

SPECIAL COUNSEL RATES OF COMPENSATION

NRS 41.0344 allows the District to employ special or outside counsel when it is impracticable or could constitute a conflict of interest for legal services to be provided by in-house counsel. The statute requires that the rate of compensation be approved by the Board. The current caseload may require, from time to time, additional counsel be available to assist in meeting legal requirements.

A Complaint has been filed against the District in United States District Court for the Western District of Kentucky, Louisville Division, by an individual claiming the District infringed on a registered copyright of an educational book which was posted on a website. It is impractical for District counsel to defend this matter in the Kentucky proceeding, and the District's interests are best served by hiring a specialist in the area of copyright.

Employment of the following counsel from Kentucky who have expertise in copyright proceedings, at the rate indicated, which is consistent with the typical rates for such counsel.

Middleton Reutlinger	Up to \$275/hour
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In addition, employment of the following special counsel, to represent the District in two matters that have been filed with the Nevada Commission on Ethics.

Hutchison & Steffen LLC	Up to \$330/hour
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The following counsel has represented the District in various matters at a lower rate which was approved in 2005, but the hourly rate has increased, as reflected below. Such a rate is consistent with the typical rates for such services.

Mark Ferrario of Greenberg Traurig	Up to \$330/hour
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Discussion and possible action on approval of the rates of compensation of outside or special counsel employed by the District, as required by NRS 41.0344, is recommended.