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METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

[Signature]
EXECUTIVE SECRETARY

December 22, 1994

To: Board of Directors (Organization & Personal Committee--Action
(Legal & Claims--Committee--Action))

From: General Counsel

Subject: Authorization for the General Counsel to enter into an Agreement with Bogle & Gates for the Personal Services of Jerome C. Muys

REPORT

Since 1975, Jerome C. Muys, attorney of Washington D.C. has been assisting the General Counsel in various matters relating to the Colorado River. In particular, Mr. Muys is currently assisting the General Counsel in the Arizona v. California III litigation relating to the extent of water rights of Indian reservations along the lower Colorado River and has been serving as the lead trial attorney in the matter. Mr. Muys expertise in this matter is unique, since he was the attorney who presented these matters in the original action in the late 1950's before the Special Master appointed by the United States Supreme Court.

Mr. Muys presently serves under a contract approved by your Board with the law firm of Will & Muys. Mr. Muys, upon the dissolution of that firm has joined the Seattle, Washington based firm of Bogle & Gates who also have offices in Washington D.C., Bellevue, Olympia, Anchorage, Portland, Tacoma and Vancouver, B.C.. The firm, comprised of 198 attorneys is a full service firm with a Natural Resources and Environmental Practice group of 50 attorneys. Mr. Muys will be a partner in the Bogle & Gates' Washington D.C. office.

The firm has adopted a Voluntary Affirmative Action Plan and has provided documentation indicating that of their current attorney staff, 28 percent are women and 8 percent are minority attorneys.

Under the terms of the proposed contract with Bogle & Gates, Mr. Muys services would continue under the same conditions which were approved by your Board in March of 1991. Bogle & Gates would be retained at a monthly retainer fee of \$2,500, with hourly charges billed to Metropolitan only if they exceed \$2,500 on a monthly basis. Mr. Muys would continue to bill his time at the existing rate of \$265 per hour. Additional attorneys would be charged at the rate of \$175.00 per hour for partners and \$95.00 per hour for associates. In particular, an associate of the firm, Mr. Dominic Asante whose resume is attached for your information, would be available to assist Mr. Muys.

Should there be any changes in staff assigned by Mr. Muys to assist Metropolitan, I would consider my authority to include approval of such changes. The rates for such personal service would be consistent with the above schedule.

Mr. Robert P. Will, who was also a member of the firm of Will & Muys, presently renders services to Metropolitan pursuant to a separate agreement entered into with the General Manager for services unrelated to legal services. That agreement is unaffected by these changes.

RECOMMENDATION

That the General Counsel be authorized to execute an agreement with the law firm of Bogle & Gates to provide for the personal services of Jerome C. Muys consistent with the terms and conditions outlined in this letter.


N. Gregory Taylor

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Attachment

Dominic K. Asante

Background

- B.A., Political Science with a concentration in International and Development Economics, Haverford College, Haverford PA, 1988
- J.D. Harvard University, 1993
- College Honors:
1986-87 Dana Scholar for academic excellence
1987-88 Dana Scholar for academic excellence
1986-88 Dean's list for academic excellence
1987-88 Dean's list for academic excellence
- Admitted to the Washington Bar, 1994; Western District of Washington, 1994
- Joined Bogle & Gates in the Seattle office, September 13, 1993,



Practice/Experience

Mr. Asante's practice focuses on general litigation, environmental and appellate litigation matters.

Professional Memberships

- Washington State Bar Association
- Loren Miller State Bar Association

Pro Bono Activities

- Represents Seattle Metropolitan Sickle cell task in an action to recover funds that are being withheld by a local bank.