

Office of School Board Attorney
Johnny Brown, Board Attorney

SUBJECT: CONTRACT WITH HOLLAND AND KNIGHT, L.L.P.

On March 6, 2002, the United Teachers of Dade (UTD), Dade County School Administrators Association (DCSAA) and Dade County School Maintenance Employees Committee (DCSMEC) filed a lawsuit against the State of Florida, Public Employees Relations Commission (PERC) and The School Board of Miami-Dade County, Florida (School Board), in the Circuit Court for Leon County (Tallahassee), Florida. The Plaintiffs are seeking declaratory and injunctive relief in which they are challenging the constitutionality of Section 447.4095, Florida Statutes, under which the Superintendent declared financial urgency. Also, they are seeking to have the Court enjoin PERC and the School Board from implementing the impasse resolution provisions provided for under Section 447.4095, Florida Statutes.

Because of the need to respond immediately to the lawsuit, the Board Attorney has arranged to engage the services of Holland and Knight, L.L.P., through its Tallahassee office, to represent the School Board in this action. Holland and Knight has offered the School Board a discount on its fees, which means that they are offering the School Board a rate of \$240 per hour for partners' services.

This item does not appear in the published agenda. There is good cause to vary from the agenda because of the immediate need to respond to the request for an injunction.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, confirm the contract with the law firm of Holland and Knight, L.L.P., as follows:

The Board will pay Holland and Knight partners a rate of \$240 per hour for legal services in the lawsuit styled United Teachers of Dade, Dade County School Administrators Association, and Dade County School Maintenance Employee Committee v. State of Florida, Public Employees Relations Commission, and The School Board of Miami-Dade County, Florida, Case No. 2002 CA 000621, Circuit Court of the Second Judicial Circuit in and for Leon County, State of Florida.