

ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

RESOLUTION 2017 - 05

A RESOLUTION RECOMMENDING THE EMPLOYMENT PRACTICES LIABILITY AND PUBLIC OFFICIALS LIABILITY DEFENSE PANEL

WHEREAS, the Atlantic County Municipal Joint Insurance Fund (ACMJIF) has been organized pursuant to *N.J.S.A. 40A:10-36 et. seq.*; and

WHEREAS, the Fund Commissioners of the Atlantic County Municipal Joint Insurance Fund find that it is necessary and appropriate to recommend to the Fund's Employment Practice Liability and Public Officials Liability (EPL/POL) insurance carrier for 2017, QBE Insurance and their Claims Supervisor, Summit Risk, certain law firms and defense attorneys to handle the defense of the EPL/POL claims filed against the member municipalities of the Atlantic County Municipal Joint Insurance Fund; and

WHEREAS, the ACMJIF EPL/POL Committee and the Fund Solicitor have reviewed the performance of the law firms and defense attorneys who have handled the EPL/POL claims that were filed against the member municipalities of the ACMJIF in prior years, and they have determined that those firms should continue to be assigned to handle the defense of the EPL/POL matters on behalf of the ACMJIF member municipalities; and

WHEREAS, those recommendations were presented to the Executive Committee of the ACMJIF at their regular meeting on January 18, 2017, and the Executive Committee has determined that it is appropriate to adopt a Resolution memorializing those recommendations.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Atlantic County Municipal Joint Insurance Fund assembled in a public session on January 18, 2017, that the following Law Firms and Attorneys are hereby recommended to the EPL/POL insurance carrier, QBE Insurance and their Claims Supervisor, Summit Risk, to handle the defense of the EPL/POL claims filed against the member municipalities of the Atlantic County Municipal Joint Insurance Fund:

Employment Practices Liability/Public Officials Liability Claims:

1. A. Michael Barker, Esquire of the Law Firm of Barker, Scott, Gelfand & James.
2. James R. Birchmeier, Esquire of the Law Firm of Birchmeier & Powell, LLC.
3. Michael P. Madden, Esquire of the Law Firm of Madden & Madden. P.A.
4. Robert A. Baxter, Esquire of the Law Firm of Craig, Annin & Baxter, LLP.

BE IT FURTHER RESOLVED that Assigned Defense Counsel shall be compensated in accordance with Professional Defense Counsel Guidelines for the Employment Practices Liability/Public Officials Liability Carrier, QBE Insurance for the ACMJIF members which are currently at a rate of \$150.00 per hour of attorney time; an Approved Associate at a rate of \$120.00 per hour of attorney time and a Paralegal rate of \$75.00 per hour.

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BE IT FURTHER RESOLVED that the recommendation of the assignment of specific EPL/POL claims for defense shall be made by the Fund Solicitor to the EPL/POL insurance carrier, QBE Insurance and their Claims Administrator, Summit Risk, and the Fund Solicitor for the Atlantic County Municipal Joint Insurance Fund shall serve as the liaison for the defense of these matters and shall report to the ACMJIF EPL/POL Committee as to the status of all pending matters.

BE IT FURTHER RESOLVED that the copies of this Resolution shall be provided to the QBE Insurance, Summit Risk, the Executive Director, the Fund Solicitor, and the Claims Administrator of the Atlantic County Municipal Joint Insurance Fund and those herein recommended for their information and attention.

This Resolution was duly adopted by the Atlantic County Municipal Joint Insurance Fund at a public meeting held on January 18, 2017.

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Attest: Constance A. Malon

By: Guy R. Somers

Date: 1-18-2017