



DEPARTMENT OF LAW
CITY OF CHICAGO

The City of Chicago (City) Department of Law (Department) utilizes outside counsel in a number of litigation-related areas, including civil rights, commercial, construction, consumer protection, contracts, employment, and intellectual property. The Department also retains outside counsel in a number of transactional and regulatory areas, such as airport financing, concessions, public utilities, real estate, and telecommunications. The Department is contacting your firm to inform you of these opportunities. A more comprehensive list of the areas in which we regularly use outside counsel appears on Exhibit A.

The City and the Department are committed to promoting the success of minority-owned businesses and to promoting equal employment opportunities for all persons. The City and the Department also are grateful to those who have served our Country. Accordingly, the Department actively seeks minority-owned firms, as well as minorities, women, people with disabilities, and veterans of the United States armed services, to serve as outside counsel.

If you can provide high-quality legal services in one of the Department's areas of need, please contact the Department and provide us with more information about your firm. The Department would like to know:

- In which of the practice areas listed on Exhibit A can your firm provide outside counsel to the City?
- How much experience does your firm have in each of these areas of practice? What percentage of your practice deals with each of these practice areas?
- How many lawyers are in your firm?
- How many of the partners in your firm are minorities, women, persons with disabilities, or veterans? Please detail the number of partners in each category, as well as the total number of diverse/veteran partners.
- Is your firm certified as an M/W/D/VBE by the City or some other certifying body?
- Overall, how diverse is your firm?
- How many of the attorneys in your firm, who might work on City projects, are minorities, women, disabled, or veterans? List the number of attorneys in each category, as well as

the total number of diverse/veteran attorneys. Please include the resumes of the attorneys with whom your firm proposes to staff City projects.

- Please complete and provide us with the most recent ABA Model Diversity Survey.

Please send responses and resumes to: Jill.Murray@cityofchicago.org

Thank you for taking the time to reply to this inquiry. If you have any questions relating to this matter please contact Jill Murray at 312-744-6924.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Flessner", written over a horizontal line.

Mark A. Flessner
Corporation Counsel

EXHIBIT A

Outside Counsel Opportunities with the City of Chicago

Affirmative Litigation Division (ALD)

ALD works on a broad range of plaintiff-side litigation to protect the interests of the City and its residents under the City's false claims, consumer fraud, and revenue ordinances as well as other applicable law.

ALD uses or would consider using outside counsel, typically on a contingent-fee basis, in the following areas:

Consumer Protection Litigation - assistance with lawsuits challenging business practices that harm Chicago consumers.

Environmental Litigation - assistance with lawsuits asserting environmental contamination that harms public health.

False Claims Litigation - assistance with lawsuits alleging false claims or statements made to the City, including lawsuits filed by *qui tam* relators.

Litigation Against the Federal Government - assistance with lawsuits challenging actions by the federal government that harm the City and its residents. Unlike ALD's other work, representation of the City in this area is generally *pro bono*.

Aviation, Environmental, Regulatory & Contracts (AERC) Division

The AERC Division attorneys practice in the following areas: aviation, commercial and construction litigation, environmental, false claims ordinance cases, general regulatory, intellectual property, procurement and other contracts, public utilities, railroads, and telecommunications. AERC attorneys handle litigation and pre-litigation disputes, transactional matters, legislative efforts, airport leases, contracts and procurements, airport bond issues, and other airport financing transactions.

The AERC Division uses outside counsel in the following areas

Airport Concession Matters - assistance with the procurement, negotiation and drafting of airport concession agreements.

Airport Environmental and Noise Matters - assistance on environmental and noise litigation and regulatory matters.

Airport Financings - bond counsel and disclosure counsel services relating to financings for O'Hare and Midway International Airports and issues that may arise relating to such financings.

Airport P3 Projects (Public-Private Partnerships) - assistance with public-private partnership efforts relating to O'Hare and Midway International Airports.

Airport Real Estate Matters - assistance with procuring, negotiating and drafting leases, licenses and other agreements at O'Hare and Midway International Airports for rental car facilities, aircraft hangars, air cargo facilities, ground equipment storage and maintenance facilities, fuel facilities, hotels, flight kitchens, and other airport aeronautical and non-aeronautical facilities, as well as assistance with the acquisition of land and real estate improvements for airport purposes.

Airport Regulatory Matters - assistance with issues that arise relating to federal, state, and local government regulations and grant assurances which that impact O'Hare and Midway International Airports.

Airport Use and Lease Agreement Related Matters - assistance with negotiating and drafting airport use and lease agreements governing the airlines' use of O'Hare and Midway International Airports and issues that may arise under such agreements.

Intellectual Property Matters - assistance with certain intellectual property matters, such as the registration of trademarks, service marks, and copyrights, and intellectual property litigation.

Litigation - assistance in handling certain litigation, including commercial, contracts, construction, false claims ordinance, and other litigation.

Public Utilities, Railroads, and Telecommunications - assistance in representing the City in state and federal regulatory proceedings, including before the Illinois Commerce Commission, the Federal Communications Commission, and the National Transportation Safety Board.

Transactional Matters - assistance with certain transactional matters requiring specialized expertise, such as expertise with regard to applicable federal and state laws and regulations governing employer-sponsored, tax-deferred, compensation plans; employee benefits contracts, copyright/trademark; telecommunications/broadband; and regulated industries like purchase of natural gas.

Collection, Ownership, and Administrative Litigation (COAL) Division

The COAL Division attorneys practice in the following areas: collecting debts due to the City, determining real property ownership and responsible parties in preparing for litigation, recovering demolition costs through lien foreclosure, and bankruptcy matters.

The COAL Division uses outside counsel in the following areas:

Collections - assistance with the collect of debts, including prosecuting municipal code violations, enforcing post-judgment remedies, and handling cost-recovery matters at the Department of Administrative Hearings and the Circuit Court.

Bankruptcy - representing the City's interests in Bankruptcy Court.

Constitutional and Commercial Policy Litigation (C&C) Division

The C&C Division represents the City and City officials in a broad range of complex constitutional and commercial litigation in federal and state court, and provides pre-litigation counseling to City departments and officials.

The C&C Division uses outside counsel in the following areas:

Class Action Lawsuits - assistance in cases involving significant class action exposure.

Highly Specialized Areas of Law - assistance in cases involving discrete areas of law in its area of responsibility that it does not typically handle, such as in Redman v. City of Chicago, a case asserting liability under the Federal Fair and Accurate credit Transactions Act.

Employment Litigation Division

The Employment Litigation Division defends the City and its past and present officers and employees in lawsuits arising from the employment of past, present, or prospective employees of the City.

The Employment Litigation Division uses outside counsel in the following areas:

Class Action or Multi-Plaintiff Lawsuits - assistance with cases involving alleged violations of the Title VII or the Fair Labor Standards Act (and related state law causes of action). Experience with the science of test validity (e.g., promotional and physical ability testing) is helpful.

Federal Civil Rights Litigation (FCRL) Division

The FCRL Division defends Chicago Police Department officers and the City in federal civil cases brought under 42 U.S.C. §1983 for claims of false arrest, use of excessive force, unlawful detention, denial of medical care, reversed convictions, wrongful death and related claims under state law such as malicious prosecution and battery.

The FCRL Division uses outside counsel to assist with cases asserting each of these types of claims, in lawsuits that involve extensive motion practice, intensive discovery, settlement negotiations, and trial practice.

Finance and Economic Development (Finance) Division

Attorneys in the Finance Division practice in the following areas: bonds, structuring loans, grants, tax increment financing, special service areas, and enterprise zones, regulating telecommunications and district cooling operations in the City's public ways.

The Finance Division uses outside counsel in the following areas:

Bond Counsel - in connection with the City's bond issues, bond counsel drafts the authorizing ordinance, the trust indenture, and most of the closing certificates for the transaction. Bond counsel also provides an opinion at closing that the bonds are valid obligations of the City and that interest paid on the bonds is tax-exempt under the Internal Revenue Code.

Disclosure Counsel - in connection with the City's bond issues, disclosure counsel drafts the official statement (i.e., the document used to market the bonds to potential investors), the bond purchase agreement, and the continuing disclosure undertaking. Disclosure counsel also provides an opinion at closing that the official statement complies with applicable securities laws.

Special Issuer Counsel - for transactions involving a novel or especially complex structure.

Health Law - as expert consultants.

Mortgage Credit Certificate Program Counsel - as expert consultants.

Special Assessment Counsel - as expert consultants.

Telecommunications Law - as expert consultants.

Labor Division

The Labor Division attorneys represent the City in all aspects of labor and employment law.

The Labor Division uses outside counsel in the following areas:

Employment Discrimination – assistance defending employment discrimination claims filed against City Departments at the federal, state, and local agencies (EEOC, IDHR, or CCHR).

Police Board, Human Resources Board, Arbitration, and Illinois Labor Board - assistance representing City Departments in defending department heads who are attempting to discharge or discipline employees. These disciplinary hearings are heard at the Police Board when a police officer is being disciplined or at the Human Resources Board or at arbitration if an employee from another City department is being disciplined. The attorneys represent departments throughout the entire administrative process from evidentiary hearings to appeals in Cook County Circuit Court. Labor attorneys also represent City Departments in arbitrations when unions file grievances based on alleged violations of the various collective bargaining agreements and on unfair labor practice charges and representation petitions at the Illinois Labor Board.

Real Estate and Land Use (Real Estate) Division

The Real Estate Division provides legal assistance to client departments in connection with the purchase, sale, leasing, condemnation, zoning, and development of land, as well as the opening, vacation, and dedication of public rights of way.

The Real Estate Division uses outside counsel in the following areas:

Litigation - assistance with eminent domain litigation.

Transactional - assistance with complex real estate development projects and right-of-way issues, including acquisition, disposition, and private use of public ways.