

FEE PROPOSAL

The firm has always been sensitive to the fiscal pressures on its public sector clients and, for that reason, has historically provided reduced rates to such entities. While the firm's normal hourly rates for partners range from \$250.00 to \$500.00 per hour and the range for associates is from \$125.00 to \$250.00 per hour, the firm proposes to charge a blended rate of \$175.00 per hour for all attorney work performed on behalf of the Board. We also propose a discounted hourly rate for paralegals of \$75.00 per hour. Bills are sent on a monthly basis and payment is due within thirty (30) days thereafter. The firm would hold these rates for the duration of our agreement with the Board.

In addition to attorney and indicated staff time, the Board shall be billed for all disbursements incurred on its behalf, including computerized legal research (e.g., Westlaw, Lexis, etc.). Other disbursements include:

Photocopies	\$.30 per page
Faxes	\$.25 per page
Printing	\$.10 per page
Color Copies	\$.65 per page
CD Copy	\$ 5.00
DVD Copy	\$ 10.00

Disbursements for other expenses would be separately billed in accordance with the Board's requirements. DeCotiis has a review process in place to ensure the accuracy of our clients' bills. Each client's bill is reviewed by a supervising partner to ensure that the work performed by our attorneys was done in the most cost-efficient manner. Adjustments are made when necessary.

CLIENT REFERENCES

We are happy to provide the following references. Additional references will be furnished upon request.

1. Ms. Donna L. Haye, Superintendent
Atlantic City Public Schools (K-12)
1809 Pacific Avenue
Atlantic City, New Jersey 08101
609.343.7200
2. Ms. Theresa A. Sierchio, Business Administrator/Board Secretary
Hopatcong Borough Schools
2 Windsor Road
Hopatcong, New Jersey 07843
973.770.8844

WEINER LESNIAK LLP

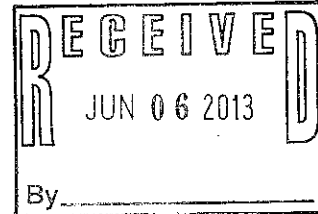
ATTORNEYS AT LAW

www.weinerlesniak.com

JACQUELINE A. DEGREGORIO
A Member of the Firm

jdegregorio@weinerlesniak.com

June 5, 2012



Via Facsimile and Regular Mail

James J. Damato, Esq.
Board Secretary/General Counsel
Union Public Schools
2369 Morris Avenue
Union, New Jersey 07083-5712

Re: Proposal for Professional Service

Dear Mr. Damato:

Kindly accept this letter as Weiner Lesniak LLP's response to the Union Township Board of Education's invitation to submit a Request for Proposal from this law firm for the new fiscal year to handle litigation matters as assigned by the Board and general counsel.

Weiner Lesniak LLP is a forty-two (52) attorney, Parsippany, New Jersey law firm performing a diversity of legal work. The firm practices in all areas of public sector representation and defense, education law, labor/employment law, commercial, tort and civil rights litigation, bankruptcy, environmental litigation, land use and planning and real estate transactions.

Weiner Lesniak LLP has a long history of committed client service and we are a "proactive" firm. We pursue a progressive advocacy philosophy and we understand the sometime emergent nature of representing boards of education. We pride ourselves on prompt responses to all inquiries, especially telephone calls, and provide quick, accurate written responses when needed. We also have dedicated our practice to being available as needed to each of our clients. To that end, we make ourselves available to attend all meetings, negotiations or hearings at your convenience.

Weiner Lesniak LLP welcomes the opportunity to continue providing experienced, reliable and competent litigation counsel to the Union Township Board of Education. We propose to provide all legal services at a blended hourly rate of \$185.00 for attorneys and \$65.00 for paralegals. Expert fees and expert costs will be billed to the Board as will copying costs at \$.20 per page, faxes at \$1.00 per page, and postage and express mail costs at the cost to us. In other words, we are to be reimbursed for all necessary disbursements and expenses incurred on your behalf.

James J. Damato, Esq.
Board Secretary/General Counsel
Union Township Board of Education

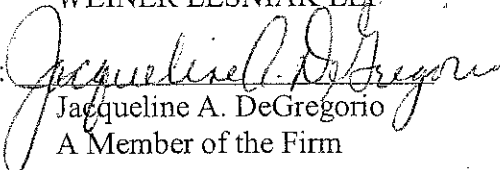
June 5, 2013
Page 2

I have enclosed this firm's Business Registration Certificate, Certificate of Employee Information Report and firm brochure along with a copy of my resume.

If you should have any questions or need further information, please feel free to contact the undersigned.

Very truly yours,
WEINER LESNIAK LLP

By:


Jacqueline A. DeGregorio
A Member of the Firm

JAD/vc
Enclosure
638213_1

LAW OFFICES
APRUZZESE, McDERMOTT, MASTRO & MURPHY

VINCENT J. APRUZZESE (2)*
FREDERICK T. DANSER, III
MAURICE J. NELLIGAN, JR. (4)
BARRY MARELL
ROBERT T. CLARKE
MARK J. BLUNDA (1)
JAMES L. PLOSIA, JR.
LISA BARRÉ-QUICK (2)(3)
ROBERT J. MERRYMAN (3)
ARTHUR R. THIBAUT, JR.
LINDA GANZ OTT
RYAN S. CAREY (2)
JONATHAN F. COHEN
NEHA PATEL (5)
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STEVEN K. PARNES (2)(3)
DAVID YI (2)(6)

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(1924-2011)

JAMES F. MURPHY
(1938-1990)

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*OF COUNSEL

June 5, 2013

(Via Federal Express)

James J. Damato
Board Secretary/General Counsel
Union Township Board of Education
2369 Morris Avenue
Union, NJ 07083-5712

Re: *Professional Services*

Dear Mr. Damato:

Pursuant to the Board's Request for Proposal for Legal Services we are pleased to submit the following information regarding our firm for consideration by the Township of Union Board of Education. Our firm has been privileged to represent the Board of Education since 1993.

Founded in 1965, Apruzzese, McDermott, Mastro & Murphy, P.C. specializes in labor, employment and education matters, exclusively on behalf of management, in both the private and public sectors. In our capacity as labor and employment counsel to clients our services regularly include collective bargaining, labor litigation, and employment litigation covering discrimination, wrongful termination, sexual harassment, disability, whistleblower and contract claims under both federal and state laws. In addition, our firm serves as Board Counsel to a number of Boards of Education. In that capacity we assist the Board's in general education matters, special education matters, commercial and construction matters.

We are pleased to advise you that for the second consecutive year Apruzzese, McDermott, Mastro & Murphy was selected by U.S. News & World Report as a "Best Law Firm" in the country. In addition, our firm is named in the Martindale-Hubbell publication, "Bar Register of Pre-eminent Lawyers". Several of the firm's principals, Vincent J. Apruzzese and Maurice J. Nelligan, were named in New Jersey Monthly as being among the "Top Lawyers" in the state. Principals Robert T. Clarke, Mark J. Blunda and Barry M. Marell were designated among New Jersey's "Super Lawyers."

Mr. Apruzzese, Mr. Clarke and Mr. Blunda are also named in "The Best Lawyers in America", and Mr. Blunda, Mr. Clarke and Mr. Nelligan are included in "The New York Area's Best Lawyers."

A primary objective of our firm is to assist clients in avoiding labor disputes and employment litigation so that they may focus their resources on achieving strategic goals, unhampered by the disruption of labor and/or employment controversies. To that end, our principals and associates employ their considerable skills and experience in guiding executives and human resource administrators through sensitive and complex business and employment decisions so that legal challenges and labor disputes can be minimized. We work closely with in-house personnel in adopting and modifying policies to assure compliance with state and federal law.

In education law, our firm has a wealth of knowledge in the wide array of legal issues that may arise with public schools. We have extensive experience handling special education cases, from the initial mediation stage through due process hearings and federal court appeals. Attorneys in our firm have litigated tenure charge matters, tenure and seniority issues, increment withholding cases, pupil suspension and expulsion issues, constitutional and statutory issues related to schools, construction and bidding issues, etc. Our broad experience with education law allows us to address and resolve many issues at the counseling stage, before these matters burgeon into potentially costly and time consuming litigation.

Employment Litigation

To deal with those circumstances when litigation is unavoidable, the firm has assembled an experienced and talented team of trial lawyers who have compiled an impressive record of success in state and federal courts and before specialized administrative tribunals. Led by Mark J. Blunda, a principal who has been certified by the Supreme Court of New Jersey as a Civil Trial Specialist and is a Fellow of the College of Labor and Employment Lawyers, our litigators have successfully defended against claims of every form of employment discrimination, CEPA retaliation, harassment, wrongful discharge, breach of contract and unfair labor practice.

Mr. Blunda and our firm have successfully defended, both public and private sector clients against such claims of sexual harassment, hostile work environment, age, race, gender and disability discrimination and whistleblower retaliation. In the academic setting, we have defended universities and other education institutions against claims brought by tenured faculty members, staff members challenging tenure and promotion decisions and other staff alleging discriminatory employment practices. When necessary, our firm has also been called upon to prosecute tenure charges. Among the clients whom we have represented in employment litigation are: Bayonne Board of Education, Kinnelon Board of Education, PSE&G, Saint Barnabas Medical Center, GPU Energy, Newark Beth Israel Medical Center, Becton Dickinson, Clara Maass Medical Center,

WWOR-TV, Fairleigh Dickinson University, Community Medical Center, Holmdel Township, The New Jersey Highway Authority, South Jersey Publishing and numerous local boards of education. In addition, we have achieved successful court verdicts in other employment discrimination trials for Jersey Central Power & Light, Borough of Sayreville, Tenafly Board of Education, Jason Furniture, PHH Corporation, Ridgewood Board of Education, Newark Beth Israel Medical Center and Zambon Corporation.

To underscore our firm's knowledge and expertise in this area of the law, Lisa Barre-Quick, another experienced member of our employment litigation group, has authored "*Reasonable*" *Isn't Necessarily "Right" And It Doesn't Necessarily Have to Be: What Constitutes A Reasonable Belief Under CEPA?*, published in the Fall 1998 edition of the New Jersey Labor & Employment Law Quarterly and *The Replacement of the Replacement Standard: The New Approach to the Prima Facie Case of Discrimination Under Title VII and the New Jersey Law Against Discrimination*, which was published in the Winter 2000 edition of the New Jersey Labor & Employment Law Quarterly.

Litigation Attorneys

Mark J. Blunda, the head of the firm's litigation group, has specialized in civil litigation and employment law in the State of New Jersey for twenty-nine (29) years. He has been Certified by the Supreme Court of New Jersey as a Certified Civil Trial Attorney since 1994. In addition to trying cases before State and Federal Courts and Administrative agencies, he supervises the attorneys and paralegals on the litigation team. He holds a Bachelor's Degree for Georgetown University School of Foreign Service, a Master's Degree from Johns Hopkins University, a Juris Doctor Degree from Seton Hall University Law Center and an AV rating from Martindale-Hubbell. He was inducted as a Fellow in the College of Labor and Employment Lawyers in 2000 and a Master of The Bench of the Sidney Reitman International Inn of Court in 1995. He has been selected as a *Super Lawyer* by *New Jersey Monthly* in 2005 and 2006. He is an Editor of the New Jersey Labor and Employment Quarterly and Co-Chair of the State Bar Association Labor and Employment Section on Disability Discrimination. Mr. Blunda has represented governmental entities since 1978. Prior to joining the firm he was a partner with Sills Cummis in Newark, New Jersey.

James L. Plosia, Jr. has served as Defense counsel for governmental entities since 1988. He concentrates his practice in the public sector, representing many municipalities, counties and boards of education throughout the State. He is regularly representing governmental entities in State and Federal Courts, before administrative agencies, in arbitration and in the Appellate Courts. He also has extensive experience in representing boards of education in special education and general education matters. He is a graduate of Rutgers University and an honors graduate of Rutgers Law School, where he was a member of the Law Review and served as its Notes and Comments editor. Mr. Plosia has written extensively on both labor and employment and education law issues, and speaks frequently on both topics. He has also been an instructor in Fairleigh

Dickinson University's MPA program. Mr. Plosia has provided defense representation to public entities since his graduation from law school since 1988, in such areas as discrimination law; CEPA claims; Section 1983 claims, Dept. of Education issues, special education disputes, etc. In addition, Mr. Plosia has negotiated numerous collective bargaining agreements in both the public and private sectors, besides litigating numerous cases before the Public Employment Relations Commission.

Lisa Barré-Quick has over twenty-two years of litigation experience and is and has been involved in significant federal and state court litigation on behalf of public sector clients involving claims ranging from discrimination claims to civil rights violations. Ms. Barré-Quick has also represented public sector clients in a range of administrative actions and provided counseling and training to public sector clients on policy, HIPPA issues, and employment issues. Ms. Barré-Quick received her B.A. *cum laude* from the University of Pennsylvania, and her Juris Doctor with Honors from the National Law Center at George Washington University, where she was a member of the editorial board of the *George Washington Journal of International Law and Economics* and a member of the Moot Court Board. Ms. Barré-Quick was also awarded the Jacob Burns First Place Moot Court award for the National Law Center Van Vleck Constitutional Law Moot Court Competition. She is admitted to the practice of law in New Jersey, New York, Pennsylvania, and the District of Columbia, and before the Third Circuit and United States Supreme Court. Ms. Barré-Quick was a member of the Adjunct Faculty of Seton Hall School of Law from 1994 through 1998 and is a member of the Employment Law Section of the New Jersey and American Bar Associations. She was also a Barrister of the 1998 Sidney Reitman Employment Law American Inn of Court. Ms. Barré-Quick is the author of several articles in the employment law area, including: *The Open Public Records Act: Employee Records and Related Human Resource Issues*, New Jersey Labor and Employment Law Quarterly (Winter 2002); *The Replacement of the Replacement Standard: The New Approach to the Prima Facie Case of Discrimination Under Title VII and the New Jersey Law Against Discrimination*, New Jersey Labor & Employment Law Quarterly (Winter 2000); "Reasonable" Isn't Necessarily "Right"- And It Doesn't Necessarily Have To Be: What Constitutes A Reasonable Belief Under CEPA, New Jersey Labor & Employment Law Quarterly (Fall 1998); and *The Road Less Traveled: Obstacles In The Path Of The Effective Use Of The Civil Rights Provision Of The Violence Against Women Act In The Employment Context*, Seton Hall Constitutional Law Journal (Spring 1998).

Robert J. Merryman - Mr. Merryman has represented municipalities and other public entities in State and Federal Courts and before arbitrators and administrative agencies since 1992. He is graduate of Rutgers School of Law - Camden (J.D. 1991) and was the recipient of a graduate fellowship to the Eagleton Institute of Politics where he earned a Master of Arts in Political Science. Mr. Merryman has lectured extensively on educational issues. Mr. Merryman has been a frequent lecturer on education law. He is admitted to practice law in New Jersey and Pennsylvania and has served as a Vice President with the New Jersey Association of School Attorneys.

Arthur R. Thibault Jr. graduated *cum laude* from the Thomas M. Cooley Law School and has been admitted to practice law in the State of New Jersey in 1998. Since his admission, Mr. Thibault has concentrated his practice in the employment law and litigation. He has litigated

numerous employment cases, among those are claims involving discrimination and retaliation on behalf of boards of education. In addition to litigation, Mr. Thibault also counsels and advises our clients on labor and employment issues, including contract advice and grievance representation for several boards of education.

Ryan S. Carey graduated cum laude from The College of New Jersey and cum laude, Seton Hall University School of Law. Since graduating from law school, his practice has been concentrated in the area of employment law and related counseling and litigation and he has been involved in employment related disputes at the administrative, state court and federal court levels on behalf of a diverse group of clients.

Linda Ganz Ott provides litigation support in the defense of various governmental entities. She received her BA from Boston University, her Masters' Degree from University of Rhode Island and her law degree from Rutgers the State University School of Law Newark. She was admitted to the Bar in New Jersey in 1994 and since that time has concentrated in the areas of education law, employment law and civil litigation.

Collective Bargaining and Labor Litigation

Our firm has extensive experience in the areas of collective negotiations, grievance arbitration, fact finding, administrative law hearings, all aspects of labor and litigation, training and general advice with regard to personnel management, handbooks, personnel policies and practices, contract management and administration. Because our firm has sixteen labor and employment attorneys we can respond in a timely manner to matters ranging from injunctions to emergent personnel decision.

In addition to serving as chief spokesperson in negotiations, our firm counsels its clients in all aspects of the negotiations process, including planning and strategy, cost analysis of union demands, evaluating which union demands are negotiable and which are non-negotiable managerial prerogatives, and utilization of the mediation and fact finding processes. Our firm has successfully defended its clients' right to exercise their managerial prerogatives through the use of the PERC scope of negotiations process. We have also been successful in obtaining injunctions in cases where public sector unions have engaged in illegal labor disruptions. In one of these cases the union was ordered to reimburse the public employer for all legal fees and expenses incurred as a result of the illegal activity.

In the public sector we have handled negotiations on behalf of numerous municipalities, counties, boards of education, the State Judiciary, NJ Highway Authority, NJ Transit and Public Authorities. We have also handled all types of litigation on behalf of these public employers in the Federal and State Courts, Office of Administrative Law and the Public Employment Relations Commission.

Our former partner Frank X. McDermott, was involved in the drafting and enactment of the New Jersey Employer-Employee Relations Act. Another attorney in

our firm, Maurice J. Nelligan, was the first Executive Director of the Public Employment Relations ("PERC"). Former attorneys in the firm have served as Commissioner of Labor, Director of State of New Jersey Office of Employee Relations and Chairperson of the Public Employment Relations Commission. I also served as an attorney with PERC before joining our firm. Needless to say, our firm has a great deal of experience representing clients before PERC.

In the private sector, in addition to the representation of corporate clients in all phases of labor law, the firm has represented national and statewide employer organizations such as the United States and New Jersey Chambers of Commerce, the Edison Electric Institute, Associated General Contractors of America and others before the United States Supreme Court in cases involving anti-trust labor law issues, striker benefits, strike replacements, secondary boycotts and reverse discrimination. The firm's principals and associates include several attorneys who have formerly worked in the Legal Departments of major corporations, and with the National Labor Relations Board. We have extensive experience negotiating collective bargaining agreements in health care, education, manufacturing, construction, pharmaceutical industries, not for profit organizations, etc.

Labor Attorneys

Vincent J. Apruzzese – Firm founder Vincent J. Apruzzese has served as Chair of the Labor and Employment Law Section of the American Bar Association and as a member of its Board of Governors. He has also served as an officer of the International Labor Law Society. He is past Chair of the New Jersey State Bar Foundation and a Past President of the Association. Mr. Apruzzese is a former Chair and current member of the Board of Governors of the Paper Mill Playhouse, and Vice Chairman of St. Barnabas Medical Corporation, the largest health provider in New Jersey. He also was a member of the Martindale-Lexis-Nexis Advisory Board.

Frederick T. Danser, III has been admitted to practice law in New Jersey since 1968 and has been a member of our firm since 1970. He serves as labor counsel for many employers in both the private and public sectors, and his experience includes extensive work in all aspects of labor litigation where he has made frequent appearances before the Public Employment Relations Commission, Office of Administrative Law and state and federal courts on various matters. Mr. Danser has worked extensively in the public sector where he has represented New Jersey Transit and has served as labor counsel to Middlesex County, Union County and Essex County as well. He has also served as special labor counsel to the NJ Judiciary where he negotiated the first state wide labor contracts for approximately 7,500 employees following passage of the State Judicial Unification Act. He also represents many municipalities and boards of education throughout the State. Mr. Danser is a member of the Labor and employment Law Section New Jersey State Bar Association and the Labor Law Section of the American Bar Association, and he has spoken frequently at seminars on topical labor and employment law issues.

Maurice J. Nelligan, Jr. – Mr. Nelligan served as the first Executive Director of the Public Employment Relations Commission at the time of its founding, as well as its Special Counsel. A former attorney for the National Labor Relations board, he is a member of the Labor and Employment Law Sections of the American Bar Association and the New Jersey State Bar Association. Mr. Nelligan has negotiated both faculty and non-faculty collective bargaining agreements in higher education. In addition, he has successfully litigated very complex labor and employment matters on behalf of public employers. Mr. Nelligan has served as special counsel to the New Jersey Highway Authority, Stevens Institute of Technology, Fairleigh Dickinson University and Monmouth University in various labor and employment matters.

Robert T. Clarke – Mr. Clarke, managing principal of our firm, is labor counsel and chief negotiator for some of the largest and most notable employers in both private industry and the public sector. Over the last two decades he has guided health care systems, pharmaceutical companies, airlines and manufacturing corporations through union avoidance campaigns, strikes, labor injunctions, picketing and unfair labor practices and has negotiated high profile settlements resulting in major concessions from powerful, national unions. Mr. Clarke regularly represents management in grievance arbitrations and proceedings before the National Labor Relations board and the Public Employment Relations Commission, where he served as counsel prior to joining the firm. He also practices in the public sector, representing counties, municipalities and school boards, throughout the State of New Jersey. Mr. Clarke is a member of the Labor and Employment Section of the New Jersey State Bar Association and one of the authors of "New Jersey Labor and Employment Law." Mr. Clarke also serves as a Trustee of the Board of Governors of the Paper Mill Playhouse.

Resources

Our firm maintains an experienced administrative and clerical support staff which is available on a 24-hour basis if our clients needs dictate. Our staff is proficient in preparing pleadings for emergent matters which is not uncommon in labor and employment matters. This requires our support staff to prepare pleadings within a matter of hours so that we can appear in court to seek injunctions regarding illegal strikes and/or picketing. In addition, our firm provides paralegal services for those matters that lend themselves to that type of support.

Fee Schedule

Our general billing procedures provide for the transmittal of a detailed invoice each month in which services are performed. Hourly rates are billed in units of 1/10 of an hour and all services are fully described with an indication of the day on which performed. Disbursements are also indicated. Invoices for items such as transcripts, expert fees, etc. billed to us by others will be sent to you for direct payment, with the request that you provide us with a copy of your payment transmittal letter for our files. We also bill for expenses such as copying, messenger service, computerized legal

research and other similar items. Our hourly rate will be \$195.00 per hour. In addition, our fees for disbursements are: \$.25/p. for b/w copies; \$1.00/p. color copies; \$1.00/p. facsimiles; and \$1.00/p. for scanning.

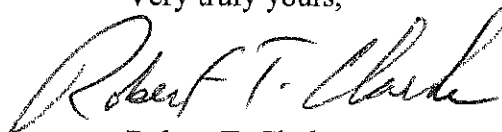
Clients

A representative list of our labor and employment clients includes:

Allamuchy Board of Education; Bayonne Board of Education; Township of Belleville; Borough of Belmar; Borough of Bernardsville; Brick Township; Clara Maass Medical Center; Community Medical Center; Township of Clark; Cooper Tire; Coppertone; East Hanover Board of Education; Fairleigh Dickinson University; General Public Utilities Inc.; GPU Energy, Inc.; Great Meadows Board of Education; Hackettstown Board of Education; Helvoet Pharma; Borough of Highlands; Holmdel Township; Town of Kearny; Kimball Medical Center; Kinnelon Board of Education; Livingston Technologies; Manasquan Board of Education; Mendham Township; Borough of Metuchen; Middlesex County; Monmouth Medical Center; Neptune City Borough; Neptune Township; New Brunswick Board of Education; Newark Beth Israel Medical Center; Borough of New Providence; Nitto Denko; Northern Highlands Board of Education; Northern Valley Regional Board of Education; Paper Mill Playhouse; Permacel; Permacel Automotive; Plainfield Community Health Center; Township of Princeton; Raritan Valley Community College; Borough of Red Bank; Saint Barnabas Health Care System; Saint Barnabas Medical Center; Borough of Sayreville; Service Corporation International; Smithklyne Beecham, Inc.; South Brunswick Township; Southern Regional Board of Education; Sparta Board of Education; Borough of Spotswood; Stanhope Borough; Stevens Institute of Technology; City of Summit; The ARC; The Sharing Network; Borough of Tinton Falls; Township of Union; Union County Educational Services; U.S. Metals & Refining Co.; United States Chamber of Commerce; Vernon Township Board of Education; and Town of Westfield.

Should you have any questions regarding our firm please do not hesitate to contact us or any of the clients that we represent. It has been an honor to represent the Township of Union Public Schools since 1993. We believe that in conjunction with your administration we have achieved outstanding results on behalf of the Board of Education. We look forward to the opportunity to continue to do so.

Very truly yours,



Robert T. Clarke

RTC/mjf/