

ATTACHMENT #1

A RESOLUTION TO APPOINT INTERIM SPECIAL LEGAL COUNSEL

WHEREAS, the Wake County Public School System (WCPSS) spent in excess of \$1.2 million in legal fees and more than \$600,000 in liability insurance premiums during the 2008-2009 academic year;

WHEREAS, the Board believes a thorough review of existing legal processes, procedures, and expenditures is in the best interest of the citizens and taxpayers of Wake County;

WHEREAS, Thomas A. Farr, a partner with the law firm of Ogletree, Deakins, Nash, Smoak, & Stewart, P.C. (“Ogletree Deakins”) and his firm have the experience and ability to conduct such an independent review and to provide recommendations to the Board;

WHEREAS, the Board also desires to retain Ogletree Deakins, through Mr. Farr, to provide the Board with general advice and counseling on litigation, policy, and personnel matters that arise during the period of their appointment as interim special legal counsel;

NOW, THEREFORE, THE WAKE COUNTY BOARD OF EDUCATION DOES HEREBY RESOLVE THAT:

1. The law firm of Ogletree, Deakins, Nash, Smoak, and Stewart, P.C., through Thomas A. Farr, be appointed and retained as interim special legal counsel and shall perform a review of all legal expenditures on legal services, processes, and procedures and prepare a report for the Board of Education on or before the Board’s 2010 annual meeting-providing recommendations regarding the provision of legal services to the Board and the WCPSS.
2. Ogletree Deakins, through Mr. Farr, shall be retained to provide legal advice and counsel to the Board on such litigation, policy, and personnel matters as requested by the Chair of the Board between the date of this resolution and the Board’s annual meeting. The WCPSS will continue its relationship with Tharrington Smith, however, the Chair will have the option to refer to the special counsel for additional advice and guidance.
3. The Chair is authorized to negotiate an acceptable method of compensation with Ogletree Deakins and to make a report to the Board no later than the first meeting in January 2010.
4. The Superintendent and all law firms currently retained by the Board or handling matters on behalf of the Board or the WCPSS shall cooperate with Mr. Farr and Ogletree Deakins and provide all requested information needed to perform the review of legal services described herein.

Adopted this the 1st day of December, 2009.

Chair, Wake County Board of Education

Del Burns, Superintendent
Wake County Public School System