.L.L.C., January 1, 2002 - Present
Partner/Member - Mangum, Wall, Stoops & Warden, P.L.L.C., 1984 - 2001
Legal Counsel - Northern Arizona University, 1984 - 1999
Counsel - Arizona Board of Regents, 1981 - 1984
Assistant Attorney General - Arizona Attorney General's Office, 1979 - 1981
Labor Attorney - Hughes AirWest, 1975 - 1979

Presentation Papers

Developing Issues In The Relationship Between Arizona School Districts and Indian Nations, Arizona School Boards Association, School Law Conference, 2001
SOVERIGN TO SOVEREIGN: State School Districts on Indian Reservations, Arizona School Boards Association, School Law Conference, 1999

A. DEAN PICKETT

Of Counsel / Retired

Admitted to Practice in Arizona in 1974

Arizona State Bar I.D. No. 003749

Also admitted to practice in the Courts of Colorado and Washington, the United States Court of Military Appeals, U.S. District Courts of Arizona and Western District of Washington, United States Court of Appeals, Ninth Circuit

Individual Practice Emphasis

Education Law, Employment and Labor Law, Estate Planning and Probate

Education

Undergraduate:	Northern Arizona University, B.A., Economics, 1971
Graduate:	University of Arizona, J.D. with distinction, 1974

Professional Memberships

Coconino County Bar Association
State Bar of Arizona
Washington State Bar Association

Other Memberships and Distinctions

Judge, Pro Tem, Arizona Court of Appeals, 1992
Board of Trustees: Museum of Northern Arizona, 1982-2000 (Chairman, 1998 - 2000)
National Association of College & University Attorneys
National School Boards Association Council of School Attorneys (Director, 2002-Present; Secretary)
Past President, Board of Trustees: Federated Community Church
Past President: Malpais Kiwanis Club
Former Certified Special Education Due Process Hearing Officer

Employment Related to Providing Legal Services

Of Counsel - Mangum, Wall, Stoops & Warden, P.L.L.C., 2009-Present
Partner/Member - Mangum, Wall, Stoops & Warden, P.L.L.C., 1984 - 2008
Associate Attorney - Mangum, Wall, Stoops & Warden, 1980 - 1983

H. KARL MANGUM
(1908-1993)

Admitted to Practice in Arizona in 1931

Was admitted to practice in the United States District Court for the District of Arizona, United States Court of Appeals, Ninth Circuit, Supreme Court of the United States

Individual Practice Emphasis

Probate and Estate Planning

Education

Undergraduate - Gila College, A.B.
Graduate - University of Arizona, J.D., 1931

Professional Memberships

Fellow: International Society of Barristers
Fellow: American College of Trial Lawyers
Fellow: Arizona Bar Foundation
State Bar of Arizona: Board of Governors, 1963-1968; President, 1967 - 1968

Other Memberships and Distinctions

Recipient: Distinguished Citizens Award, University of Arizona Alumni Association, 1982
Recipient: Arizona Bar Foundation Walter E. Craig Distinguished Service Award, June 1989
Phi Delta Phi

Employment Related to Providing Legal Services

Of Counsel - Mangum, Wall, Stoops & Warden, 1978 - January 8, 1993
Founded Partnership with Neil Christensen, 1955
Judge - Superior Court, State of Arizona, 1939 - 1944
Coconino County Attorney, 1934 - 1938

ROBERT W. WARDEN
1930-2012

Admitted to Practice in Arizona in 1957

Arizona State Bar I.D. No. 000883

Also admitted to practice in the United States District Court, District of Arizona, United States Court of Appeals, Ninth Circuit and District of Columbia, Supreme Court of the United States

Individual Practice Emphasis

Municipal Law, Planning and Zoning, Real Estate/Landlord-Tenant, Corporate, Construction Law.

Education

Undergraduate: Texas Western College, B.A., M.A.
Graduate: University of Arizona, J.D., 1957

Professional Memberships

Coconino County Bar Association President, (1960 - 1962)
State Bar of Arizona

Other Memberships and Distinctions

Member: State Bar of Arizona Committee on Examinations
Phi Delta Phi

Employment Related to Providing Legal Services

Of Counsel - Mangum, Wall, Stoops & Warden, P.L.L.C., 1991 - 2012
Partner/Member - Mangum, Wall, Stoops & Warden, 1976 - 1991
City Attorney for Cities of Cottonwood, Sedona and Pinetop-Lakeside
Coconino County Attorney, 1961 - 1964

PROPOSAL PRICE BREAKDOWN SHEET

City of Benson
RFP
Municipal Legal Services

The undersigned authorized representative agrees to provide the services as requested, based on the following schedule of fees:

A.	Retainer (40 hours per month)	$5,000.00 per month
B.	Hourly billing rate (in excess of 40/month)	$175.00 per month

Firm Name

Mangum, Wall, Stoops & Warden, P.L.L.C.
100 N. Elden Street
P.O. Box 10
Flagstaff, AZ 86001 // 86002

(928) 779-6951
(928) 773-1312 FAX
kpeterson@mwswlaw.com

Type of Organization:

XX Professional Limited Liability Company

Signature of Authorized Representative

05/09/13
Date

Kellie Peterson

Kellie A. Peterson – Partner/Member

CITY OF BENSON
CONTRACT FOR LEGAL SERVICES

PARTIES: **CITY OF BENSON,** 120 W. 6th Street, Benson, Arizona, 85602, herein referred to as "Client."

MANGUM, WALL, STOOPS & WARDEN, P.L.L.C., a Professional Limited Liability Company organized pursuant to the laws of Arizona, 100 N. Elden, P.O. Box 10, Flagstaff, Arizona, 86002, herein referred to as "Law Firm".

RE: Municipal Legal Services

WHEREAS, Law Firm submitted a Proposal for Municipal Legal Service, which is by this reference incorporated herein; and

WHEREAS, Law Firm has been selected by Client to provide Municipal Legal Services; and

WHEREAS, Client and Law Firm are willing to execute a contract to be effective as set forth herein; and

WHEREAS, Client and Law Firm have agreed upon the following rates and expense charges:

General Legal Services:

Monthly Retainer:		$5,000.00 per month
Hourly rates:	Attorneys	$175.00/hour
	Paralegals	$ 95.00/hour

Additional Charges:

Long distance phone calls, legal research, if necessary, through Lexis/Nexis, filing fees, court costs, service of legal documents, postage/delivery charges, transcription fees, and outside reproduction costs will be billed at actual cost incurred.

Travel time will be charged at 50% of the individual's hourly rate, with no reimbursement of travel expenses incurred, except: hotel/motel stays; airline tickets, parking fees; and other costs reasonably necessary when incurred by the firm for representation of the client. It is also the Firm's practice to use rental cars for out-of-town travel. Charges to the Client will include the charges of the rental car company, including full insurance coverage, and fuel; no mileage is charged when a rental car is used.

SAMPLE

Billing rates may be reviewed periodically and may be increased to reflect increases in the Law Firm's costs. We will advise you of any increases, should they occur, before providing additional services at an increased rate. We anticipate that our fees would increase by approximately 3%-4% annually.

THEREFORE, the parties hereto, Client and Law Firm, based upon the consideration stated herein, hereby agree as follows:

1. Client hereby retains Law Firm to provide Municipal Legal Services, and Law Firm hereby agrees to provide said services, pursuant to the terms and conditions set forth herein.

2. Law Firm warrants that the individuals providing the services under this Contract shall be fully qualified and that such individuals shall be duly registered, licensed, certified or otherwise meet the requirements of all applicable laws, rules and regulations governing the provision of these services. Kellie Peterson and Brandon Kavanagh will be primarily responsible for Client's work, although other attorneys may be assigned to particular matters depending on time constraints and areas of expertise.

3. The scope of the services to be provided are Municipal Legal Services, including representation and advice, all of which may be modified by the direction of the Client and any authorized staff.

4. Law Firm will be paid by Client for the provision of said services at the rates set forth herein. Law Firm shall bill Client monthly for all services performed and expenses incurred during the prior month. Client shall promptly arrange for payment of all verified and authorized services and expenses. All balances unpaid after thirty days bear interest at ten percent (10%) per annum. Law Firm reserves the right to stop all work if any bill goes unpaid for thirty days, and the Client hereby agrees that the Client's failure to pay all fees and costs on a timely basis will justify our withdrawal from representation.

5. Fees for liability defense shall be as arranged with the Client's insurer.

6. Unless we receive instructions from the Client to the contrary, Law Firm will maintain records associated with Client's matters for five years, after which time they will either be destroyed or transferred to the Client for storage, as may be in accordance with State and Client requirements concerning Client's records.

7. This Contract is terminable at will by either party hereto, subject to thirty (30) days written notice to the other party. Work in progress at the time of any Notice of Termination shall be completed unless otherwise mutually agreed upon. Once a Notice of Termination is issued, no new work shall be initiated without the specific written confirmation of both parties.

8. This Contract may be amended only in writing, signed by both parties.

SAMPLE

9. This Contract shall be effective on _____, 2013, and shall be automatically extended, from fiscal year to fiscal year, on the same terms and conditions, unless amended or terminated as set forth above.

CITY OF BENSON

By: _____

_____
Title and Printed Name

Date: _____

MANGUM, WALL, STOOPS & WARDEN, P.L.L.C.

By: _____

_____
Title and Printed Name

Date: _____

SAMPLE