

CLEVELAND PUBLIC LIBRARY

Board Meeting

February 18, 2021

**RESOLUTION AUTHORIZING AMENDMENT WITH OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C. FOR LEGAL SERVICES RELATED TO LABOR AND
EMPLOYMENT MATTERS**

- WHEREAS, On October 18, 2012, the Board of Trustees of the Cleveland Public Library authorized the Library to engage the services of Ogletree, Deakins, Nash, Smoak & Stewart P.C. (“Ogletree”) to provide labor and employment legal advice and services on an as-needed basis at an hourly rate of \$275 for Partners, \$195 for Of Counsel, \$150 for Associates, and \$130 for Paralegal services, the same rates that Ogletree had charged the Library since 2007; and
- WHEREAS, On November 15, 2018, this Board authorized the Library to engage the services of Ogletree for labor and employment litigation matters, including EEOC and OCRC claims, court actions, labor arbitrations, and other administrative actions, in an amount up to \$100,000, plus related expenses and litigation support services not covered by insurance such as court reporters, document retrieval, assembly and delivery, and expert witness fees; and
- WHEREAS, Ogletree has notified the Library that, after offering the Library the same rate for 14 years, it must increase the Library’s rate by 15%, bringing their hourly rates to \$316.25 for Partners, \$224.25 for Of Counsel, \$172.50 for Associates, and \$149.50 for Paralegal services; and
- WHEREAS, The Library Administration finds Ogletree’s revised fee to be fair and reasonable and notes that the increased rate for partners still represents a 30% discount from Ogletree’s standard rate; and
- WHEREAS, The Library is very satisfied with the high quality of legal advice and services it receives from Ogletree and wishes to continue its attorney-client relationship with Ogletree on an as-needed basis; and
- RESOLVED, That the Board of Library Trustees authorizes the Cleveland Public Library to enter into an amendment to the Agreement with Ogletree, Deakins, Nash, Smoak & Stewart P.C. to provide labor and employment legal advice and services on an as-needed basis at the hourly rates set forth in this Resolution which expenditure shall be charged to the General fund account 11400053-53710 (Professional Services), and requires that the Fiscal Officer continues to provide a report to the Board of Library Trustees of fees paid to Ogletree on a quarterly basis.