

RESOLUTION

WHEREAS, the Township of West Orange is a defendant in the case captioned Committee of Managers of Llewellyn Park v. Township of West Orange, et al., bearing Docket No. ESX-L-2005-10 (JSR), and

WHEREAS, plaintiff has retained an expert to prepare an expert report and provide expert testimony in their case, and an expert report and expert testimony on behalf of the defendants will be needed to adequately defend that case, and

WHEREAS, Thomas A. Banker is qualified to provide an expert report and expert testimony with respect to the subject matter of that litigation and is willing to do so pursuant to an agreement for the provision of such services,

NOW, THEREFORE, BE IT RESOLVED, that the West Orange Township Council authorizes the Mayor, Business Administrator, Township Attorney, and Assistant Township Attorney, as appropriate, to execute on behalf of the Township a contract with Thomas A. Banker, consistent with his proposal for providing an expert report and expert testimony in the case of Committee of Managers of Llewellyn Park, v. West Orange Township, et al., Docket No. ESX-L-2005-10 (JSR), Thomas A. Banker's time to be billed at \$175.00 per hour, Senior Staff Consultants' time to be billed at \$120.00 per hour, and Research Assistants to be billed at \$75.00 per hour, with all fees and costs to be capped at \$7,500 and any expenditure beyond that to require additional approval from the Township Council.

Karen J. Carnevale, Township Clerk

Sal M. Anderton, Council President

Added to Agenda from the floor by unanimous vote of 5 to 0: October 26, 2010

Adopted: October 26, 2010

Approved as to form on the basis of the facts provided:
