

**ATLANTIC COUNTY MUNICIPAL JOINT
INSURANCE FUND**

RESOLUTION 2023- 32

A RESOLUTION CONFIRMING AND ACCEPTING THE RESIGNATION OF
COOPER LEVENSON AS ASSIGNED DEFENSE COUNSEL

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 have previously found that it is necessary and appropriate to obtain certain legal services to defend the claims filed against the Member Municipalities of the Atlantic County Municipal Joint Insurance Fund for which the Atlantic County Municipal Joint Insurance Fund is obligated to provide a legal defense on behalf of the Member Municipalities; and

WHEREAS, the ACMJIF, under the "Fair and Open" process, issued a Request for Qualifications (RFQ) on August 13, 2021 for three (3), one (1) year Contracts for Assigned Defense Counsel for General Liability matters, and the ACMJIF, after reviewing and evaluating all of the responses received to the RFQ, on January 19, 2022, awarded Contracts to ten (10) firms to serve as General Liability Assigned Defense Counsel; and

WHEREAS, one of the firms that was awarded a Contract to serve as General Liability Defense Counsel was Cooper Levenson with Carmelo T. Torracco, Esquire, Louis Niedelman, Esquire, Russell Lichtenstein, Esquire, and Brian Barr, Esquire serving as Assigned Defense Counsel; and

WHEREAS, by email dated June 5, 2023, Kenneth J. Calemno, Jr., Esquire, the Chief Operating Officer of the Firm, on behalf of Cooper Levenson, submitted the firm's resignation to serve as Assigned Defense Counsel for the ACMJIF, effective immediately; and

WHEREAS, through this Resolution, the ACMJIF shall confirm and accept the resignation of Cooper Levenson effective June 21, 2023, as requested by Cooper Levenson; however, the ACMJIF and Cooper Levenson have agreed that Cooper Levenson, with Louis Niedelman, Esquire as Assigned Defense Counsel, shall continue to serve as Assigned Defense Counsel for the following previously assigned matters: **King v. City of Brigantine**, Superior Court of New Jersey, Atlantic County, Law Division, Docket #ATL-L-1450-22, **Barnett v. Township of Galloway**, Superior Court of New Jersey, Atlantic County, Law Division, Docket #ATL-L-284-22, and **Leonard v. City of Ventnor**, Superior Court of New Jersey, Atlantic County, Law Division, Docket #ATL-L-555-23 until the conclusion of the litigation in each of those matters; and

WHEREAS, it has been agreed by Cooper Levenson that while the firm continues to serve as Assigned Defense Counsel in the **King, Barnett** and **Leonard** matters, the firm will not handle any cases against or engage in any litigation against the City of Brigantine, the Township of Galloway or the City of Ventnor.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Atlantic County Municipal Joint Insurance Fund assembled in a public session on June 21, 2023, that effective June 21, 2023, the resignation of Cooper Levenson to serve as Assigned Defense Counsel is hereby confirmed and accepted by the ACMJIF.

BE IT FURTHER RESOLVED that Cooper Levenson, with Louis Niedelman, Esquire as Assigned Defense Counsel, shall continue to serve as Assigned Defense Counsel for the following matters: **King v. City of Brigantine**, Superior Court of New Jersey, Atlantic County, Law Division, Docket #ATL-L-1450-22, **Barnett v. Township of Galloway**, Superior Court of New Jersey, Atlantic County, Law Division, Docket #ATL-L-284-22, and **Leonard v. City of Ventnor**, Superior Court of New Jersey, Atlantic County, Law Division, Docket #ATL-L-555-23 until the conclusion of the litigation in each of those matters.

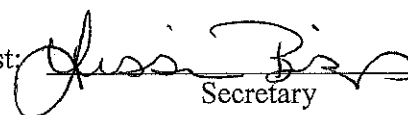
BE IT FURTHER RESOLVED that Cooper Levenson shall not handle any cases against or engage in any litigation against the City of Brigantine, the Township of Galloway or the City of Ventnor while the **King, Barnett** and **Leonard** matters are pending.

BE IT FURTHER RESOLVED that the copies of this Resolution shall be provided to the Administrator/Executive Director, Fund Solicitor, and Claims Administrator of the Atlantic County Municipal Joint Insurance Fund and Cooper Levenson for their information and attention.

This Resolution was duly adopted by the Atlantic County Municipal Joint Insurance Fund at a public meeting held on June 21, 2023.

ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND

By: 
Chairman

Attest: 
Secretary

Dated: June 21, 2023