

# Cleary Giacobbe Alfieri Jacobs

955 State Route 34

Suite 200

Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Jun 07,2021

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143

File #: 9942

Inv #: 95284

**RE:** Berkeley Heights BOE

For Services Rendered Through: May 31,2021

| DATE    | DESCRIPTION   | HOURS | AMOUNT | LAWYER |
|---------|---|-------|--------|--------|
| 5/3/21  | Email correspondence w/C. Zaun re HIB inquiry.  | 0.20  | 33.00  | fif    |
| 5/4/21  | Review email from D. Felezzola re naming of a district softball field   | 0.10  | 16.50  | mjg    |
| 5/5/21  | Telephone conference with Summit Assessor   | 0.20  | 33.00  | bmc    |
| 5/6/21  | Review and revise letters to employees and email Dr .Varley   | 0.50  | 82.50  | mjg    |
| 5/6/21  | Review and respond to email from D. Felezzola re lease purchase documents                                     | 0.30  | 49.50  | mjg    |
| 5/6/21  | Review email correspondence from Business Administrator re: District's softball field; analysis and review of | 1.00  | 165.00 | dp     |
| 5/6/21  | Review memorandum re: naming of school facility.  | 0.40  | 66.00  | DAP    |
| 5/6/21  | Review Board policies re: facilities use and authority of Board.  | 0.30  | 49.50  | DAP    |
| 5/6/21  | Research re: board approval of naming of facilities.  | 0.30  | 49.50  | DAP    |
| 5/7/21  | Review BHEA CNA re curriculum writing and email Dr. Varley re same  | 0.40  | 66.00  | mjg    |
| 5/7/21  | Telephone Dr .Varley re non renewal of teacher assistants   | 0.20  | 33.00  | mjg    |
| 5/7/21  | Draft and revise settlement agreement for curriculum writing  | 0.20  | 33.00  | mjg    |
| 5/7/21  | Conference with T. Strauser re: classroom toilet bid  | 0.20  | 33.00  | rfk    |
| 5/10/21 | Review Dr. Varley re alignment presentation and email response to inquiry                                     | 0.20  | 33.00  | mjg    |

RECEIVED JUN 14 2021

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 5/10/21 | Draft and revise sidebar agreement re curriculum   | 0.40 | 66.00  | mjg |
| 5/10/21 | Analysis of OPMA inquiry.  | 0.10 | 16.50  | flf |
| 5/10/21 | Review e-mail from Deniz Tekeoglu re: toilet contract  | 0.10 | 16.50  | rfl |
| 5/11/21 | Review and respond to email from D. Castles re letter to food service                          | 0.10 | 16.50  | mjg |
| 5/11/21 | Review e-mail from D. Felezolla re: Salazar contract   | 0.10 | 16.50  | rfl |
| 5/12/21 | Review CBA re graduation; email Dr. Varley and telephone re same                               | 0.50 | 82.50  | mjg |
| 5/12/21 | Review requestor reply & confer with client re: OPRA request                                   | 0.30 | 49.50  | bd  |
| 5/13/21 | Review/revise memo re referendum issue; telephone D. Reinstrein re same                        | 0.50 | 82.50  | mjg |
| 5/13/21 | Review/analyze OPRA request/potentially responsive records & confer with client                | 0.80 | 132.00 | bd  |
| 5/13/21 | Review relevant statutes and guidance related to school board referendum rights                | 1.00 | 165.00 | mne |
| 5/13/21 | Draft reconfiguration referendum memorandum  | 0.90 | 148.50 | mne |
| 5/13/21 | Incorporate MJG edits  | 0.50 | 82.50  | mne |
| 5/14/21 | Review BHEA agreement; email Dr. Varley; review PERC letter re selection of arbitrator         | 0.50 | 82.50  | mjg |
| 5/14/21 | Review and respond to Dr. Varley re graduation   | 0.20 | 33.00  | mjg |
| 5/14/21 | Review email; email to Summit Assessor   | 0.30 | 49.50  | bmc |
| 5/17/21 | Review notice of intent to subcontract   | 0.10 | 16.50  | mjg |
| 5/17/21 | Review/analyze OPRA requests   | 0.40 | 66.00  | bd  |
| 5/17/21 | Confer with client re: OPRA requests   | 0.30 | 49.50  | bd  |
| 5/18/21 | Review email from NJEA re difference card and telephone Dr. Varley re same; draft updated MOAs | 0.60 | 99.00  | mjg |
| 5/18/21 | Draft contract re: toilet upgrades   | 0.30 | 49.50  | rfl |
| 5/18/21 | Review/analyze OPRA requests   | 0.40 | 66.00  | bd  |
| 5/18/21 | Confer with client re: OPRA matters  | 0.90 | 148.50 | bd  |
| 5/18/21 | Prepare memorandum to client re: OPRA  | 0.30 | 49.50  | bd  |
| 5/19/21 | Review/analyze potentially responsive records re: Bhargavi OPRA                                | 0.30 | 49.50  | bd  |
| 5/19/21 | Confer with client re: Bhargavi OPRA   | 0.20 | 33.00  | bd  |
| 5/19/21 | Outline memorandum to client re: Santore OPRA  | 0.20 | 33.00  | bd  |
| 5/19/21 | Prepare memorandum to client re: Santore OPRA  | 1.10 | 181.50 | bd  |
| 5/20/21 | Review/analyze OPRA request  | 0.20 | 33.00  | bd  |

|         |  |      |       |    |
|---------|--|------|-------|----|
| 5/20/21 | Confer with client re: OPRA                            | 0.20 | 33.00 | bd |
| 5/24/21 | Review/analyze OPRA requests                           | 0.40 | 66.00 | bd |
| 5/24/21 | Review/analyze potentially responsive records re: OPRA | 0.30 | 49.50 | bd |
| 5/24/21 | Confer with client re: OPRA requests                   | 0.50 | 82.50 | bd |
| 5/27/21 | Review/analyze OPRA request re: Akiri OPRA             | 0.20 | 33.00 | bd |
| 5/27/21 | Confer with client re: Akiri OPRA                      | 0.20 | 33.00 | bd |

Totals

17.90      \$2,953.50 ✓

| <u>Lawyer</u>       | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|---------------------|--------------|-------------|---------------|
| Matthew J Giacobbe  | 4.80         | \$165.00    | \$792.00      |
| Brian M. Chewcaskie | 0.50         | \$165.00    | \$82.50       |
| Danielle Pantaleo   | 1.00         | \$165.00    | \$165.00      |
| Frances L Febres    | 0.30         | \$165.00    | \$49.50       |
| Ronald F Kavanagh   | 0.70         | \$165.00    | \$115.50      |
| Bradley D Tishman   | 7.20         | \$165.00    | \$1,188.00    |
| Danielle A. Panizzi | 1.00         | \$165.00    | \$165.00      |
| Mark Nehme          | 2.40         | \$165.00    | \$396.00      |

**Total Fee & Disbursements**

\$2,953.50 ✓

**PAYMENT DETAILS**

5/20/21      Payment

7,063.90

**Total Payments**

\$7,063.90

Previous Balance

15,994.84 -pd

Previous Payments

7,063.90

**Balance Now Due**

\$11,884.44

I do solemnly declare and certify under the penalties of the law that the within bill is correct in all its particulars, that the articles have been furnished or services rendered as stated herein, that no amount has been given or paid by any person or persons within the knowledge of this claimant or collection with the above claim, that the amount therein stated is justly due and owing; and that the amount charged is a reasonable one.

Vendor sign here

MITCHELL B. JACOBS  
Managing Partner

TAX ID Number      273680224

Tax I.D. Number or Social Security Number

**TAX ID# 273680224**

# Cleary Giacobbe Alfieri Jacobs

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Jul 07,2021

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

## Attention:

Client # 2143  
File #: 9942  
Inv #: 95718

RE: Berkeley Heights BOE

For Services Rendered Through: June 30,2021

| DATE   | DESCRIPTION   | HOURS | AMOUNT | LAWYER |
|--------|---|-------|--------|--------|
| 6/2/21 | Draft and revise extension agreement for difference card sidebar agreement  | 0.60  | 99.00  | mjg    |
| 6/3/21 | Review documents related to employee matter; participate in virtual meeting re same   | 1.00  | 165.00 | mjg    |
| 6/3/21 | Review and revise increment withholding memo to client  | 0.30  | 49.50  | mjg    |
| 6/3/21 | Receipt and review of email with client documents for recommended increment withholding letter  | 0.10  | 16.50  | maw    |
| 6/3/21 | Review/analyze OPRA request & confer with client re: Akiri OPRA   | 0.30  | 49.50  | bdt    |
| 6/4/21 | Review file documents for evaluation of performance based increment withholding for [REDACTED]  | 0.50  | 82.50  | maw    |
| 6/4/21 | Review of Board policy on increment withholdings  | 0.10  | 16.50  | maw    |
| 6/4/21 | Review of Board meeting minutes and agenda for approval of 2021-2022 tenured employees' salaries  | 0.30  | 49.50  | maw    |
| 6/4/21 | Drafting and revising of memo with performance based increment withholding recommendation letter  | 2.50  | 412.50 | maw    |
| 6/4/21 | Drafting and revising of recommended Board Resolution to adopt recommended withholding and amend 2021-2022 tenured employee salary list | 1.00  | 165.00 | maw    |
| 6/4/21 | Draft email to forward memo to client with recommended increment withholding letter and board resolution                                | 0.10  | 16.50  | maw    |
| 6/5/21 | Telephone Dr. Varley re increment withholding; telephone D. Reinsten re BOE matter and sidebar agreement                                | 0.50  | 82.50  | mjg    |
| 6/7/21 | Review/respond to email from D. Felezzola re filing a board vacancy question  | 0.10  | 16.50  | mjg    |

| Invoice #: | 95718   | Page 2 | July 7, 2021 |     |
|------------|---|--------|--------------|-----|
| 6/7/21     | Email to D. Reinstein re difference card sidebar                                    | 0.10   | 16.50        | mjg |
| 6/7/21     | Review correspondence & confer with client re: OPRA request                         | 0.30   | 49.50        | bdt |
| 6/8/21     | Review Assistant Superintendent contract; email Dr. Varley re same                  | 0.30   | 49.50        | mjg |
| 6/9/21     | Telephone Dr. Varley re BOE matters   | 0.20   | 33.00        | mjg |
| 6/9/21     | Draft NOA for Chapter 44 UPC  | 0.10   | 16.50        | mne |
| 6/10/21    | Research law and respond to D. Felezzola re non renewal of para professionals       | 0.30   | 49.50        | mjg |
| 6/11/21    | Telephone Dr. Varley re BOE vacancy   | 0.20   | 33.00        | mjg |
| 6/11/21    | Review/respond to email from Dr. Varley re filing a Board seat                      | 0.10   | 16.50        | mjg |
| 6/11/21    | Draft contract re: toilet upgrades  | 3.30   | 544.50       | rfk |
| 6/14/21    | Draft and revise opinion letter re financing  | 0.50   | 82.50        | mjg |
| 6/14/21    | Teleconf. w/Dr. Varley re personnel matter.   | 0.10   | 16.50        | flf |
| 6/14/21    | Review question from T. Strauser re: issuance of purchase order                     | 0.30   | 49.50        | rfk |
| 6/15/21    | Review/reply to email from Arbitrator Klein   | 0.10   | 16.50        | mjg |
| 6/15/21    | Email to D. Reinstein and Dr. Varley re difference card matter                      | 0.10   | 16.50        | mjg |
| 6/16/21    | Telephone Dr. Varley re BOE matters   | 0.30   | 49.50        | mjg |
| 6/16/21    | Review citizen complaint; email D. Reinstein re same; review and respond            | 0.50   | 82.50        | mjg |
| 6/16/21    | Review and respond to email D. Felezzola re resolution for Capital Reserve deposit  | 0.10   | 16.50        | mjg |
| 6/16/21    | Review and respond to email from D. Castles re negotiations                         | 0.10   | 16.50        | mjg |
| 6/16/21    | Review e-mail from D. Felezzola re: Salazar contract permits                        | 0.10   | 16.50        | rfk |
| 6/16/21    | Review e-mail from T. Strauser re: Salazar contract                                 | 0.10   | 16.50        | rfk |
| 6/16/21    | Revise Salazar contract   | 0.40   | 66.00        | rfk |
| 6/16/21    | Review and respond to e-mail from T. Strauser                                       | 0.20   | 33.00        | rfk |
| 6/16/21    | Review e-mail from T. Strauser  | 0.10   | 16.50        | rfk |
| 6/17/21    | Telephone arbitrator and R. Friedman re Chapter 44 arbitration and stipulated facts | 0.50   | 82.50        | mjg |
| 6/17/21    | Review architects comments in relation to AG complaint and outline response         | 0.60   | 99.00        | mjg |
| 6/17/21    | Telephone D. Felezzola re AG matter   | 0.20   | 33.00        | mjg |
| 6/17/21    | Review requests/correspondence & confer with client re: OPRA requests               | 0.50   | 82.50        | bdt |

| Invoice #: | 95718  | Page 3 | July 7, 2021 |
|------------|--|--------|--------------|
| 6/17/21    | Outline memorandum to client re: OPRA request  | 0.20   | 33.00 bdt    |
| 6/18/21    | Review letter from Sai Bhargavi Akiri to NJ Attorney General regarding alleging bidding and school facilities project violations   | 0.60   | 99.00 maw    |
| 6/18/21    | Review architect's comments to accusations contained in Ms. Akiri's letter to Attorney General   | 0.50   | 82.50 maw    |
| 6/18/21    | Review Board Minutes/Agendas/Resolutions, BOE Briefs for [REDACTED] discussion   | 1.40   | 231.00 maw   |
| 6/18/21    | Drafting of notes of document and legal authority review for rebuttal letter to Attorney General   | 1.50   | 247.50 maw   |
| 6/18/21    | Review of legal authority cited by constituent in Attorney General letter  | 1.50   | 247.50 maw   |
| 6/18/21    | E-mail to T. Strauser re: Salazar contract   | 0.10   | 16.50 rfk    |
| 6/18/21    | Review/analyze OPRA request & confer with client re: OPRA  | 0.40   | 66.00 bdt    |
| 6/18/21    | Draft/revise memorandums to client re: OPRA  | 0.90   | 148.50 bdt   |
| 6/21/21    | Review/revise letter to AG re resident complaint   | 0.60   | 99.00 mjg    |
| 6/21/21    | Telephone conferences with Donna Felezzola regarding constituent letter to Attorney General and architect's and district's response  | 0.50   | 82.50 maw    |
| 6/21/21    | Telephone conferences with Frank Messineo, AIA, regarding constituent letter to Attorney General and architects involvement and guidance for drafting of response letter to Attorney General | 1.00   | 165.00 maw   |
| 6/21/21    | Draft and revise response letter to Attorney General regarding constituent's false accusations, distortions, and request for investigation   | 4.90   | 808.50 maw   |
| 6/21/21    | Draft initial memorandum to client re: OPRA request  | 0.40   | 66.00 bdt    |
| 6/21/21    | Revise/finalize initial memorandum to client re: OPRA request  | 0.20   | 33.00 bdt    |
| 6/22/21    | Finalize letter to AG re resident complaint  | 0.20   | 33.00 mjg    |
| 6/22/21    | Receipt and review of email from client with revisions to letter to Attorney General; draft revisions and finalize letter to Attorney General  | 0.30   | 49.50 maw    |
| 6/22/21    | Call to D. Felezzola re: contract issue  | 0.10   | 16.50 rfk    |
| 6/22/21    | Conference with D. Felezzola re: Salazar contract  | 0.20   | 33.00 rfk    |
| 6/22/21    | Conference with M. Wenczel re: Salazar contract  | 0.20   | 33.00 rfk    |
| 6/24/21    | Review/respond to client e-mail re: OPRA request   | 0.20   | 33.00 bdt    |
| 6/25/21    | Telephone Dr. Varley re resident complaint   | 0.30   | 49.50 mjg    |
| 6/25/21    | Review form of board resolution for year-end transfers into capital reserve account; perform research [REDACTED] for opinion on [REDACTED]   | 1.00   | 165.00 maw   |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 6/25/21 | Telephone conference with Donna Felezzola to discuss board resolution and capital reserve regulation | 0.10 | 16.50  | maw |
| 6/25/21 | Review correspondence from requestor & prepare draft reply re: OPRA request                          | 0.50 | 82.50  | bdt |
| 6/29/21 | Correspondence to S. Murugan regarding UPC abeyance  | 0.10 | 16.50  | mne |
| 6/30/21 | Telephone D. Felezzola re quorum; review by laws; ;email D. Reinstein re same                        | 0.50 | 82.50  | mjg |
| 6/30/21 | Review/revise Superintendent contract for D. Reinstein; email same for review                        | 0.70 | 115.50 | mjg |
| 6/30/21 | Review email to Dr. Varley re CO 2021-256  | 0.10 | 16.50  | mjg |
| 6/30/21 | Correspondence to M. Varley regarding UPC abeyance   | 0.10 | 16.50  | mne |

## Totals

|       |               |            |
|-------|---------------|------------|
| 36.40 | <u>166.00</u> | \$6,006.00 |
|-------|---------------|------------|

| <u>Lawyer</u>      | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|--------------------|--------------|-------------|---------------|
| Matthew J Giacobbe | 9.10         | \$165.00    | \$1,501.50    |
| Frances L Febres   | 0.10         | \$165.00    | \$16.50       |
| Mark A. Wenczel    | 17.90        | \$165.00    | \$2,953.50    |
| Ronald F Kavanagh  | 5.10         | \$165.00    | \$841.50      |
| Bradley D Tishman  | 3.90         | \$165.00    | \$643.50      |
| Mark Nehme         | 0.30         | \$165.00    | \$49.50       |

**DISBURSEMENTS**

|         |                       |               |
|---------|-----------------------|---------------|
| 5/24/21 | Photocopies 4 @ 0.20  | 0.80          |
| 6/16/21 | Photocopies 36 @ 0.20 | 7.20          |
| Totals  |                       | <u>\$8.00</u> |

**Total Fee & Disbursements****\$6,014.00****PAYMENT DETAILS**

|                       |         |                           |
|-----------------------|---------|---------------------------|
| 6/14/21               | Payment | 8,930.94                  |
| 6/29/21               | Payment | 2,953.50                  |
| <b>Total Payments</b> |         | <u><b>\$11,884.44</b></u> |
| Previous Balance      |         | 11,884.44                 |
| Previous Payments     |         | 11,884.44                 |

**Balance Now Due**

**\$6,014.00**

TAX ID Number 273680224



# Cleary Giacobbe Alfieri Jacobs

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Aug 09,2021

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143

File #: 9942

Inv #: 97559

**RE:** Berkeley Heights BOE

For Services Rendered Through: July 31,2021

| DATE   | DESCRIPTION  | HOURS | AMOUNT | LAWYER |
|--------|--|-------|--------|--------|
| 7/1/21 | Receipt and review of email from client with Board quorum query and MJG response   | 0.20  | 33.00  | maw    |
| 7/1/21 | Conduct research on bylaws, common law, and Roberts Rules of Order, for analysis of Board quorum issue                                 | 0.90  | 148.50 | maw    |
| 7/1/21 | Draft and revise email reply to client with analysis and opinion regarding [REDACTED]  | 0.30  | 49.50  | maw    |
| 7/2/21 | Receipt and review of follow-up query from client regarding bylaws interpretation for quorum issue                                     | 0.10  | 16.50  | maw    |
| 7/2/21 | Telephone to client, Scott McKinney's office regarding quorum issue  | 0.10  | 16.50  | maw    |
| 7/2/21 | Draft follow-up email to client with clarification regarding bylaw governance and general precedence with quorum dispute determination | 0.10  | 16.50  | maw    |
| 7/6/21 | Email correspondence with Dr. Varley regarding scheduling of conference call with Director of Guidance                                 | 0.20  | 33.00  | maw    |
| 7/6/21 | Email exchange with Dr. Varley regarding the conducting of board retreats in public  | 0.10  | 16.50  | maw    |
| 7/6/21 | Review OPMA requirements and NJSBA guidance for response to client query on board retreat meeting discussions occurring in public      | 0.30  | 49.50  | maw    |
| 7/7/21 | Telephone conference with Dr. Varley and Director of Guidance regarding restructuring of guidance department                           | 0.20  | 33.00  | maw    |
| 7/7/21 | Review correspondence & review/respond to client e-mails re: OPRA request  | 0.40  | 66.00  | bdt    |
| 7/8/21 | Teleconf. w/J. Morisseau re HIB appeal request and hearing process.  | 0.30  | 49.50  | flf    |

| Invoice #: | 97559   | Page 2 | August 9, 2021 |
|------------|---|--------|----------------|
| 7/8/21     | Review Dr. Varley's email re HIB.   | 0.10   | 16.50 flf      |
| 7/8/21     | Receipt and review of email query from client regarding mandatory sick leave grant; review applicable statute and draft reply email to client with response to query and legal citation | 0.20   | 33.00 maw      |
| 7/8/21     | Receipt of email from client with attached SBA contract for review and comment  | 0.10   | 16.50 maw      |
| 7/8/21     | Review of SBA contract and pertinent regulations; drafting of recommended revisions and comments to form of SBA contract  | 1.80   | 297.00 maw     |
| 7/8/21     | Draft email to client to forward SBA contract with comments and recommended revisions   | 0.10   | 16.50 maw      |
| 7/9/21     | Receipt of follow-up query from Superintendent to SBA contract deletion   | 0.10   | 16.50 maw      |
| 7/9/21     | Review of pertinent statute and regulation to recommended contract deletion   | 0.10   | 16.50 maw      |
| 7/9/21     | Draft reply email to client with citation and analysis of legal authority for recommended contract deletion   | 0.30   | 49.50 maw      |
| 7/9/21     | Telephone conference with Superintendent regarding follow-up conference with Board at retreat to discuss Superintendent evaluation issues   | 0.20   | 33.00 maw      |
| 7/9/21     | Receipt of email from Superintendent re: SBA contract language on accumulated vacation payment  | 0.10   | 16.50 maw      |
| 7/9/21     | Review referenced language in Superintendent's contract   | 0.10   | 16.50 maw      |
| 7/9/21     | Revise SBA contract to add certificate revocation nullification to termination clause   | 0.10   | 16.50 maw      |
| 7/9/21     | Draft email to Superintendent to reply to query regarding accumulated vacation regulation   | 0.20   | 33.00 maw      |
| 7/9/21     | Telephone conference with Superintendent regarding [REDACTED]   | 0.10   | 16.50 maw      |
| 7/14/21    | Review Board policy and respond to D Reinstein inquiry; review and respond to R. April, Esq. re difference card   | 0.50   | 82.50 mjg      |
| 7/14/21    | Telephone D. Reinstein re BOE matters   | 0.30   | 49.50 mjg      |
| 7/14/21    | Review/response to email correspondence from D. Reinstein re employment issue (summer library intern)   | 0.30   | 49.50 mjg      |
| 7/14/21    | Review/respond to Dr. Varley re volunteer unpaid intern   | 0.20   | 33.00 mjg      |
| 7/14/21    | Review/respond to email from R. April   | 0.10   | 16.50 mjg      |
| 7/14/21    | Receipt and review of email from board president regarding nepotism policy/law issue  | 0.10   | 16.50 maw      |
| 7/14/21    | Review nepotism regulation and law  | 0.40   | 66.00 maw      |
| 7/14/21    | Review board nepotism and support staff policy  | 0.30   | 49.50 maw      |
| 7/14/21    | Draft email with analysis of nepotism regulation and policies and application to employment of administrator's daughter   | 0.40   | 66.00 maw      |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 7/15/21 | Research unpaid intern implications to nepotism and School Ethics Act issues  | 0.50 | 82.50  | maw |
| 7/15/21 | Draft and revise analysis of unpaid intern status to nepotism and School Ethics Act issues  | 0.30 | 49.50  | maw |
| 7/15/21 | Review contract re: Toilet upgrades   | 0.30 | 49.50  | rfk |
| 7/16/21 | Review correspondence & confer with client re: OPRA request   | 0.30 | 49.50  | bdt |
| 7/19/21 | Begin review/redaction of potentially responsive records re: OPRA request   | 2.80 | 462.00 | bdt |
| 7/20/21 | Continue review/redaction of potentially responsive records re: OPRA request  | 1.20 | 198.00 | bdt |
| 7/20/21 | Legal research & outline memorandum to client re: OPRA request  | 0.70 | 115.50 | bdt |
| 7/20/21 | Prepare memorandum to client re: OPRA request   | 1.60 | 264.00 | bdt |
| 7/22/21 | Confer with client re: OPRA request   | 0.20 | 33.00  | bdt |
| 7/23/21 | Review BHEA grievance; email Dr. Varley re same   | 0.30 | 49.50  | mjg |
| 7/23/21 | Email to Dr. Varley re grievance  | 0.10 | 16.50  | mjg |
| 7/23/21 | Review grievance letter; confer with M.N. re same   | 0.10 | 16.50  | mjg |
| 7/23/21 | Confer with client/FF re: resolution issue  | 0.30 | 49.50  | bdt |
| 7/26/21 | Telephone D. Reinstein re BOE election  | 0.20 | 33.00  | mjg |
| 7/26/21 | Review/revise joint stipulation of facts re arbitration on Chapter 44/78  | 0.50 | 82.50  | mjg |
| 7/26/21 | Review e-mil from T. Strauser re: Salazar contract  | 0.10 | 16.50  | rfk |
| 7/26/21 | Review CNA and statutes relevant to dental premium arbitration; draft stipulation of material facts related to same   | 1.50 | 247.50 | mne |
| 7/27/21 | Telephone R. April, Esq. re difference card matter  | 0.30 | 49.50  | mjg |
| 7/27/21 | Review/respond to email from R. April re difference card issue  | 0.10 | 16.50  | mjg |
| 7/27/21 | Review email from S. Murugan re dental contribution arbitration   | 0.10 | 16.50  | mjg |
| 7/27/21 | Review/respond to email from Dr. Varley re sidebar  | 0.10 | 16.50  | mjg |
| 7/27/21 | Receipt and review of email from client with requested drafting of sidebar agreement for payment of one-time stipend for re-districting caused building transfer work | 0.10 | 16.50  | maw |
| 7/27/21 | Draft and revise side bar agreement for payment of teacher stipend for required work to transfer classrooms between buildings due to re-districting                   | 1.00 | 165.00 | maw |
| 7/27/21 | Draft email to forward side bar agreement to client   | 0.10 | 16.50  | maw |
| 7/27/21 | Review stipulated material facts for dental grievance arbitration provided by Association attorneys   | 0.20 | 33.00  | mne |
| 7/28/21 | Review documents re residency issue   | 0.20 | 33.00  | mjg |

|         |  |       |            |     |
|---------|--|-------|------------|-----|
| 7/28/21 | Telephone conference with Dr. Varley re: labor matters   | 0.30  | 49.50      | mjg |
| 7/28/21 | Review email from Dr. Varley re residency issue  | 0.10  | 16.50      | mjg |
| 7/28/21 | Receipt and review of email from client with documentation from resident with student residency issue  | 0.20  | 33.00      | maw |
| 7/28/21 | Email correspondence with client regarding forwarding of Word version of side bar agreement for revision   | 0.20  | 33.00      | maw |
| 7/28/21 | Receipt and review of side bar with revisions; accept side bar revisions and drafting of email to return Word and pdf versions of final side bar to client | 0.20  | 33.00      | maw |
| 7/28/21 | Review e-mail from T. Strauser re: Salazar contract  | 0.10  | 16.50      | rfk |
| 7/28/21 | Finalize Salazar contract; e-mail to architect   | 1.00  | 165.00     | rfk |
| 7/28/21 | Telephone call/e-mails with client re: OPRA issues   | 0.50  | 82.50      | bdt |
| 7/29/21 | Review/respond to email from J. Kot  | 0.10  | 16.50      | mjg |
| 7/30/21 | Review affidavit student statute/regulation for student residency issue  | 0.20  | 33.00      | maw |
| 7/30/21 | Review temporary residence requirement for student residency issue   | 0.20  | 33.00      | maw |
| 7/30/21 | Review [REDACTED] for [REDACTED]   | 0.20  | 33.00      | maw |
| 7/30/21 | Review permanent residency criteria for student residency issue  | 0.20  | 33.00      | maw |
| 7/30/21 | Research NJ DOE website for approved student domicile/residency forms  | 0.50  | 82.50      | maw |
| 7/30/21 | Draft and revise email memo to client regarding student residency issue  | 1.50  | 247.50     | maw |
| 7/30/21 | Review student HS 504 Plan   | 0.20  | 33.00      | maw |
| 7/30/21 | Review Board Policy 5460   | 0.30  | 49.50      | maw |
| 7/30/21 | Review Board Policy 5410   | 0.30  | 49.50      | maw |
| 7/30/21 | Review statute on board authority for promotion/retention  | 0.20  | 33.00      | maw |
| 7/30/21 | Draft and revise email memo to client with analysis and opinion on student request [REDACTED]  | 1.50  | 247.50     | maw |
| 7/30/21 | Review/redact potentially responsive records re: OPRA request  | 0.70  | 115.50     | bdt |
| Totals  |  | 31.30 | \$5,164.50 |     |

| <u>Lawyer</u>      | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|--------------------|--------------|-------------|---------------|
| Matthew J Giacobbe | 3.90         | \$165.00    | \$643.50      |
| Frances L Febres   | 0.40         | \$165.00    | \$66.00       |
| Mark A. Wenczel    | 15.10        | \$165.00    | \$2,491.50    |

|                   |      |          |            |
|-------------------|------|----------|------------|
| Ronald F Kavanagh | 1.50 | \$165.00 | \$247.50   |
| Bradley D Tishman | 8.70 | \$165.00 | \$1,435.50 |
| Mark Nehme        | 1.70 | \$165.00 | \$280.50   |

**DISBURSEMENTS**

|         |   |                          |
|---------|---|--------------------------|
| 7/8/21  | Federal Express to Office of the Attorney General | 16.96                    |
| 7/20/21 | Photocopies 42 @ 0.20                             | 8.40                     |
| 7/28/21 | Photocopies 21 @ 0.20                             | 4.20                     |
|         | Totals  | <u>\$29.56</u>           |
|         | <b>Total Fee &amp; Disbursements</b>              | <b><u>\$5,194.06</u></b> |

**PAYMENT DETAILS**

|         |                        |                          |
|---------|------------------------|--------------------------|
| 7/23/21 | Payment                | 6,014.00                 |
|         | <b>Total Payments</b>  | <b><u>\$6,014.00</u></b> |
|         | Previous Balance       | 6,014.00                 |
|         | Previous Payments      | 6,014.00                 |
|         | <b>Balance Now Due</b> | <b><u>\$5,194.06</u></b> |

TAX ID Number 273680224

# *Cleary Giacobbe Alfieri Jacobs*

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Sep 21,2021

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143

File #: 9942

Inv #: 98890

**RE:** Berkeley Heights BOE

For Services Rendered Through: August 31,2021

| <b>DATE</b> | <b>DESCRIPTION</b>  | <b>HOURS</b> | <b>AMOUNT</b> | <b>LAWYER</b> |
|-------------|---|--------------|---------------|---------------|
| 8/2/21      | Review and respond to email from M. D'Aquila re DOE complaint   | 0.10         | 16.50         | mjg           |
| 8/2/21      | Receipt and review of email from Board member with query regarding school ethics complaint                                    | 0.30         | 49.50         | maw           |
| 8/2/21      | Confer with MJG regarding review of School Ethics Complaint and recommended action  | 0.10         | 16.50         | maw           |
| 8/2/21      | Additional review of records & outline memorandum to client re: OPRA request  | 0.40         | 66.00         | bdt           |
| 8/2/21      | Prepare memorandum to client re: OPRA request   | 0.90         | 148.50        | bdt           |
| 8/2/21      | Review correspondence requesting prearbitration scheduling conference for Chapter 78 dental premium arbitration               | 0.10         | 16.50         | mne           |
| 8/3/21      | Review Ethics complaint; telephone J. Kot re BOE matters  | 0.60         | 99.00         | mjg           |
| 8/3/21      | Telephone J. Kot re Superintendent's contract   | 0.20         | 33.00         | mjg           |
| 8/3/21      | Review grievance and related correspondence from S. Hopkins; review parties collective negotiations agreement related to same | 0.70         | 115.50        | mne           |
| 8/3/21      | Review statutes and regulations regarding negotiability of class overlap  | 0.70         | 115.50        | mne           |
| 8/3/21      | Draft memorandum regarding coseating grievance response   | 1.00         | 165.00        | mne           |
| 8/3/21      | Review and revise memorandum regarding coseating grievance response   | 0.20         | 33.00         | mne           |
| 8/4/21      | Review and revise BHEA co seating grievance response  | 0.30         | 49.50         | mjg           |

|        |   |      |        |     |
|--------|---|------|--------|-----|
| 8/4/21 | Review BOE by laws re quorum and review case law re same; review and revise memo re same  | 0.50 | 82.50  | mjg |
| 8/4/21 | Review email from J. Kot re policy for quorum   | 0.10 | 16.50  | mjg |
| 8/4/21 | Conduct additional research on sending district board membership representation for quorum determination and bylaw                    | 0.60 | 99.00  | maw |
| 8/4/21 | Drafting of revision to analysis of common law quorum rule and sending district board member's participation in quorum determination  | 1.40 | 231.00 | maw |
| 8/4/21 | Conduct Research on common law Board quorum requirements and bylaw 163 for revision to bylaw  | 2.40 | 396.00 | maw |
| 8/4/21 | Drafting of analysis of law on common law Board quorum requirements and bylaw 163   | 2.90 | 478.50 | maw |
| 8/4/21 | Review/analyze OPRA requests & confer with client re: Migueis OPRA  | 0.50 | 82.50  | bdt |
| 8/4/21 | Attendance at scheduling conference w. Arbitrator Klein and R. Friedman   | 0.20 | 33.00  | mne |
| 8/4/21 | Incorporate MJG edits into co-seating grievance response memorandum   | 0.50 | 82.50  | mne |
| 8/5/21 | Review email from Dr. Varley re "home instruction"  | 0.10 | 16.50  | mjg |
| 8/5/21 | Review and revise memo re quorum for Board meeting; telephone Dr. Varley re same  | 0.30 | 49.50  | mjg |
| 8/5/21 | Drafting of Memo on quorum and bylaw analysis   | 0.50 | 82.50  | maw |
| 8/5/21 | Receipt and review of email to Board member regarding conflicting claim of candidate  | 0.10 | 16.50  | maw |
| 8/5/21 | Receipt and review of proposed revisions to Board Policy 2412 and query from client   | 0.20 | 33.00  | maw |
| 8/5/21 | Review home instruction regulations   | 0.20 | 33.00  | maw |
| 8/5/21 | Draft and revise revisions to Policy 2412 to provide for remote home instruction to quarantined students during 2021-2022 school year | 0.50 | 82.50  | maw |
| 8/5/21 | Draft email to forward policy with recommended revisions to client  | 0.10 | 16.50  | maw |
| 8/5/21 | Initial review of OPRA requests & confer with client  | 0.40 | 66.00  | bdt |
| 8/5/21 | Review potentially responsive record for OPRA request   | 0.30 | 49.50  | bdt |
| 8/6/21 | Telephone Dr. Varley re BOE matters   | 0.40 | 66.00  | mjg |
| 8/6/21 | Conduct research on conflicting claim to board membership   | 0.70 | 115.50 | maw |
| 8/6/21 | Draft analysis of law for opinion on [REDACTED]   | 0.30 | 49.50  | maw |
| 8/6/21 | Receipt and review of email from client regarding quorum policy   | 0.10 | 16.50  | maw |
| 8/6/21 | Confer with MJG regarding quorum policy memo  | 0.10 | 16.50  | maw |
| 8/6/21 | Draft revision to memo and recommended policy language  | 0.40 | 66.00  | maw |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 8/6/21  | Draft email to client with memo and recommended policy revision   | 0.10 | 16.50  | maw |
| 8/6/21  | Exchange of email correspondence with BA regarding recommended quorum policy revision   | 0.20 | 33.00  | maw |
| 8/6/21  | Receipt and review of email from Assistant Prosecutor regarding requested investigation   | 0.10 | 16.50  | maw |
| 8/6/21  | Review "rebuttal" letter submitted by complainant to alleged LRF and public bidding violations regarding redistricting construction     | 0.20 | 33.00  | maw |
| 8/6/21  | Review of board minutes/agenda and file documents preparatory to filing reply to complainant's "rebuttal" letter                        | 1.50 | 247.50 | maw |
| 8/6/21  | Review/analyze OPRA request   | 0.20 | 33.00  | bd  |
| 8/6/21  | Confer with client re: OPRA matters   | 0.80 | 132.00 | bd  |
| 8/6/21  | Review/analyze potentially responsive records re: OPRA request  | 0.30 | 49.50  | bd  |
| 8/6/21  | Review finalized response re: OPRA request  | 0.10 | 16.50  | bd  |
| 8/8/21  | Review bid documents  | 1.20 | 198.00 | rfk |
| 8/9/21  | Review/revise statement re environmental testing matter   | 0.30 | 49.50  | mjg |
| 8/9/21  | Review email correspondence from Dr. Varley re environmental testing to ensure safety   | 0.10 | 16.50  | mjg |
| 8/9/21  | Receipt and review of email from Superintendent regarding additional letter from complainant on LRF investigation request               | 0.10 | 16.50  | maw |
| 8/9/21  | Draft email to Superintendent to forward email received from prosecutor with additional letter from complainant                         | 0.10 | 16.50  | maw |
| 8/9/21  | Telephone conference with Superintendent regarding Board president's conversation with prosecutor and expediting response to prosecutor | 0.10 | 16.50  | maw |
| 8/9/21  | Review correspondence & confer with client re: OPRA request   | 0.30 | 49.50  | bd  |
| 8/10/21 | Confer with client re: OPRA request   | 0.20 | 33.00  | bd  |
| 8/11/21 | Telephone Dr. Varley re environmental testing issues; review lists of requests  | 0.40 | 66.00  | mjg |
| 8/11/21 | Review Dr. Varley email with correspondence from F. Barto re HIB dispute.   | 0.20 | 33.00  | flf |
| 8/11/21 | Outline memorandums to client re: OPRA requests   | 0.20 | 33.00  | bd  |
| 8/11/21 | Prepare memorandums to client re: OPRA requests   | 1.10 | 181.50 | bd  |
| 8/12/21 | Review law re BOE member oath of office; telephone Dr. Varley re same; change order issue   | 0.40 | 66.00  | mjg |
| 8/12/21 | Review construction contract and telephone Dr. Varley re same   | 0.50 | 82.50  | mjg |
| 8/12/21 | Telephone ECS re redaction of swearing in BOE member  | 0.30 | 49.50  | mjg |
| 8/12/21 | Telephone D. Reinstein re BOE matters   | 0.20 | 33.00  | mjg |



|         |   |      |        |     |
|---------|---|------|--------|-----|
| 8/12/21 | Email to Dr. Varley re change order   | 0.10 | 16.50  | mjg |
| 8/12/21 | Review/respond to email from J. Kot re [REDACTED] claim   | 0.10 | 16.50  | mjg |
| 8/12/21 | Receipt and review of email from assistant prosecutor with reply letter from SA on investigation request; forward to client   | 0.40 | 66.00  | maw |
| 8/12/21 | Telephone conference with Julie Kot regarding asbestos issues for response letter   | 0.10 | 16.50  | maw |
| 8/12/21 | Draft email to Julie Kot regarding Board member ethics complaint  | 0.10 | 16.50  | maw |
| 8/12/21 | Receipt of email from assistant prosecutor with OPRA request and alleged contracting violation; forward to client   | 0.10 | 16.50  | maw |
| 8/12/21 | Telephone conference with Julie Kot regarding contract completion and bidding law for response to SA's allegations  | 0.20 | 33.00  | maw |
| 8/12/21 | Receipt and review of email from Julie Kot requesting provision of defense for Michael D'Aquila   | 0.10 | 16.50  | maw |
| 8/12/21 | Review issue concerning change order  | 0.80 | 132.00 | rfk |
| 8/13/21 | Telephone Dr. Varley re BOE matters and HIB matter (x2)   | 0.30 | 49.50  | mjg |
| 8/13/21 | Review Dr. Varley email re HIB dispute; confer w/JA re same.  | 0.20 | 33.00  | flf |
| 8/13/21 | Telephone conference with architect, Frank Messineo, on additional complaint letter from SA regarding construction for kindergarten program and district re-alignment | 0.30 | 49.50  | maw |
| 8/13/21 | Telephone conference with Frank Messineo regarding his partner's unavailability to provide required details   | 0.10 | 16.50  | maw |
| 8/13/21 | Compile documents to forward to architect for review in assisting with response letter to assistant prosecutor  | 0.40 | 66.00  | maw |
| 8/13/21 | Draft email to architect with documents for response letter input   | 0.20 | 33.00  | maw |
| 8/13/21 | Draft follow-up letter email to architect with additional letter for review   | 0.10 | 16.50  | maw |
| 8/13/21 | Draft email to client with status of response letter and required input from architect  | 0.10 | 16.50  | maw |
| 8/13/21 | Review/analyze OPRA request & review/respond to client e-mail   | 0.30 | 49.50  | bdt |
| 8/13/21 | Review of letter from Frances Barto, Esq. to Dr. Varley regarding HIB   | 0.60 | 99.00  | ja  |
| 8/13/21 | Review of Berkeley Heights HIB Documents  | 1.50 | 247.50 | ja  |
| 8/13/21 | Preparation of outline of arguments/chart supporting notes from HIB investigation   | 0.70 | 115.50 | ja  |
| 8/15/21 | Legal research regarding HIB incidents similar to [REDACTED] investigation  | 1.70 | 280.50 | ja  |
| 8/15/21 | Preparation of letter to Frances Barto, Esq. regarding HIB investigation and response to her position statement   | 2.20 | 363.00 | ja  |
| 8/16/21 | Telephone conference with architect to discuss rebuttal to SA's follow-up investigation request correspondence  | 0.70 | 115.50 | maw |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 8/16/21 | Review of SA's investigative request letters, district initial response, and documents for drafting of additional opposition | 0.70 | 115.50 | maw |
| 8/16/21 | Research common law quorum requirements and bylaws for drafting of rebuttal  | 0.70 | 115.50 | maw |
| 8/16/21 | Review of website, including past meeting minutes and agendas for rebuttal letter  | 1.50 | 247.50 | maw |
| 8/16/21 | Conduct research on [REDACTED]   | 0.70 | 115.50 | maw |
| 8/16/21 | Review finalized initial responses re: OPRA requests   | 0.20 | 33.00  | bdt |
| 8/16/21 | Preparation of letter to Frances Barto, Esq. regarding HIB investigation response to her position statement                  | 3.90 | 643.50 | ja  |
| 8/16/21 | Review of Board's HIB policies and procedures  | 0.90 | 148.50 | ja  |
| 8/16/21 | Review of email summaries from Anti-Bullying Specialist on HIB investigation   | 0.60 | 99.00  | ja  |
| 8/17/21 | Review draft correspondence to F. Barto re [REDACTED]; confer w/JA.  | 0.20 | 33.00  | flf |
| 8/17/21 | Drafting of rebuttal letter to request for investigation   | 5.50 | 907.50 | maw |
| 8/17/21 | Continued preparation of letter to Frances Barto, Esq. regarding HIB investigation   | 0.80 | 132.00 | ja  |
| 8/18/21 | Review and revise letter to Assistant Prosecutor re resident complaint and request for investigation                         | 0.70 | 115.50 | mjg |
| 8/18/21 | Confer with Matthew Giacobbe regarding investigation response letter   | 0.20 | 33.00  | maw |
| 8/18/21 | Draft revisions to investigation rebuttal letter   | 1.70 | 280.50 | maw |
| 8/18/21 | Confer with architect regarding planning board submission date and planning board review                                     | 0.30 | 49.50  | maw |
| 8/18/21 | Draft revisions to planning board review portion of rebuttal letter  | 0.40 | 66.00  | maw |
| 8/18/21 | Draft email to forward letter to client with request for permission for architect review                                     | 0.20 | 33.00  | maw |
| 8/18/21 | Receipt of email from client authorizing architect review  | 0.10 | 16.50  | maw |
| 8/18/21 | Draft email to forward final letter to architect for review  | 0.10 | 16.50  | maw |
| 8/18/21 | Telephone conferences with architect regarding letter  | 0.20 | 33.00  | maw |
| 8/18/21 | Review and revise OPMA portion of letter and remove case citation  | 0.50 | 82.50  | maw |
| 8/18/21 | Confer with Matthew Giacobbe regarding revisions to letter   | 0.10 | 16.50  | maw |
| 8/18/21 | Exchange emails with architect regarding DCA letter  | 0.20 | 33.00  | maw |
| 8/18/21 | Telephone conferences with Michael D'Aquila to discuss drafting of certification in opposition to school ethics complaint    | 0.20 | 33.00  | maw |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 8/18/21 | Exchange emails with Julie Kot regarding minutes of facilities committee meetings for MD's motion to dismiss ethics complaint | 0.10 | 16.50  | maw |
| 8/18/21 | Receipt and review of minutes for committee meetings compiled in response to OPMA request                                     | 0.20 | 33.00  | maw |
| 8/18/21 | Draft and revise Certification of Michael D'Aquila in Support of Motion to Dismiss  | 2.50 | 412.50 | maw |
| 8/18/21 | Draft email to MD to forward certification for review   | 0.10 | 16.50  | maw |
| 8/18/21 | Receipt/review of OPRA requests   | 0.20 | 33.00  | bdt |
| 8/19/21 | Review/revise letter to Union County Prosecutor re investigation  | 0.50 | 82.50  | mjg |
| 8/19/21 | Review/respond to email from Dr. Varley re response letter to Assistant Prosecutor  | 0.10 | 16.50  | mjg |
| 8/19/21 | Telephone conferences with Donna Felezzola regarding investigation response and asbestos contracting                          | 0.30 | 49.50  | maw |
| 8/19/21 | Review of board minutes and asbestos notices  | 0.50 | 82.50  | maw |
| 8/19/21 | Draft revisions to letter to deemphasize environmental monitoring firm  | 0.50 | 82.50  | maw |
| 8/19/21 | Draft email to client regarding revision to letter and discussions with architect   | 0.30 | 49.50  | maw |
| 8/19/21 | Receipt and review of email from Julie Kot regarding final form of letter and revisions to asbestos removal monitoring        | 0.10 | 16.50  | maw |
| 8/19/21 | Finalize letter for filing with assistant prosecutor  | 0.40 | 66.00  | maw |
| 8/19/21 | Draft Certification of Superintendent in response to ethics complaint   | 0.60 | 99.00  | maw |
| 8/19/21 | Receipt of email from Superintendent regarding certification completion and typo.   | 0.10 | 16.50  | maw |
| 8/19/21 | Email correspondence with Superintendent regarding Complainant's email address  | 0.20 | 33.00  | maw |
| 8/19/21 | Email exchange and document review regarding date of committee meeting for certifications                                     | 0.30 | 49.50  | maw |
| 8/19/21 | Revise Superintendent Certification for committee meeting date adjustment   | 0.30 | 49.50  | maw |
| 8/19/21 | Revise MD's Certification for committee meeting date adjustment   | 0.30 | 49.50  | maw |
| 8/19/21 | Receipt, review, correction, and compiling of final certification for Superintendent  | 0.40 | 66.00  | maw |
| 8/19/21 | Receipt of final MD Certification   | 0.10 | 16.50  | maw |
| 8/19/21 | Compile exhibits and scan for filing with Commission  | 0.40 | 66.00  | maw |
| 8/19/21 | Telephone conference with MD regarding Certification and Brief  | 0.20 | 33.00  | maw |
| 8/19/21 | Conduct research for Motion to Dismiss  | 0.90 | 148.50 | maw |
| 8/19/21 | Draft and revise Brief in Support of Motion to Dismiss Complaint  | 3.50 | 577.50 | maw |

|         |   |       |             |     |
|---------|---|-------|-------------|-----|
| 8/19/21 | Draft Certification of Service  | 0.20  | 33.00       | maw |
| 8/19/21 | Draft filing letter   | 0.20  | 33.00       | maw |
| 8/19/21 | Compile and file Motion to Dismiss with cover email   | 0.50  | 82.50       | maw |
| 8/19/21 | Confer with client re: OPRA requests  | 0.20  | 33.00       | bdt |
| 8/20/21 | Telephone Dr .Varley re BOE matters   | 0.20  | 33.00       | mjg |
| 8/20/21 | Receipt and review of correspondence from School Ethics Commission acknowledging receipt of motion to dismiss             | 0.10  | 16.50       | maw |
| 8/20/21 | Receipt and review of letter from the Union County Prosecutor Office denying request for investigation                    | 0.10  | 16.50       | maw |
| 8/20/21 | Draft email to forward letter denying investigation to client   | 0.10  | 16.50       | maw |
| 8/20/21 | Telephone conference with architect to discuss denial of investigation  | 0.10  | 16.50       | maw |
| 8/23/21 | Review/respond to email from D. Reinstein re Superintendent's contract  | 0.10  | 16.50       | mjg |
| 8/23/21 | Review of correspondence from Fran Barto regarding [REDACTED] disciplinary records/notations                              | 0.30  | 49.50       | ja  |
| 8/23/21 | Correspondence to Dr. Varley regarding student disciplinary notation  | 0.30  | 49.50       | ja  |
| 8/24/21 | Telephone Dr. Varley re mandated testing  | 0.20  | 33.00       | mjg |
| 8/24/21 | Email to Dr. Varley re COVID testing  | 0.20  | 33.00       | mjg |
| 8/24/21 | Review and response to correspondence from Principal at Governor Livingston HS regarding Principal of AIT response to HIB | 0.40  | 66.00       | ja  |
| 8/24/21 | Correspondence to Fran Barto, Esq. regarding response to inquiry from Collen Gialanella, Principal at AIT                 | 0.40  | 66.00       | ja  |
| 8/24/21 | Conducted legal research on [REDACTED]  | 0.60  | 99.00       | MVS |
| 8/25/21 | Confer with client re: OPRA request   | 0.20  | 33.00       | bdt |
| 8/27/21 | Review/analyze OPRA request & confer with client  | 0.30  | 49.50       | bdt |
| 8/30/21 | Review/respond to client inquiries re: OPRA requests  | 0.40  | 66.00       | bdt |
| Totals  |   | 78.80 | \$13,002.00 |     |

| <u>Lawyer</u>      | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|--------------------|--------------|-------------|---------------|
| Matthew J Giacobbe | 7.30         | \$165.00    | \$1,204.50    |
| Frances L Febres   | 0.60         | \$165.00    | \$99.00       |
| Mark A. Wenczel    | 43.10        | \$165.00    | \$7,111.50    |
| Ronald F Kavanagh  | 2.00         | \$165.00    | \$330.00      |

|                   |       |          |            |
|-------------------|-------|----------|------------|
| Bradley D Tishman | 7.50  | \$165.00 | \$1,237.50 |
| Janice Arellano   | 14.30 | \$165.00 | \$2,359.50 |
| Mark Nehme        | 3.40  | \$165.00 | \$561.00   |
| Marina Stinely    | 0.60  | \$165.00 | \$99.00    |

**DISBURSEMENTS**

|         |                                      |                           |
|---------|--------------------------------------|---------------------------|
| 8/18/21 | Photocopies 37 @ 0.20                | 7.40                      |
|         | Totals                               | <u>\$7.40</u>             |
|         | <b>Total Fee &amp; Disbursements</b> | <b><u>\$13,009.40</u></b> |

**PAYMENT DETAILS**

|         |                        |                           |
|---------|------------------------|---------------------------|
| 9/14/21 | Payment                | 5,194.06                  |
|         | <b>Total Payments</b>  | <b><u>\$5,194.06</u></b>  |
|         | Previous Balance       | 5,194.06                  |
|         | Previous Payments      | 5,194.06                  |
|         | <b>Balance Now Due</b> | <b><u>\$13,009.40</u></b> |

TAX ID Number 273680224

# Cleary Giacobbe Alfieri Jacobs

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Oct 06,2021

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143

File #: 9942

Inv #: 99448

**RE:** Berkeley Heights BOE

For Services Rendered Through: September 30,2021

| DATE   | DESCRIPTION   | HOURS | AMOUNT | LAWYER |
|--------|---|-------|--------|--------|
| 9/1/21 | Review and respond to email from Dr. Varley re school calendar  | 0.10  | 16.50  | mjg    |
| 9/1/21 | Review and email Appellate Div. and PERC decision on Sept. 1 start date to Dr. Varley                       | 0.30  | 49.50  | mjg    |
| 9/1/21 | Email to Dr. Varley re appellate division PERC decision   | 0.10  | 16.50  | mjg    |
| 9/1/21 | Review court order re custody issue; email to Dr. Varley re same  | 0.30  | 49.50  | mjg    |
| 9/1/21 | Review/analyze OPRA request   | 0.20  | 33.00  | bdt    |
| 9/1/21 | Confer with client re: OPRA request   | 0.20  | 33.00  | bdt    |
| 9/2/21 | Telephone Dr. Varley re BOE matters   | 0.30  | 49.50  | mjg    |
| 9/3/21 | Review environmental testing results and draft public notice statement                                      | 0.50  | 82.50  | mjg    |
| 9/3/21 | Teleconf. w/Dr. Varley re air testing inquiry.  | 0.10  | 16.50  | flf    |
| 9/3/21 | Review and analysis of Dr. Varley email correspondence and attachments re environmental testing.            | 0.30  | 49.50  | flf    |
| 9/3/21 | Modify draft correspondence to staff re reopening of schools; email Dr. Varley for review.                  | 0.20  | 33.00  | flf    |
| 9/3/21 | Review NJDOE guidance and BOE policy re [REDACTED] [REDACTED] analysis and respond to Dr. Varley's inquiry. | 0.40  | 66.00  | flf    |
| 9/7/21 | Telephone Dr. Varley re water issue   | 0.20  | 33.00  | mjg    |
| 9/8/21 | Receipt and review of email from client with opposition to motion to dismiss and requested meeting          | 0.10  | 16.50  | maw    |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 9/8/21  | Draft reply to client with availability to discuss opposition to motion to dismiss                          | 0.10 | 16.50  | maw |
| 9/9/21  | Telephone Dr. Varley re alleged OPMA violation; review OPMA to confirm law and advise Dr. Varley            | 0.50 | 82.50  | mjg |
| 9/9/21  | Review Unfair Practice filed by BHEAs re co seating of students   | 0.30 | 49.50  | mjg |
| 9/9/21  | Email to Dr. Varley re new ULP  | 0.10 | 16.50  | mjg |
| 9/9/21  | Review correspondence from R. April, Esq. re ULP  | 0.10 | 16.50  | mjg |
| 9/9/21  | Review of TN opposition to MD's motion to dismiss ethics complaint  | 0.30 | 49.50  | maw |
| 9/9/21  | Review of School Ethics Commission Act/Code procedures for discussion with client                           | 0.20 | 33.00  | maw |
| 9/9/21  | Telephone conference with client regarding opposition to motion to dismiss and next steps                   | 0.10 | 16.50  | maw |
| 9/9/21  | Review issue concerning release of agenda   | 0.30 | 49.50  | rfk |
| 9/10/21 | Review and respond to email from D. Reinstein re superintendent's contract                                  | 0.10 | 16.50  | mjg |
| 9/10/21 | Review and respond to Dr. Varley's inquiry re bus duty  | 0.30 | 49.50  | mjg |
| 9/10/21 | Review and revise arbitration brief re Chapter 44 issue   | 1.00 | 165.00 | mjg |
| 9/10/21 | Review and revise Superintendent's contract per D. Reinstein and email same; telephone D. Reinstein re same | 0.70 | 115.50 | mjg |
| 9/10/21 | Review client request, research CBA on issue of early bus duty and provide guidance to client               | 1.50 | 247.50 | GJF |
| 9/10/21 | Review relevant statutes and regulations regarding Chapter 44 dental premiums                               | 2.50 | 412.50 | mne |
| 9/10/21 | Draft arbitration brief regarding Chapter 44 dental premiums  | 3.50 | 577.50 | mne |
| 9/13/21 | Review First Student busing issue   | 0.70 | 115.50 | rfk |
| 9/13/21 | Review Transportation bid specifications  | 0.40 | 66.00  | rfk |
| 9/14/21 | Emails with J. Kot re Assistant Superintendent contract   | 0.20 | 33.00  | mjg |
| 9/14/21 | Review transportation contracts; conference with J. Kot   | 0.30 | 49.50  | rfk |
| 9/14/21 | Conference with J. Napolitano re: Transportation contracts  | 0.20 | 33.00  | rfk |
| 9/14/21 | Review/analyze OPRA requests/client inquiries & confer with client re: OPRA issues                          | 0.60 | 99.00  | bdt |
| 9/15/21 | Email correspondence w/J. Morrisseau re HIB training.   | 0.10 | 16.50  | flf |
| 9/15/21 | Review performance bonds and transportation contracts   | 0.60 | 99.00  | rfk |
| 9/15/21 | Conference with J. Napolitano re: transportation contracts  | 0.40 | 66.00  | rfk |
| 9/15/21 | Prepare for conference call   | 0.40 | 66.00  | rfk |
| 9/15/21 | Call with Client re: busing issue   | 0.40 | 66.00  | rfk |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 9/16/21 | Draft letter to First Student   | 1.10 | 181.50 | rfk |
| 9/16/21 | Review contract documents   | 0.50 | 82.50  | rfk |
| 9/17/21 | Review revised letter to First Student  | 0.10 | 16.50  | rfk |
| 9/17/21 | Preparation of HIB presentation   | 0.90 | 148.50 | ja  |
| 9/17/21 | Review of updated guidance regarding HIB investigations   | 0.90 | 148.50 | ja  |
| 9/20/21 | Revise and finalize letter to First Student   | 0.40 | 66.00  | rfk |
| 9/20/21 | Review/analyze potentially responsive records & e-mails with client re: OPRA requests                                   | 1.20 | 198.00 | bd  |
| 9/20/21 | Continued preparation of HIB presentation and slides  | 2.40 | 396.00 | ja  |
| 9/21/21 | Telephone Dr. Varley re position matter   | 0.20 | 33.00  | mjg |
| 9/21/21 | Receipt and review of email from Superintendent regarding [REDACTED]  | 0.10 | 16.50  | maw |
| 9/21/21 | Research ELL regulations and caselaw for education requirements for ELL regular education students                      | 0.90 | 148.50 | maw |
| 9/21/21 | Draft email to Superintendent with [REDACTED]   | 0.20 | 33.00  | maw |
| 9/21/21 | Review and respond to e-mail re: transportation issue   | 0.10 | 16.50  | rfk |
| 9/22/21 | Telephone Dr. Varley re ethics charges  | 0.30 | 49.50  | mjg |
| 9/22/21 | Review complaints from DOE re ethics matter   | 0.30 | 49.50  | mjg |
| 9/22/21 | Receipt and review of email correspondence from superintendent regarding school ethics complaint filings                | 0.20 | 33.00  | maw |
| 9/22/21 | Telephone conference with Ethics Commission to request complaint  | 0.10 | 16.50  | maw |
| 9/22/21 | Drafting of email to Ethics Commission to confirm representation and request complaint                                  | 0.10 | 16.50  | maw |
| 9/22/21 | Receipt and review of complaint on library intern issue; diary deadline   | 0.10 | 16.50  | maw |
| 9/22/21 | Receipt and review of complaint on kindergarten/elementary school realignment; diary deadline                           | 0.20 | 33.00  | maw |
| 9/23/21 | Telephone D. Reinstein re BOE matters   | 0.50 | 82.50  | mjg |
| 9/23/21 | Respond to email from J. Kot re voting requirements   | 0.10 | 16.50  | mjg |
| 9/23/21 | Email correspondence with Dr. Varley regarding scheduling of conference to discuss ethics complaint and defense thereto | 0.20 | 33.00  | maw |
| 9/23/21 | Conduct research on [REDACTED]  | 1.80 | 297.00 | maw |
| 9/23/21 | Draft Chapter 44 dental premium arbitration reply brief   | 2.10 | 346.50 | mne |
| 9/24/21 | Telephone Dr. Varley re BOE matters   | 0.20 | 33.00  | mjg |



|         |   |       |                   |     |
|---------|---|-------|-------------------|-----|
| 9/24/21 | Review/revise arbitration reply brief re Chapter 44)  | 0.30  | 49.50             | mjg |
| 9/24/21 | Telephone conference with Dr. Varley to discuss library intern employment for preparation of defense to ethics complaint          | 0.30  | 49.50             | maw |
| 9/24/21 | Receipt and review of documentation from Superintendent for drafting of motion to dismiss complaint                               | 0.20  | 33.00             | maw |
| 9/24/21 | Review finalized responses re: OPRA request   | 0.20  | 33.00             | bdt |
| 9/24/21 | Finalize Chapter 44 dental premium arbitration reply brief  | 0.30  | 49.50             | mne |
| 9/27/21 | Draft email correspondence to J. Kot re Westminster Presbyterian  | 0.20  | 33.00             | mjg |
| 9/27/21 | Telephone J. Kot re BOE matters   | 0.20  | 33.00             | mjg |
| 9/28/21 | Review correspondence to and from UCPO re OPMA violations and UCPO responses/findings thereto                                     | 0.70  | 115.50            | mjg |
| 9/29/21 | Telephone Dr. Varley and J. Kot re Westminster Parking matter and employee matter; draft and revise interactive process letter    | 0.70  | 115.50            | mjg |
| 9/29/21 | Telephone M. D'Aquila re BOE matter   | 0.20  | 33.00             | mjg |
| 9/29/21 | Review/reply to email from Dr. Varley re employee's doctor's note   | 0.10  | 16.50             | mjg |
| 9/29/21 | Review of file documents for drafting of motion to dismiss ethics complaint; drafting of template for Certification of Dr. Varley | 0.80  | 132.00            | maw |
| 9/29/21 | Review/analyze OPRA request   | 0.20  | 33.00             | bdt |
| 9/29/21 | E-mails with client re: OPRA request  | 0.40  | 66.00             | bdt |
| 9/29/21 | Prepare for telephonic conference regarding co-seating unfair practice charge; review previous grievances regarding co-seating    | 0.50  | 82.50             | mne |
| 9/30/21 | Research Applitrack software design and posting process for opposition to motion  | 0.90  | 148.50            | maw |
| 9/30/21 | Drafting and revising of Certification of Dr. Varley in support of motion to dismiss ethics complaint                             | 5.40  | 891.00            | maw |
| 9/30/21 | Email correspondence with Dr. Varley regarding Certification for motion to dismiss  | 0.30  | 49.50             | maw |
| 9/30/21 | Review/analyze correspondence/client inquiry & confer with client re: potential OPRA  | 0.70  | 115.50            | bdt |
| 9/30/21 | Confer with MAW re: OPRA issue  | 0.20  | 33.00             | bdt |
| 9/30/21 | Phone conference with L. Doner and PERC   | 0.20  | 33.00             | mne |
| Totals  |   | 47.40 | <u>\$7,821.00</u> |     |

| <u>Lawyer</u>      | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|--------------------|--------------|-------------|---------------|
| Matthew J Giacobbe | 9.10         | \$165.00    | \$1,501.50    |

|                   |       |          |            |
|-------------------|-------|----------|------------|
| Frances L Febres  | 1.10  | \$165.00 | \$181.50   |
| Gregory Franklin  | 1.50  | \$165.00 | \$247.50   |
| Mark A. Wenczel   | 12.60 | \$165.00 | \$2,079.00 |
| Ronald F Kavanagh | 5.90  | \$165.00 | \$973.50   |
| Bradley D Tishman | 3.90  | \$165.00 | \$643.50   |
| Janice Arellano   | 4.20  | \$165.00 | \$693.00   |
| Mark Nehme        | 9.10  | \$165.00 | \$1,501.50 |

**DISBURSEMENTS**

|         |                                       |                           |
|---------|---------------------------------------|---------------------------|
| 9/20/21 | Photocopies 81 @ 0.20                 | 16.20                     |
| 9/21/21 | Federal Express to First Student Inc. | 16.96                     |
|         | Totals                                | <u>\$33.16</u>            |
|         | <b>Total Fee &amp; Disbursements</b>  | <u><b>\$7,854.16</b></u>  |
|         | Previous Balance                      | 13,009.40                 |
|         | <b>Balance Now Due</b>                | <u><b>\$20,863.56</b></u> |

TAX ID Number 273680224

# *Cleary Giacobbe Alfieri Jacobs*

955 State Route 34  
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Ph# 732-583-7474

Fax # 732-290-0753

Nov 05,2021

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights, NJ  
07922

**Attention:**

Client # 2143

File #: 9942

Inv #: 100603

**RE: Berkeley Heights BOE**

For Services Rendered Through: October 31,2021

| <b>DATE</b> | <b>DESCRIPTION</b>   | <b>HOURS</b> | <b>AMOUNT</b> | <b>LAWYER</b> |
|-------------|--|--------------|---------------|---------------|
| 10/1/21     | Teleconf. w/M. Rowohlt re HIB investigations.  | 0.40         | 66.00         | flf           |
| 10/1/21     | Review, analysis and revision of draft HIB presentation slides; confer w/JA re same.                               | 0.50         | 82.50         | flf           |
| 10/1/21     | Email correspondence with client regarding signing of Certification  | 0.20         | 33.00         | maw           |
| 10/1/21     | Revise Certification signature page; email correspondence with client regarding resigning of Certification         | 0.20         | 33.00         | maw           |
| 10/1/21     | Revising of Certification to remove [REDACTED] draft email to client to forward copy of revisions to Certification | 0.30         | 49.50         | maw           |
| 10/1/21     | Conduct research for brief in support of motion to dismiss ethics complaint  | 2.00         | 330.00        | maw           |
| 10/1/21     | Drafting and revising of brief in support of motion to dismiss ethics complaint                                    | 4.70         | 775.50        | maw           |
| 10/1/21     | Drafting of Certification of Service   | 0.20         | 33.00         | maw           |
| 10/1/21     | Drafting of Filing Letter  | 0.30         | 49.50         | maw           |
| 10/1/21     | Drafting of email to file motion to dismiss ethics complaint   | 0.10         | 16.50         | maw           |
| 10/1/21     | Continued preparation of presentation for HIB  | 1.60         | 264.00        | ja            |
| 10/4/21     | Telephone Dr. Varley re student withdrawal from course   | 0.20         | 33.00         | mjg           |
| 10/4/21     | Email to Dr. Varley re Asst. Superintendent position   | 0.10         | 16.50         | mjg           |

|          |   |      |        |     |
|----------|---|------|--------|-----|
| 10/4/21  | Receipt and review of confirmation of receipt of motion to dismiss filing by School Ethics Commission; forward to client                                  | 0.10 | 16.50  | maw |
| 10/4/21  | Review BHAA scope of representation petition; draft NOA   | 0.40 | 66.00  | mne |
| 10/5/21  | Review email response from S. Latzke re paraprofessional  | 0.10 | 16.50  | mjg |
| 10/5/21  | Review DCP & P response and employee application  | 0.50 | 82.50  | mjg |
| 10/5/21  | Confer w/MW re certification inquiry.   | 0.20 | 33.00  | flf |
| 10/5/21  | Telephone conference with Melissa Varley regarding Capstone withdrawal issue  | 0.20 | 33.00  | maw |
| 10/5/21  | Telephone conferences with Melissa Varley regarding hiring of employee with hours pending for CE qualification  | 0.20 | 33.00  | maw |
| 10/5/21  | Review of regulations on CE, Provisional, Substitute  | 0.30 | 49.50  | maw |
| 10/5/21  | Exchange of texts with client regarding obtaining County Superintendent approval of hire  | 0.10 | 16.50  | maw |
| 10/5/21  | Receipt and review [REDACTED]; draft email to Superintendent with recommendation  | 0.20 | 33.00  | maw |
| 10/5/21  | Review correspondence from First Student  | 0.20 | 33.00  | rfk |
| 10/6/21  | Email correspondence with Superintendent [REDACTED]   | 0.10 | 16.50  | maw |
| 10/6/21  | Email correspondence with HH and School Ethics Commission regarding service of process upon HH, deadline for response, and follow-up with Federal Express | 0.20 | 33.00  | maw |
| 10/6/21  | Receipt and review of confirmation of Federal Express delivery of motion to dismiss upon HH   | 0.10 | 16.50  | maw |
| 10/6/21  | Telephone call/e-mails with client, conduct legal research, and review/analyze potentially responsive records re: OPRA request                            | 1.60 | 264.00 | bdt |
| 10/7/21  | Telephone Dr. Varley re employee matter and posting for interim position  | 0.20 | 33.00  | mjg |
| 10/7/21  | Teleconf. w/Madison re upcoming HIB presentation.   | 0.10 | 16.50  | flf |
| 10/7/21  | Confer with client re: OPRA request   | 0.20 | 33.00  | bdt |
| 10/8/21  | Review [REDACTED]; email Dr. Varley re same   | 0.50 | 82.50  | mjg |
| 10/8/21  | Review correspondence from BHAA's legal counsel; B. Markward at PERC; draft response  | 0.50 | 82.50  | mjg |
| 10/8/21  | Review of investigative report material   | 0.30 | 49.50  | mjg |
| 10/8/21  | Review/respond to email from B. Markward of PERC  | 0.10 | 16.50  | mjg |
| 10/8/21  | Review Association correspondence regarding accretion petition; conference with MJG regarding same; draft correspondence opposing accretion petition      | 1.70 | 280.50 | mne |
| 10/11/21 | Confer w/JA re HIB presentation materials.  | 0.20 | 33.00  | flf |

|          |   |      |        |     |
|----------|---|------|--------|-----|
| 10/11/21 | Email correspondence with Business Administrator regarding insurance coverage of ethics complaints  | 0.20 | 33.00  | maw |
| 10/11/21 | Email correspondence with Superintendent regarding status of motion to dismiss MP complaint   | 0.10 | 16.50  | maw |
| 10/11/21 | Receipt and review of email correspondence from Business Administrator to insurance claims manager regarding MD's complaint   | 0.10 | 16.50  | maw |
| 10/11/21 | Exchange of email correspondence with Business Administrator regarding proceeding with defense for MP complaint o/b/o Superintendent                                      | 0.20 | 33.00  | maw |
| 10/11/21 | Review of file documents, presentations, and Board agenda's and minutes for drafting of Superintendent's Certification in support motion to dismiss MP's ethics complaint | 1.30 | 214.50 | maw |
| 10/11/21 | Draft and revise Superintendent's Certification in support of motion to dismiss MP's ethics complaint   | 3.60 | 594.00 | maw |
| 10/11/21 | Draft email to forward Certification to Superintendent in support of motion to dismiss MP's ethics complaint  | 0.10 | 16.50  | maw |
| 10/11/21 | Continued preparation of HIB presentation   | 1.70 | 280.50 | ja  |
| 10/12/21 | Review BOE bylaws and email D. Reinstein re BOE committees  | 0.40 | 66.00  | mjg |
| 10/12/21 | Review documents re Resource Center Tuition follow up   | 0.40 | 66.00  | mjg |
| 10/12/21 | Review and respond to email from D. Reinstein re masking requirements at Board meetings   | 0.20 | 33.00  | mjg |
| 10/12/21 | Continue review, analysis and revision of HIB presentation materials.   | 1.00 | 165.00 | flf |
| 10/12/21 | Prepare for upcoming HIB presentation.  | 1.00 | 165.00 | flf |
| 10/12/21 | Conduct research for brief in support of motion to dismiss MP ethics complaint o/b/o Superintendent   | 1.00 | 165.00 | maw |
| 10/12/21 | Receipt and review of email from Superintendent regarding Certification in Support of Motion to Dismiss MP Complaint  | 0.10 | 16.50  | maw |
| 10/12/21 | Receipt of Resource Center Tuition dispute with Mountainside; confer with Danielle Panizzi regarding review and recommendation  | 0.20 | 33.00  | maw |
| 10/12/21 | Drafting of brief in support of motion to dismiss MP complaint o/b/o Superintendent   | 2.80 | 462.00 | maw |
| 10/12/21 | Preliminary review of issues re: send/receive agreement.  | 0.40 | 66.00  | DAP |
| 10/12/21 | Research accretion and self-determination caselaw related to representation petition  | 1.70 | 280.50 | mne |
| 10/12/21 | Correspondence to M. Varley regarding representation petition and status of director  | 0.10 | 16.50  | mne |
| 10/12/21 | Draft letter to PERC opposing representation petition   | 1.30 | 214.50 | mne |
| 10/12/21 | Conducted legal research, drafted and finalized memorandum on E.O. 251 and masking in schools.  | 0.80 | 132.00 | MVS |
| 10/13/21 | Attend HIB presentation.  | 1.30 | 214.50 | flf |

|          |   |      |        |     |
|----------|---|------|--------|-----|
| 10/14/21 | Review email from B. Markward of PERC re requested information  | 0.10 | 16.50  | mjg |
| 10/14/21 | Review email from Dr .Varley re [REDACTED]  | 0.10 | 16.50  | mjg |
| 10/14/21 | Review email from Dr. Varley re; [REDACTED]   | 0.10 | 16.50  | mjg |
| 10/14/21 | Text correspondence with Superintendent regarding completion and filing of opposition to ethics complaint             | 0.10 | 16.50  | maw |
| 10/14/21 | Revise and email certification to Superintendent for execution  | 0.20 | 33.00  | maw |
| 10/14/21 | Receipt of executed certification from Superintendent for filing  | 0.10 | 16.50  | maw |
| 10/15/21 | Review/revise PERC position statement re RO 2022-11 (card check); email communication with PERC                       | 0.50 | 82.50  | GJF |
| 10/15/21 | Draft and revise brief in support of motion to dismiss MP complaint   | 2.90 | 478.50 | maw |
| 10/15/21 | Draft filing letter to file motion to dismiss complaint   | 0.30 | 49.50  | maw |
| 10/15/21 | Draft certification of service for filing of motion to dismiss  | 0.30 | 49.50  | maw |
| 10/15/21 | Draft email to file motion to dismiss MP complaint  | 0.20 | 33.00  | maw |
| 10/15/21 | Draft email to forward filed motion to client   | 0.10 | 16.50  | maw |
| 10/15/21 | Email correspondence with Mike D'Aquila regarding status of ethics complaint; review Ethics Commission meeting agenda | 0.20 | 33.00  | maw |
| 10/18/21 | Telephone B. Markward of PERC re card check matter  | 0.40 | 66.00  | mjg |
| 10/18/21 | R/A of legal authorities re tuition calculation issue;  | 0.80 | 132.00 | jsh |
| 10/18/21 | Review/analyze potentially responsive records re: OPRA request  | 0.70 | 115.50 | bd  |
| 10/18/21 | Confer with client re: OPRA request   | 0.20 | 33.00  | bd  |
| 10/18/21 | Review/analyze send-receive agreement w/ Mountainside.  | 0.60 | 99.00  | DAP |
| 10/18/21 | Research statutory guidance re: special education and send receive agreements.  | 1.20 | 198.00 | DAP |
| 10/18/21 | Review/analyze correspondence from auditor re: send receive agreement.  | 0.30 | 49.50  | DAP |
| 10/18/21 | Review Policy Bulletin re: send receive agreement.  | 0.40 | 66.00  | DAP |
| 10/18/21 | Review NJDOE tuition formula guidance re: send receive agreement.   | 0.30 | 49.50  | DAP |
| 10/18/21 | Draft response to client re: send receive agreement.  | 0.60 | 99.00  | DAP |
| 10/18/21 | Correspondence to M. Varley regarding petition  | 0.20 | 33.00  | mne |
| 10/18/21 | Preparation for initial PERC conference regarding accretion petition; review correspondence related to delay of same  | 0.30 | 49.50  | mne |
| 10/19/21 | Confer with Danielle Panizzi regarding review of file documents and research  | 0.20 | 33.00  | maw |

|          |   |      |        |     |
|----------|---|------|--------|-----|
| 10/19/21 | Legal research & outline memorandum to client re: OPRA request  | 0.50 | 82.50  | bdt |
| 10/19/21 | Draft/revise memorandum to client re: OPRA request  | 1.20 | 198.00 | bdt |
| 10/19/21 | Review/analyze correspondence from auditor re: send receive agreement.  | 0.20 | 33.00  | DAP |
| 10/20/21 | Review memo on send/receive dispute with Mountainside BOE; review caselaw; forward cases with query for memo to Danielle Panizzi                  | 0.50 | 82.50  | maw |
| 10/20/21 | Prepare for conference call with J. Kott  | 0.20 | 33.00  | rfk |
| 10/20/21 | Conference call with J, Kott  | 0.20 | 33.00  | rfk |
| 10/20/21 | E-mails with client re: OPRA request  | 0.20 | 33.00  | bdt |
| 10/20/21 | Draft memorandum re: send-receive agreement.  | 1.80 | 297.00 | DAP |
| 10/20/21 | Edit/revise memorandum re: send-receive agreement.  | 0.60 | 99.00  | DAP |
| 10/21/21 | Review and revise memo to J. Kot re Mountainside Tuition dispute  | 0.40 | 66.00  | mjg |
| 10/21/21 | Telephone Dr. Varley re Mountainside send-receive agreement; review documents related to same   | 0.70 | 115.50 | mjg |
| 10/21/21 | Review additional documents related to Mountainside send-receive agreement  | 0.50 | 82.50  | mjg |
| 10/21/21 | Confer with MJG and DP regarding memo to client on Mountainside tuition dispute   | 0.20 | 33.00  | maw |
| 10/21/21 | Finalize memo; draft email to Superintendent and Business Administrator to forward memo on tuition dispute  | 0.20 | 33.00  | maw |
| 10/21/21 | Review send receive agreement and correspondence regarding tuition dispute with Mountainside  | 0.50 | 82.50  | maw |
| 10/21/21 | Review additional documentation provided by Superintendent regarding send receive agreement and calculation of additional special education costs | 0.40 | 66.00  | maw |
| 10/21/21 | Draft assessment of analysis and communications by Donna Felezzola regarding send receive calculations  | 0.20 | 33.00  | maw |
| 10/21/21 | Telephone calls/e-mail with client & revise draft response re: OPRA request   | 0.50 | 82.50  | bdt |
| 10/21/21 | Review/ summarize case law re: tuition formula calculation and send/receive agreement.  | 0.60 | 99.00  | DAP |
| 10/21/21 | Review submission for arbitration regarding sixth period stipend; conference with MJG regarding same  | 0.20 | 33.00  | mne |
| 10/21/21 | Correspondence to M. Varley regarding submission for arbitration regarding sixth period stipend   | 0.10 | 16.50  | mne |
| 10/22/21 | Telephone J. Kot and Dr. Varley re bus driver incident  | 0.20 | 33.00  | mjg |
| 10/22/21 | Review e-mail from J. Kot re: busing issue  | 0.10 | 16.50  | rfk |
| 10/22/21 | Confer with client re: OPRA request   | 0.50 | 82.50  | bdt |
| 10/22/21 | Review/redact potentially responsive records re: OPRA request   | 1.00 | 165.00 | bdt |

|          |   |      |        |     |
|----------|---|------|--------|-----|
| 10/25/21 | Receipt and review of opposition by HH to Superintendent's motion to dismiss complaint                                      | 0.30 | 49.50  | maw |
| 10/25/21 | Scan and email opposition by HH to Superintendent   | 0.10 | 16.50  | maw |
| 10/25/21 | Receipt and review of email from HH to School Ethics Commission with filing   | 0.10 | 16.50  | maw |
| 10/25/21 | Receipt and review of email from SEC regarding illegibility of HH filing  | 0.10 | 16.50  | maw |
| 10/25/21 | Receipt and review of email from HH to SEC regarding regular mailing of filing delivery                                     | 0.10 | 16.50  | maw |
| 10/25/21 | Email correspondence with Superintendent regarding process of motion and case disposition                                   | 0.20 | 33.00  | maw |
| 10/25/21 | Additional review/redaction of potentially responsive records re: OPRA  | 0.60 | 99.00  | bd  |
| 10/25/21 | Legal research & outline memorandum to client re: OPRA  | 0.40 | 66.00  | bd  |
| 10/25/21 | Prepare memorandum to client re: OPRA   | 1.00 | 165.00 | bd  |
| 10/25/21 | Preparation for and attendance at phone conference with PERC regarding representation petition and stipulation of unit      | 0.90 | 148.50 | mne |
| 10/27/21 | Review email from J. Kot re sidebar for bus drivers/custodians  | 0.10 | 16.50  | mjg |
| 10/27/21 | Review and respond to email from J. Kot re [REDACTED]   | 0.20 | 33.00  | mjg |
| 10/27/21 | Review/analyze OPRA requests & confer with client   | 0.80 | 132.00 | bd  |
| 10/28/21 | Review email correspondence from M. Nehme, Esq.; respond to same re stipulation of appropriate unit                         | 0.20 | 33.00  | mjg |
| 10/28/21 | Review e-mail re: First Student bus route issue   | 0.10 | 16.50  | rfk |
| 10/28/21 | Review correspondence re: OPRA requests   | 0.20 | 33.00  | bd  |
| 10/28/21 | Correspondence with MjG regarding stipulation of appropriate unit; correspondence with M. Varley regarding same             | 0.20 | 33.00  | mne |
| 10/29/21 | Telephone conference with Scott McKinney and high school principal regarding concerns regarding teacher conduct and process | 0.30 | 49.50  | maw |
| 10/29/21 | Email correspondence with Assistant Superintendent regarding conferencing as to employee investigation and process          | 0.10 | 16.50  | maw |
| 10/29/21 | Telephone and email to Business Administrator regarding side bar agreement  | 0.10 | 16.50  | maw |
| 10/29/21 | Telephone conference with Business Administrator regarding bus driver/custodian side bar agreement issues                   | 0.20 | 33.00  | maw |
| 10/29/21 | Draft and revise Side Bar agreement for driver/custodian stipend incentive  | 1.70 | 280.50 | maw |
| 10/29/21 | Draft email to forward draft Side Bar agreement to Business Administrator   | 0.10 | 16.50  | maw |



Totals

70.30      \$11,599.50

| <u>Lawyer</u>       | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|---------------------|--------------|-------------|---------------|
| Matthew J Giacobbe  | 6.50         | \$165.00    | \$1,072.50    |
| Frances L Febres    | 4.70         | \$165.00    | \$775.50      |
| Gregory Franklin    | 0.50         | \$165.00    | \$82.50       |
| Jodi S Howlett      | 0.80         | \$165.00    | \$132.00      |
| Mark A. Wenczel     | 29.20        | \$165.00    | \$4,818.00    |
| Ronald F Kavanagh   | 0.80         | \$165.00    | \$132.00      |
| Bradley D Tishman   | 9.60         | \$165.00    | \$1,584.00    |
| Janice Arellano     | 3.30         | \$165.00    | \$544.50      |
| Danielle A. Panizzi | 7.00         | \$165.00    | \$1,155.00    |
| Mark Nehme          | 7.10         | \$165.00    | \$1,171.50    |
| Marina Stinely      | 0.80         | \$165.00    | \$132.00      |

**DISBURSEMENTS**

|          |  |       |
|----------|--|-------|
| 10/2/21  | Federal Express to Helen Bella Hadeb   | 22.70 |
| 10/2/21  | Federal Express to School Ethics Comm. | 17.29 |
| 10/11/21 | Photocopies 18 @ 0.20                  | 3.60  |
| 10/14/21 | Photocopies 70 @ 0.20                  | 14.00 |

Totals

\$57.59

**Total Fee & Disbursements**

**\$11,657.09**

**PAYMENT DETAILS**

|          |         |           |
|----------|---------|-----------|
| 10/21/21 | Payment | 13,009.40 |
|----------|---------|-----------|

**Total Payments**

**\$13,009.40**

Previous Balance

20,863.56

Previous Payments

13,009.40

**Balance Now Due**

**\$19,511.25**

TAX ID Number    273680224



# *Cleary Giacobbe Alfieri Jacobs*

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Dec 07,2021

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143  
File #: 9942  
Inv #: 101654

**RE:** Berkeley Heights BOE

For Services Rendered Through: November 30,2021

| <b>DATE</b> | <b>DESCRIPTION</b>  | <b>HOURS</b> | <b>AMOUNT</b> | <b>LAWYER</b> |
|-------------|---|--------------|---------------|---------------|
| 11/1/21     | Telephone Dr. Varley and R. Nixon re employee matter  | 0.30         | 49.50         | mjg           |
| 11/1/21     | Draft and revise letter to employee   | 0.30         | 49.50         | mjg           |
| 11/1/21     | Review and respond to email from Dr .Varley re medical leave inquiry  | 0.10         | 16.50         | mjg           |
| 11/1/21     | Receipt and review of revisions to side bar agreement; accept changes and saving of side bar in pdf format                                      | 0.20         | 33.00         | maw           |
| 11/1/21     | Draft email to forward final version of side bar to business administrator  | 0.10         | 16.50         | maw           |
| 11/2/21     | Review photos and video of property flooding and email to J. Kot re same  | 0.50         | 82.50         | mjg           |
| 11/2/21     | Telephone C. Corsini re BHBOE drainage matter   | 0.30         | 49.50         | mjg           |
| 11/2/21     | Review email from Dr .Varley re working for resolution  | 0.10         | 16.50         | mjg           |
| 11/2/21     | Review and respond to email from Dr. Varley re parent attending children's sports events  | 0.10         | 16.50         | mjg           |
| 11/2/21     | Review and respond to email from J. Kot re Mountain Park School flooding  | 0.20         | 33.00         | mjg           |
| 11/2/21     | Review and respond to email from Dr. Varley re wording for resolution   | 0.20         | 33.00         | mjg           |
| 11/2/21     | Receive, review and analysis of file and 2021-2022 bus routes and amendments to be applied thereto in preparation to draft addendum to contract | 1.10         | 181.50        | cnw           |
| 11/3/21     | Review and respond to email from Dr. Varley re sidebar for bus drivers/custodians   | 0.10         | 16.50         | mjg           |

|          |   |      |        |     |
|----------|---|------|--------|-----|
| 11/3/21  | Review and respond to email from J. Kot re Mountain Park school ground flooding   | 0.10 | 16.50  | mjg |
| 11/3/21  | Receipt and review of email correspondence with Superintendent regarding transportation/custodial employee side bar agreement   | 0.10 | 16.50  | maw |
| 11/3/21  | Review transportation issue; research re: contract amendment  | 1.00 | 165.00 | rfk |
| 11/3/21  | Review and analysis of email exchanges re route changes and elimination, analysis with counsel re addendum and phone conference with BA re status of addendum   | 0.60 | 99.00  | cnw |
| 11/3/21  | Review and analysis of Sept 2021-June 2022 transportation contract and bid specs, letters to first student and previous addendums and prepare addendum to contract to include eliminated and amended routes | 1.40 | 231.00 | cnw |
| 11/4/21  | Telephone Dr. Varley re BOE matter  | 0.30 | 49.50  | mjg |
| 11/4/21  | Email correspondence with Superintendent regarding surprise receipt OFAC Report of Examination  | 0.20 | 33.00  | maw |
| 11/4/21  | Receipt and review of OFAC correspondence and Report of Examination received from Superintendent  | 0.40 | 66.00  | maw |
| 11/4/21  | Draft email to Superintendent regarding review of OFAC Report of Examination and CAP and meeting notification requirements  | 0.30 | 49.50  | maw |
| 11/4/21  | Review transportation contracts; draft addendum   | 0.80 | 132.00 | rfk |
| 11/4/21  | Revise addendum to transportation contract  | 0.80 | 132.00 | rfk |
| 11/4/21  | Review e-mail from J. Kot re: bus routes  | 0.10 | 16.50  | rfk |
| 11/4/21  | Review and analysis of revisions to draft addendum to 2021-2022 student transportation contract and email to BA enclosing same and next steps to finalizing addendum  | 0.50 | 82.50  | cnw |
| 11/5/21  | Telephone Dr. Varley re BOE matter  | 0.30 | 49.50  | mjg |
| 11/7/21  | Review email from Dr. Varley re NJDOE/OFAC report of examination  | 0.10 | 16.50  | mjg |
| 11/8/21  | Telephone Dr. Varley and J. Kot re BOE matter   | 0.30 | 49.50  | mjg |
| 11/8/21  | Discuss with counsel re status and email to BA re draft addendum to transportation contract   | 0.30 | 49.50  | cnw |
| 11/8/21  | Email exchanges with BOE's BA re addendum and status of same  | 0.30 | 49.50  | cnw |
| 11/9/21  | Receipt and review of email and correspondence from School Ethics Commission regarding MD motion to dismiss complaint; draft email to forward correspondence to MD  | 0.20 | 33.00  | maw |
| 11/9/21  | Review e-mail re: draft addendum - transportation contract  | 0.20 | 36.00  | rfk |
| 11/10/21 | Telephone Dr. Varley re BOE matter  | 0.20 | 33.00  | mjg |
| 11/10/21 | Email sample agreements to J. Kot   | 0.20 | 33.00  | mjg |

|          |  |      |        |     |
|----------|--|------|--------|-----|
| 11/10/21 | Review and respond to email from Dr. Varley re court order re dispute re Board's lighting and amplification at its high school fields          | 0.20 | 33.00  | mjg |
| 11/10/21 | Email to J. Kot re sample agreements allowing encroachment   | 0.10 | 16.50  | mjg |
| 11/10/21 | Review N. Poberezhsky correspondence re [REDACTED] email Dr. Varley re same.   | 0.20 | 33.00  | flf |
| 11/10/21 | Receipt and review of client request for side bar for teacher class and duty coverage  | 0.10 | 16.50  | maw |
| 11/10/21 | Review e-mail re: Hagar residence renovation   | 0.10 | 16.50  | rfl |
| 11/10/21 | Research re: encroachment agreements   | 0.30 | 49.50  | rfl |
| 11/10/21 | Review issue concerning encroachment on Board property   | 0.50 | 82.50  | rfl |
| 11/11/21 | Telephone D. Reinstein re BOE matters; telephone Dr. Varley re BOE matters; telephone J. Kot re lawsuit  | 0.60 | 99.00  | mjg |
| 11/11/21 | Review [REDACTED] lawsuit; telephone adjuster at Selective Insurance re coverage   | 0.70 | 115.50 | mjg |
| 11/11/21 | Teleconf. w/Dr. Varley re [REDACTED]   | 0.20 | 33.00  | flf |
| 11/11/21 | Teleconf. w/N. Poberezhsky re [REDACTED]   | 0.20 | 33.00  | flf |
| 11/11/21 | Teleconf. w/Dr. Varley re conversation with N. Poberezhsky re [REDACTED]   | 0.10 | 16.50  | flf |
| 11/11/21 | Conduct research on OFAC Investigation and CAP   | 0.50 | 82.50  | maw |
| 11/11/21 | Draft and revise proposed CAP  | 0.50 | 82.50  | maw |
| 11/11/21 | Draft and revise memo regarding CAP and appeal analysis  | 1.90 | 313.50 | maw |
| 11/11/21 | Draft email to forward to memo and recommended CAP to client   | 0.10 | 16.50  | maw |
| 11/11/21 | Receipt and review of emails and draft CAP from BA; draft email reply  | 0.20 | 33.00  | maw |
| 11/12/21 | Review/analyze LAD Hostile Environment Complaint to understand facts and claims  | 2.10 | 346.50 | rkt |
| 11/12/21 | Preparation of chronology for hostile environment for defense strategy   | 0.50 | 82.50  | rkt |
| 11/12/21 | Email correspondence with Business Administrator regarding analysis of CAP and appeal merits for OFAC investigation                            | 0.30 | 49.50  | maw |
| 11/15/21 | Review correspondence to Dr. Varley re Woodbridge Case   | 0.20 | 33.00  | mjg |
| 11/15/21 | Teleconf. w/N. Pobereshsky re [REDACTED]   | 0.20 | 33.00  | flf |
| 11/15/21 | Email correspondence w/Dr. Varley re [REDACTED]  | 0.20 | 33.00  | flf |
| 11/15/21 | Email correspondence with board member D'Aquila regarding Ethics Commission's scheduling of motion to dismiss for consideration; review agenda | 0.20 | 33.00  | maw |
| 11/15/21 | Receipt of query from Superintendent regarding District liability for students walking home after dismissal                                    | 0.10 | 16.50  | maw |

|          |  |      |        |     |
|----------|--|------|--------|-----|
| 11/15/21 | Conduct research on District liability for students walking home upon dismissal  | 1.00 | 165.00 | maw |
| 11/15/21 | Draft email to Superintendent with attachments on [REDACTED]<br>[REDACTED]   | 0.80 | 132.00 | maw |
| 11/15/21 | Draft and revise proposed side bar for class and duty coverage   | 0.80 | 132.00 | maw |
| 11/15/21 | Draft email to Superintendent to forward proposed side bar for class and duty coverage   | 0.10 | 16.50  | maw |
| 11/16/21 | Review email from Dr. Varley re: meeting with new Board members  | 0.10 | 16.50  | mjg |
| 11/17/21 | Telephone Dr. Varley re BOE matters  | 0.20 | 33.00  | mjg |
| 11/18/21 | Email to client re site plan application   | 0.10 | 16.50  | mjg |
| 11/18/21 | Telephone conference with Gail Kanef regarding proposed custodial unit side bar  | 0.30 | 49.50  | maw |
| 11/18/21 | Draft email to Superintendent/Business Administrator regarding issues raised by Association counsel to proposed side bar             | 0.20 | 33.00  | maw |
| 11/19/21 | Review and revise encroachment agreement   | 0.30 | 49.50  | mjg |
| 11/22/21 | Telephone J. Harworth re Solis lawsuit (HIB matter)  | 0.30 | 49.50  | mjg |
| 11/22/21 | Review/respond to email from J. Kot re [REDACTED]  | 0.10 | 16.50  | mjg |
| 11/23/21 | Review email from Dr. Varley re site plan application  | 0.10 | 16.50  | mjg |
| 11/23/21 | Receipt and review of email from Business Administrator with proposals for custodial CDL licenses                                    | 0.10 | 16.50  | maw |
| 11/23/21 | Telephone to Association counsel   | 0.10 | 16.50  | maw |
| 11/23/21 | Receipt and review of email query from Superintendent regarding employee DUI incidents   | 0.10 | 16.50  | maw |
| 11/23/21 | Telephone to and conference with Superintendent and Matthew Giacobbe regarding response to employee DUI incidents and required leave | 0.20 | 33.00  | maw |
| 11/23/21 | Review correspondences related to stipulation MOU; review stipulation MOU  | 0.10 | 16.50  | mne |
| 11/23/21 | Correspondence to M. Varley regarding stipulation MOU  | 0.10 | 16.50  | mne |
| 11/24/21 | Draft letter to PERC re AR 2022-166  | 0.20 | 33.00  | mjg |
| 11/24/21 | Telephone Dr. Varley re BOE matters  | 0.20 | 33.00  | mjg |
| 11/24/21 | Telephone Dr. Varley re employee DWI   | 0.20 | 33.00  | mjg |
| 11/24/21 | Review email from J. Kot re encroachment matter; respond to same   | 0.30 | 49.50  | mjg |
| 11/24/21 | Review email from J. Kot re cell tower lease agreement   | 0.10 | 16.50  | mjg |
| 11/24/21 | Review J. Morisseau email re HIB matter.   | 0.10 | 16.50  | flf |

|          |   |       |                   |     |
|----------|---|-------|-------------------|-----|
| 11/24/21 | Review/analyze OPRA requests & confer with client   | 0.30  | 49.50             | bdt |
| 11/28/21 | Draft and revise email to Gail Oxfield Kanef with client proposals for inclusion in side bar to address issues raised by association    | 0.30  | 49.50             | maw |
| 11/29/21 | Review letter from R. Friedman, Esq. and arbitration decision re Chapter 44 contributions   | 0.30  | 49.50             | mjg |
| 11/29/21 | Teleconf. w/J. Morriseau re HIB investigation.  | 0.10  | 16.50             | flf |
| 11/29/21 | Email correspondence w/Dr. Varley re administrative investigation pending third party investigations.                                   | 0.20  | 33.00             | flf |
| 11/30/21 | Email correspondence with Superintendent/BA regarding counterproposal/rejection of Association revisions to proposed custodial side bar | 0.20  | 33.00             | maw |
| 11/30/21 | Review OPRA request re: parent e-mails  | 0.10  | 16.50             | rfk |
| 11/30/21 | Multiple correspondences with Association representatives regarding UPC status conference   | 0.20  | 33.00             | mne |
| Totals   |   | 30.50 | <u>\$5,035.50</u> |     |

| <u>Lawyer</u>       | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|---------------------|--------------|-------------|---------------|
| Matthew J Giacobbe  | 8.00         | \$165.00    | \$1,320.00    |
| Ruby Kumar-Thompson | 2.60         | \$165.00    | \$429.00      |
| Frances L Febres    | 1.50         | \$165.00    | \$247.50      |
| Mark A. Wenczel     | 9.60         | \$165.00    | \$1,584.00    |
| Ronald F Kavanagh   | 3.90         | \$165.00    | \$643.50      |
| Bradley D Tishman   | 0.30         | \$165.00    | \$49.50       |
| Charissa N. Wijaya  | 4.20         | \$165.00    | \$693.00      |
| Mark Nehme          | 0.40         | \$165.00    | \$66.00       |

**DISBURSEMENTS**

|          |  |                |
|----------|--|----------------|
| 10/15/21 | Federal Express to New Jersey Dept. of Labor | 18.87          |
| 10/15/21 | Federal Express to Margit Pedraza            | 24.31          |
| 11/2/21  | Photocopies 22 @ 0.20                        | 4.40           |
| Totals   |  | <u>\$47.58</u> |

**Total Fee & Disbursements**\$5,083.08**PAYMENT DETAILS**

|          |         |          |
|----------|---------|----------|
| 11/16/21 | Payment | 7,854.16 |
|----------|---------|----------|

|                        |                    |
|------------------------|--------------------|
| <b>Total Payments</b>  | <b>\$7,854.16</b>  |
| Previous Balance       | 19,511.25          |
| Previous Payments      | 7,854.16           |
| <b>Balance Now Due</b> | <b>\$16,740.17</b> |

TAX ID Number 273680224



# *Cleary Giacobbe Alfieri Jacobs*

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Jan 07,2022

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143  
File #: 9942  
Inv #: 102586

**RE:** Berkeley Heights BOE

For Services Rendered Through: December 31,2021

| <b>DATE</b> | <b>DESCRIPTION</b>  | <b>HOURS</b> | <b>AMOUNT</b> | <b>LAWYER</b> |
|-------------|---|--------------|---------------|---------------|
| 12/1/21     | Drafting of email to Gail Oxfeld Kanef, rejecting association's revisions to side bar and advising of district's change in direction  | 0.10         | 16.50         | maw           |
| 12/1/21     | Preparation for and attendance at PERC exploratory conference   | 1.40         | 231.00        | mne           |
| 12/3/21     | Correspondence to M. Varley regarding coseating UPC conference  | 0.10         | 16.50         | mne           |
| 12/6/21     | Review email from Dr. Varley re school nurse job description  | 0.10         | 16.50         | mjg           |
| 12/7/21     | Telephone Dr .Varley re sidebar agreement with BHEA   | 0.20         | 33.00         | mjg           |
| 12/7/21     | Telephone conference with Superintendent and High School principal regarding student backpack search and student suspension   | 0.20         | 33.00         | maw           |
| 12/7/21     | Receipt and review of correspondence from School Ethics Commission regarding review of motion to dismiss; forward to Superintendent; email correspondence with Superintendent | 0.20         | 33.00         | maw           |
| 12/7/21     | Review/analyze OPRA requests & confer with client re: Vamburaj OPRA   | 0.30         | 49.50         | bdt           |
| 12/7/21     | Review/analyze OPRA requests & confer with client re: Scorzafa OPRA   | 0.40         | 66.00         | bdt           |
| 12/7/21     | Review arbitrator correspondence regarding collective negotiation agreement   | 0.10         | 16.50         | mne           |
| 12/8/21     | Telephone J. Lot re cell tower lease; review lease agreement; draft and revise letter to lessee re sub-leases   | 0.70         | 115.50        | mjg           |

|          |  |      |        |     |
|----------|--|------|--------|-----|
| 12/8/21  | Draft and revise email to C. Corsini, Esq. re flooding property issue  | 0.30 | 49.50  | mjg |
| 12/8/21  | Review email from Dr. Varley re parent and student opt out; review documents   | 0.20 | 33.00  | mjg |
| 12/8/21  | Legal research & outline memorandum to client re: Vemburaj OPRA  | 0.40 | 66.00  | bdt |
| 12/8/21  | Prepare memorandum to client re: Vemburaj OPRA   | 0.90 | 148.50 | bdt |
| 12/8/21  | Review of correspondence from parents of [REDACTED] regarding opting-out of LGBT, dei, sex education, etc.   | 0.40 | 66.00  | ja  |
| 12/8/21  | Review of correspondence from Dr. Varley regarding [REDACTED] parents inquiry and concerns   | 0.20 | 33.00  | ja  |
| 12/8/21  | Preparation of correspondence to [REDACTED] parents regarding opt-out of curriculum  | 2.30 | 379.50 | ja  |
| 12/8/21  | Review of NJ legislation signed into law regarding diversity and inclusion standards   | 0.90 | 148.50 | ja  |
| 12/8/21  | Phone conference with Principal Morrisseau and school nurse regarding health curriculum  | 0.30 | 49.50  | ja  |
| 12/8/21  | Review opposing counsel correspondence regarding supplement to Chapter 44 dental premium arbitration; draft correspondence regarding same                | 0.20 | 33.00  | mne |
| 12/9/21  | Review and revise letter /memo to parents re opt out request   | 0.40 | 66.00  | mjg |
| 12/9/21  | Review/respond to email from J. Kot re contract negotiations   | 0.10 | 16.50  | mjg |
| 12/9/21  | Research caselaw in NJ and federal regarding opting out of diversity and inclusion/LGBTQ and sexual education courses for context for parent letter      | 0.90 | 148.50 | ja  |
| 12/9/21  | Finalize memo and correspondence to parents regarding opt-out curriculum statutes and legislation  | 1.30 | 214.50 | ja  |
| 12/10/21 | Telephone conference with Superintendent regarding teacher's loss of certification and substitute status   | 0.10 | 16.50  | maw |
| 12/10/21 | Telephone conference with Sarah Latzke regarding factual support for correspondence  | 0.10 | 16.50  | maw |
| 12/10/21 | Receipt and review of documentation and email correspondence from Sarah Latzke for drafting of letter to teacher   | 0.30 | 49.50  | maw |
| 12/10/21 | Telephone and email correspondence to Sarah Latzke   | 0.10 | 16.50  | maw |
| 12/10/21 | Telephone conference with Sarah Latzke regarding review of documentation and clarification for drafting of proposed letter                               | 0.10 | 16.50  | maw |
| 12/10/21 | Draft and revise proposed letter from Superintendent to teacher regarding certification issue and substitute status pending resolution                   | 0.90 | 148.50 | maw |
| 12/10/21 | Draft email to Superintendent to forward proposed letter to teacher  | 0.10 | 16.50  | maw |
| 12/10/21 | Receipt and review of email from Michael D'Aquila with questions regarding School Ethics Commission scheduling of approval of Motion to Dismiss Decision | 0.10 | 16.50  | maw |

|          |   |      |        |     |
|----------|---|------|--------|-----|
| 12/10/21 | Review School Ethics Commission agenda of scheduled meeting and minutes of past meetings for appearance question by client  | 0.30 | 49.50  | maw |
| 12/10/21 | Draft and revise email to Michael D'Aquila with response to query on pending approval of decision on motion to dismiss and right to appear at meeting   | 0.20 | 33.00  | maw |
| 12/10/21 | Review letter from Richard Kaplow, Esq. o/b/o parent of HC regarding dispute on centralized vocational school transportation  | 0.10 | 16.50  | maw |
| 12/10/21 | Review email correspondence of transportation coordinator and Superintendent regarding parent's complaints on centralized transportation students attending UCVTS                             | 0.30 | 49.50  | maw |
| 12/10/21 | Conduct research for drafting of response letter to Richard Kaplow, Esq., on centralized transportation dispute   | 0.60 | 99.00  | maw |
| 12/10/21 | Drafting of response letter to Richard Kaplow, Esq., regarding centralized pick up of UCVTS students  | 2.00 | 330.00 | maw |
| 12/10/21 | Confer with client re: OPRA requests  | 0.30 | 49.50  | bdt |
| 12/10/21 | Review/analyze & redact potentially responsive records re: OPRA requests  | 1.00 | 165.00 | bdt |
| 12/13/21 | Prepare for and attend new Board member training  | 4.00 | 660.00 | mjg |
| 12/13/21 | Drafting and revising of response letter to Richard Kaplow on UCVTS centralized transportation dispute  | 0.80 | 132.00 | maw |
| 12/13/21 | Draft email to Superintendent/Business Administrator to forward draft letter to Richard Kaplow for review and comment   | 0.20 | 33.00  | maw |
| 12/13/21 | Legal research & outline memorandum to client re: Khana OPRA  | 0.30 | 49.50  | bdt |
| 12/13/21 | Additional review of responsive records & prepare memorandum to client re: Khana OPRA   | 1.20 | 198.00 | bdt |
| 12/14/21 | Email correspondence and telephone conference with Julie Kot regarding response letter to Richard Kaplow, Esq.  | 0.30 | 49.50  | maw |
| 12/14/21 | Review, revise, and preparation of letter on HC and UCVTS transportation issue for forwarding to Richard Kaplow, Esq.   | 0.50 | 82.50  | maw |
| 12/14/21 | Draft email to forward response letter to Richard Kaplow, Esq. on HC and UCVTS transportation issue   | 0.10 | 16.50  | maw |
| 12/14/21 | Email correspondence with Michael D'Aquila regarding School Ethics Commission's approval of decision on motion and pendency of written decision   | 0.10 | 16.50  | maw |
| 12/15/21 | Telephone J. Kot re BOE matters   | 0.30 | 49.50  | mjg |
| 12/15/21 | Receipt and review of School Ethics Commission Decision on Michael D'Aquila's motion to dismiss ethics complaint  | 0.20 | 33.00  | maw |
| 12/15/21 | Draft email to forward School Ethics Commission Decision to dismiss School Ethics Complaint to Michael D'Aquila   | 0.10 | 16.50  | maw |
| 12/16/21 | Receipt and review of email and correspondence from Sarah Latzke/Melissa Varley regarding lapsing of employee's emergency certificate, termination, and eligibility for substitute employment | 0.20 | 33.00  | maw |

|          |  |      |       |     |
|----------|--|------|-------|-----|
| 12/16/21 | Email correspondence with Sarah Latzke regarding conferencing on proposed correspondence and meeting   | 0.20 | 33.00 | maw |
| 12/16/21 | Receipt and review of additional documentation from Sarah Latzke regarding employee contract, emergency certification expiration and correspondence with employee; review sick leave and certification statute | 0.20 | 33.00 | maw |
| 12/16/21 | Telephone conference with Sarah Latzke regarding employee termination, sick leave claim, and meeting with employee and association representative  | 0.20 | 33.00 | maw |
| 12/16/21 | Draft and revise revisions to proposed letter to employee regarding immediate termination of employment and substitute employment  | 0.40 | 66.00 | maw |
| 12/16/21 | Draft and revise email to Sarah Latzke/Melissa Varley with revised letter and analysis of pertinent legal issues and recommendation for employee contract revision and meeting with employee                   | 0.40 | 66.00 | maw |
| 12/20/21 | Receipt and review of text from Dr. Varley regarding contact by Assistant Superintendent regarding affirmative action investigation  | 0.10 | 16.50 | maw |
| 12/20/21 | Email correspondence with Assistant Superintendent regarding scheduling of conference to discuss affirmative action investigation  | 0.20 | 33.00 | maw |
| 12/20/21 | Review/analyze OPRA request & confer with client re: Cattoni OPRA  | 0.40 | 66.00 | bd  |
| 12/21/21 | Review email and document re [REDACTED] matter   | 0.20 | 33.00 | mjg |
| 12/21/21 | Review/respond to email from Dr. Varley re [REDACTED] matter   | 0.10 | 16.50 | mjg |
| 12/21/21 | Review Dr. Varley email forwarding [REDACTED]; email correspondence w/Dr. Varley re same.  | 0.30 | 49.50 | flf |
| 12/21/21 | Telephone conference with Scott McKinney and Marybeth Kopacz regarding affirmative action investigation  | 0.40 | 66.00 | maw |
| 12/21/21 | Confer with Matthew Giacobbe regarding investigation request   | 0.10 | 16.50 | maw |
| 12/21/21 | Follow-up telephone and email to and telephone conference with Scott McKinney regarding investigation  | 0.20 | 33.00 | maw |
| 12/21/21 | Confer with Victoria Leblein regarding conducting of investigation   | 0.20 | 33.00 | maw |
| 12/21/21 | Review Board policies for affirmative action investigation   | 0.40 | 66.00 | maw |
| 12/21/21 | Conference call with M. Wenczel re: investigation  | 0.20 | 33.00 | vl  |
| 12/22/21 | Review and revise supplemental letter to arbitrator re Chapter 44 arbitration  | 0.50 | 82.50 | mjg |
| 12/22/21 | Telephone Township attorney re water encroachment  | 0.40 | 66.00 | mjg |
| 12/22/21 | Email correspondence w/Dr. Varley re [REDACTED]  | 0.20 | 33.00 | flf |
| 12/22/21 | Receipt and review of [REDACTED] personnel file documents  | 0.50 | 82.50 | maw |
| 12/22/21 | Receipt and review of correspondence re: investigation   | 0.20 | 33.00 | vl  |

|          |  |       |                   |     |
|----------|--|-------|-------------------|-----|
| 12/22/21 | Review supplementary arbitration decision related to Chapter 44 dental premiums  | 0.80  | 132.00            | mne |
| 12/22/21 | Draft supplementary letter brief in Chapter 44 dental premium arbitration  | 1.80  | 297.00            | mne |
| 12/22/21 | Review and revise supplementary letter brief in Chapter 44 dental premium arbitration  | 1.30  | 214.50            | mne |
| 12/22/21 | Incorporate MJG edits into supplementary letter brief in Chapter 44 dental premium arbitration   | 0.50  | 82.50             | mne |
| 12/23/21 | Email correspondence w/Dr. Varley re █████ records.  | 0.10  | 16.50             | flf |
| 12/23/21 | Review of █████ personnel file documents; confer with Frances Febres regarding absence of DCP&P and internal investigation                 | 0.40  | 66.00             | maw |
| 12/23/21 | Receipt and review of DCP&P investigation results  | 0.20  | 33.00             | maw |
| 12/29/21 | Receipt and review of query from Business Administrator regarding board officer vote   | 0.10  | 16.50             | maw |
| 12/29/21 | Review of Board By-laws on organization meeting and election of officers   | 0.20  | 33.00             | maw |
| 12/29/21 | Review of secondary sources and Commissioner decision on election of board officer vote issues   | 0.50  | 82.50             | maw |
| 12/29/21 | Email correspondence with Business Administrator regarding applicable bylaw and research on voting requirements for board officer election | 0.20  | 33.00             | maw |
| Totals   |  | 39.60 | <u>\$6,534.00</u> |     |

| <u>Lawyer</u>      | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|--------------------|--------------|-------------|---------------|
| Matthew J Giacobbe | 7.50         | \$165.00    | \$1,237.50    |
| Frances L Febres   | 0.60         | \$165.00    | \$99.00       |
| Mark A. Wenczel    | 13.40        | \$165.00    | \$2,211.00    |
| Bradley D Tishman  | 5.20         | \$165.00    | \$858.00      |
| Janice Arellano    | 6.30         | \$165.00    | \$1,039.50    |
| Victoria Leblein   | 0.40         | \$165.00    | \$66.00       |
| Mark Nehme         | 6.20         | \$165.00    | \$1,023.00    |

**DISBURSEMENTS**

|                                      |                       |                          |
|--------------------------------------|-----------------------|--------------------------|
| 12/8/21                              | Photocopies 45 @ 0.20 | 9.00                     |
| 12/13/21                             | Photocopies 62 @ 0.20 | 12.40                    |
| Totals                               |                       | <u>\$21.40</u>           |
| <b>Total Fee &amp; Disbursements</b> |                       | <u><b>\$6,555.40</b></u> |

**PAYMENT DETAILS**

|          |                        |                    |
|----------|------------------------|--------------------|
| 12/14/21 | Payment                | 11,657.09          |
|          | <b>Total Payments</b>  | <b>\$11,657.09</b> |
|          | Previous Balance       | 16,740.17          |
|          | Previous Payments      | 11,657.09          |
|          | <b>Balance Now Due</b> | <b>\$11,638.48</b> |

TAX ID Number 273680224

# Cleary Giacobbe Alfieri Jacobs

955 State Route 34  
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Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Feb 10,2022

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143  
File #: 9942  
Inv #: 103974

**RE:** Berkeley Heights BOE

For Services Rendered Through: January 31,2022

| DATE   | DESCRIPTION  | HOURS | AMOUNT | LAWYER |
|--------|--|-------|--------|--------|
| 1/3/22 | Review email from Dr. Varley re employee [REDACTED]  | 0.10  | 16.50  | mjg    |
| 1/3/22 | Review/respond to email from J. Kot re encroachment agreement  | 0.10  | 16.50  | mjg    |
| 1/3/22 | Review encroachment agreement; review tax website; email to M. Giacobbe  | 0.30  | 49.50  | bmc    |
| 1/3/22 | Review IAIU correspondence to Dr. Varley; review N. Poberezhsky correspondence to IAIU.  | 0.20  | 33.00  | flf    |
| 1/4/22 | Email correspondence w/Dr. Varley re [REDACTED]  | 0.20  | 33.00  | flf    |
| 1/5/22 | Telephone Dr. Varley re BOE matters  | 0.30  | 49.50  | mjg    |
| 1/6/22 | Telephone conference with Joseph Caltiere/Utica National Insurance regarding coverage of fees in Pedraza v. Varley and to discuss case | 0.20  | 33.00  | maw    |
| 1/6/22 | Draft and revise email to Joseph Caltiere to confirm conversation and provide contact information                                      | 0.20  | 33.00  | maw    |
| 1/7/22 | Review response to BOE member's statement re BOE legal counsel   | 0.30  | 49.50  | mjg    |
| 1/7/22 | Review BOE meeting tape; telephone Dr. Varley re same  | 0.80  | 132.00 | mjg    |
| 1/7/22 | Review of board meeting video for board discussion regarding public bidding violation  | 0.70  | 115.50 | maw    |
| 1/7/22 | Review file documents for correspondence and reports on public bidding violation arguments, findings, and remedial action              | 2.40  | 396.00 | maw    |
| 1/7/22 | Conduct research on [REDACTED]   | 1.00  | 165.00 | maw    |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 1/7/22  | Draft and revise procedural and substantive historical rebuttal to mischaracterizations of board public bidding violation and non-involvement of board counsel | 2.50 | 412.50 | maw |
| 1/10/22 | Receipt and review of email from Superintendent regarding donation of sick leave, sick bank, and BHEA contract language  | 0.10 | 16.50  | maw |
| 1/10/22 | Review BHEA contract for pertinent language for sick leave issue   | 0.30 | 49.50  | maw |
| 1/10/22 | Review of Board policies to rule out pertinent provisions to sick leave issue  | 0.20 | 33.00  | maw |
| 1/10/22 | Conduct research on law of sick banks and donation of sick leave   | 0.80 | 132.00 | maw |
| 1/10/22 | Draft and revise email to Superintendent regarding contract language, past practice, and sick leave donation requests  | 0.30 | 49.50  | maw |
| 1/10/22 | Telephone conference with Business Administrator regarding communications from OFAC on CAP submission  | 0.10 | 16.50  | maw |
| 1/10/22 | Final review and revision of analysis of [REDACTED]  | 0.50 | 82.50  | maw |
| 1/11/22 | Review/respond to email from Dr. Varley re report cards mailing  | 0.10 | 16.50  | mjg |
| 1/11/22 | Telephone conference with Dr. Varley regarding [REDACTED]  | 0.10 | 16.50  | maw |
| 1/11/22 | Conference with NJPSA representative regarding stipulation of appropriate unit   | 0.10 | 16.50  | mne |
| 1/12/22 | Review/respond to email from Dr. Varley re newly elected BOE member actions  | 0.50 | 82.50  | mjg |
| 1/12/22 | Review BHEA CBA; email Dr. Varley re same  | 0.30 | 49.50  | mjg |
| 1/12/22 | Review/respond to email from Dr. Varley re school calendar   | 0.10 | 16.50  | mjg |
| 1/12/22 | Receipt and review of email from BA with letter from OFAC accepting CAP submitted for elementary school reconfiguration bid violation                          | 0.10 | 16.50  | maw |
| 1/13/22 | Review investigation notes and prior reprimand letters re [REDACTED]; respond to Dr. Varley's email inquiring into status.                                     | 0.40 | 66.00  | flf |
| 1/13/22 | Email correspondence w/Dr. Varley re [REDACTED]  | 0.30 | 49.50  | flf |
| 1/13/22 | Correspond with [REDACTED] re: investigation interview x4  | 0.20 | 33.00  | vl  |
| 1/13/22 | Arrange Zoom meeting and sent login information to [REDACTED] for investigation interview  | 0.20 | 33.00  | vl  |
| 1/13/22 | Review and analyze documents provided in connection with [REDACTED] complaint in preparation for [REDACTED] investigation interview                            | 1.20 | 198.00 | vl  |
| 1/13/22 | Conduct investigation interview of [REDACTED]  | 1.20 | 198.00 | vl  |
| 1/13/22 | Review and analyze notes from investigation interview with [REDACTED]  | 0.30 | 49.50  | vl  |
| 1/14/22 | Review/respond to client e-mail re: Kapuscinski OPRA   | 0.20 | 33.00  | bdt |
| 1/18/22 | Review email from J. Kot re Board on 1-17-22   | 0.10 | 16.50  | mjg |



|         |  |      |        |     |
|---------|--|------|--------|-----|
| 1/18/22 | Review/respond to email from J. Kot and Dr. Varley re BOE meeting  | 0.10 | 16.50  | mjg |
| 1/18/22 | Receipt and review of email from Board member regarding criminal investigation request   | 0.10 | 16.50  | maw |
| 1/18/22 | Review email and attachments; draft and revise email response with quotation from assistant prosecutor's letter to board member denying request for criminal investigation | 0.30 | 49.50  | maw |
| 1/18/22 | Review/redact potentially responsive records re: OPRA request  | 1.50 | 247.50 | bdt |
| 1/19/22 | Confer with Frances Febres regarding [REDACTED]<br>[REDACTED]  | 0.10 | 16.50  | maw |
| 1/19/22 | Additional review and analysis of [REDACTED]<br>[REDACTED]   | 1.50 | 247.50 | maw |
| 1/19/22 | Format investigation report in connection with [REDACTED]'s complaint  | 0.40 | 66.00  | vl  |
| 1/20/22 | Review CNA and respond to Dr Varley re longevity   | 0.20 | 33.00  | mjg |
| 1/20/22 | Receipt and review of audit request letter for consideration of any material pending or threatened litigation to report  | 0.10 | 16.50  | maw |
| 1/20/22 | Review/analyze OPRA request & e-mails with client re: Murphy OPRA  | 0.60 | 99.00  | bdt |
| 1/20/22 | Continue review/redaction of potentially responsive records re: Kapuscinski OPRA   | 0.60 | 99.00  | bdt |
| 1/20/22 | Draft portion of investigation report re: summary of portion of meeting with [REDACTED]  | 1.00 | 165.00 | vl  |
| 1/20/22 | Draft portion of investigation report re: summary of portion of meeting with [REDACTED]  | 2.00 | 330.00 | vl  |
| 1/20/22 | Review correspondence regarding longevity increase   | 0.10 | 16.50  | mne |
| 1/20/22 | Review CNA in relation to longevity increase; conference with MJG regarding same   | 1.20 | 198.00 | mne |
| 1/21/22 | Telephone Dr. Varley re employee matter; review CBA and respond to email   | 0.30 | 49.50  | mjg |
| 1/21/22 | Review/respond to email from Dr. Varley re longevity pay   | 0.10 | 16.50  | mjg |
| 1/21/22 | Teleconf. w/N. Pobereshsky re [REDACTED]   | 0.10 | 16.50  | flf |
| 1/21/22 | Additional review of records & review/respond to client inquiry re: OPRA request   | 0.30 | 49.50  | bdt |
| 1/24/22 | Telephone Dr. Varley re staff member; review documents re same   | 0.50 | 82.50  | mjg |
| 1/24/22 | Review/respond to email from Dr. Varley re longevity pay   | 0.10 | 16.50  | mjg |
| 1/25/22 | Legal research & outline memorandum to client re: Murphy OPRA  | 0.40 | 66.00  | bdt |
| 1/25/22 | Prepare memorandum to client re: Murphy OPRA   | 0.80 | 132.00 | bdt |
| 1/25/22 | Correspond with S. McKinney requesting contact information in connection with investigation x2   | 0.20 | 33.00  | vl  |

|               |  |              |                   |     |
|---------------|--|--------------|-------------------|-----|
| 1/25/22       | Draft and sent correspondence to [REDACTED] requesting to Meeting in connection with investigation | 0.20         | 33.00             | vl  |
| 1/25/22       | Arrange Zoom login information and sent to [REDACTED] in connection with investigation interview   | 0.20         | 33.00             | vl  |
| 1/26/22       | Review letter from Auditor; draft responsive letter  | 0.30         | 49.50             | mjg |
| 1/26/22       | Telephone S. Hopkins re employee matter (x2)   | 0.50         | 82.50             | mjg |
| 1/31/22       | Telephone Dr. Varley re BOE issue  | 0.30         | 49.50             | mjg |
| <b>Totals</b> |  | <b>31.10</b> | <b>\$5,131.50</b> |     |

| <u>Lawyer</u>       | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|---------------------|--------------|-------------|---------------|
| Matthew J Giacobbe  | 5.10         | \$165.00    | \$841.50      |
| Brian M. Chewcaskie | 0.30         | \$165.00    | \$49.50       |
| Frances L Febres    | 1.20         | \$165.00    | \$198.00      |
| Mark A. Wenczel     | 11.60        | \$165.00    | \$1,914.00    |
| Bradley D Tishman   | 4.40         | \$165.00    | \$726.00      |
| Victoria Leblein    | 7.10         | \$165.00    | \$1,171.50    |
| Mark Nehme          | 1.40         | \$165.00    | \$231.00      |

**DISBURSEMENTS**

|                                      |                       |                   |
|--------------------------------------|-----------------------|-------------------|
| 1/20/22                              | Photocopies 38 @ 0.20 | 7.60              |
| <b>Totals</b>                        |                       | <b>\$7.60</b>     |
| <b>Total Fee &amp; Disbursements</b> |                       | <b>\$5,139.10</b> |

**PAYMENT DETAILS**

|                        |         |                    |
|------------------------|---------|--------------------|
| 1/25/22                | Payment | 5,083.08           |
| <b>Total Payments</b>  |         | <b>\$5,083.08</b>  |
| Previous Balance       |         | 11,638.48          |
| Previous Payments      |         | 5,083.08           |
| <b>Balance Now Due</b> |         | <b>\$11,694.50</b> |

TAX ID Number 273680224



# Cleary Giacobbe Alfieri Jacobs

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Mar 10,2022

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143  
File #: 9942  
Inv #: 105067

**RE:** Berkeley Heights BOE

For Services Rendered Through: February 28,2022

| DATE   | DESCRIPTION  | HOURS | AMOUNT | LAWYER |
|--------|--|-------|--------|--------|
| 2/1/22 | Telephone Dr. Varley re employee matter and BOE matters  | 0.20  | 33.00  | mjg    |
| 2/1/22 | Teleconf. w/M. Rowholt re HIB investigation.   | 0.20  | 33.00  | flf    |
| 2/1/22 | Confer w/MJG re [REDACTED]; email Dr. Varley re [REDACTED].  | 0.80  | 132.00 | flf    |
| 2/1/22 | Preparation for investigation interview with [REDACTED]  | 0.60  | 99.00  | vl     |
| 2/1/22 | Conduct investigation interview with [REDACTED]  | 1.40  | 231.00 | vl     |
| 2/1/22 | Review and analyze notes from interview with [REDACTED]  | 0.30  | 49.50  | vl     |
| 2/2/22 | Review parent emails to Dr. Varley; review email from Dr. Varley re HIB  | 0.40  | 66.00  | mjg    |
| 2/2/22 | Email correspondence w/Dr. Varley re [REDACTED]  | 0.20  | 33.00  | flf    |
| 2/2/22 | Analysis of [REDACTED] disciplinary history for discussion with N. Pobereshky.                                   | 0.30  | 49.50  | flf    |
| 2/3/22 | Review Dr. Varley's email forwarding parent and Board President correspondence re HIB investigation and process. | 0.40  | 66.00  | flf    |
| 2/3/22 | Review and analysis of applicable statute, regulation and Board Policy re HIB.                                   | 0.40  | 66.00  | flf    |
| 2/3/22 | Draft and finalize email to Dr. Varley containing proposed parent response.                                      | 1.50  | 247.50 | flf    |
| 2/3/22 | Teleconf. w/Dr. Varley re HIB investigation [REDACTED].  | 0.40  | 66.00  | flf    |
| 2/3/22 | Teleconf. w/N. Pobereshky re [REDACTED]  | 0.60  | 99.00  | flf    |
| 2/3/22 | Teleconf. w/DCPP investigator W. Clayton re [REDACTED]   | 0.20  | 33.00  | flf    |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 2/3/22  | Revise proposed parent letter and email Dr. Varley re same.  | 0.10 | 16.50  | flf |
| 2/3/22  | Review of email correspondence from and to Assistant Superintendent regarding status of affirmative action investigation | 0.10 | 16.50  | maw |
| 2/3/22  | Correspond with S. McKinney re: investigation x3   | 0.20 | 33.00  | vl  |
| 2/3/22  | Receipt, review and respond to correspondence from M. Gardner re: investigation  | 0.20 | 33.00  | vl  |
| 2/4/22  | Email correspondence w/M. Rowohlt re HIB inquiry.  | 0.10 | 16.50  | flf |
| 2/4/22  | Draft and sent correspondence to [REDACTED] re: investigation interview  | 0.20 | 33.00  | vl  |
| 2/6/22  | Draft portion of investigation report re: summary of meeting with [REDACTED]   | 1.60 | 264.00 | vl  |
| 2/7/22  | Review and revise Encroachment Agreement; correspondence to J. Kot   | 0.40 | 66.00  | bmc |
| 2/7/22  | Review client inquiry, review potentially responsive records, & confer with client re: OPRA request                      | 0.40 | 66.00  | bdt |
| 2/7/22  | Continue drafting portion of investigation report re: summary of meeting with [REDACTED]                                 | 1.50 | 247.50 | vl  |
| 2/7/22  | Research and draft portion of investigation report re: legal summary of harassment and hostile work environment claims   | 2.00 | 330.00 | vl  |
| 2/8/22  | Review wireless edge lease and email J. Kot re demand for records  | 0.40 | 66.00  | mjg |
| 2/8/22  | Receipt and review of email from Superintendent with letter of intent and long-term substitute employment contract       | 0.30 | 49.50  | maw |
| 2/8/22  | Draft recommended revision to draft long-term substitute employment contract   | 0.30 | 49.50  | maw |
| 2/8/22  | Draft email to forward recommended revision to long-term substitute contract   | 0.10 | 16.50  | maw |
| 2/8/22  | Correspond with [REDACTED] re: request for meeting in connection with investigation                                      | 0.20 | 33.00  | vl  |
| 2/8/22  | Review level 2 grievance regarding mathematics teachers overload stipend   | 0.10 | 16.50  | mne |
| 2/9/22  | Review/analyze OPRA request & confer with client re: Leo OPRA  | 0.40 | 66.00  | bdt |
| 2/9/22  | Legal research of statutes/case law re: Leo OPRA   | 0.30 | 49.50  | bdt |
| 2/9/22  | Review/analyze correspondence & confer with client re: Migueis OPRA  | 0.30 | 49.50  | bdt |
| 2/10/22 | Review audio of bus driver and email J. Kot re same  | 0.30 | 49.50  | mjg |
| 2/10/22 | Teleconference w/Dr. Varley re [REDACTED]  | 0.10 | 16.50  | flf |
| 2/10/22 | Teleconference w/N. Poberezhsky re [REDACTED]  | 0.20 | 33.00  | flf |
| 2/10/22 | Email N. Poberezhsky re dates for personnel meeting re [REDACTED]  | 0.10 | 16.50  | flf |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 2/10/22 | Review ethics complaint by HB and motion to dismiss for drafting of Answer for Dr. Varley                                  | 0.50 | 82.50  | maw |
| 2/10/22 | Conduct research for drafting of Answer and Affirmative Defenses to Ethics Complaint                                       | 0.50 | 82.50  | maw |
| 2/10/22 | Drafting and revising of Answer and Affirmative Defenses to Ethics Complaint   | 2.90 | 478.50 | maw |
| 2/10/22 | Draft email to forward draft Answer and Affirmative Defenses to Dr. Varley for review and comment                          | 0.10 | 16.50  | maw |
| 2/10/22 | Correspond with [REDACTED] re: investigation interview   | 0.20 | 33.00  | vl  |
| 2/10/22 | Arrange zoom login and sent login information to [REDACTED] for investigation interview                                    | 0.20 | 33.00  | vl  |
| 2/11/22 | Receipt and review of email from Superintendent regarding review of Answer to Complaint                                    | 0.10 | 16.50  | maw |
| 2/11/22 | Review and revise Answer to Complaint and Affirmative Defenses   | 0.70 | 115.50 | maw |
| 2/11/22 | Draft email to Superintendent to forward revised Answer to Complaint for execution and return of certification             | 0.10 | 16.50  | maw |
| 2/11/22 | Receipt and review of email from Superintendent with signed certification  | 0.10 | 16.50  | maw |
| 2/11/22 | Preparation for investigation interview with [REDACTED]  | 0.50 | 82.50  | vl  |
| 2/11/22 | Conduct investigation interview of [REDACTED]  | 1.60 | 264.00 | vl  |
| 2/14/22 | Review employee letter of reprimand and email J. Kots re same  | 0.30 | 49.50  | mjg |
| 2/14/22 | Email correspondence w/N. Poberezhsky re [REDACTED] meeting availability.  | 0.10 | 16.50  | flf |
| 2/14/22 | Receipt and review of correspondence from School Ethics Commission confirming filing of Answer on behalf of Superintendent | 0.10 | 16.50  | maw |
| 2/15/22 | Participate in virtual meeting re secretarial longevity payments; draft response to BHEA re same                           | 0.80 | 132.00 | mjg |
| 2/15/22 | Virtual meeting with Dr. Varley and R. Nixon re [REDACTED]   | 0.50 | 82.50  | flf |
| 2/15/22 | Teleconf. w/M. Rowohlt re HIB investigation.   | 0.40 | 66.00  | flf |
| 2/15/22 | Email correspondence w/Dr. Varley re [REDACTED]  | 0.20 | 33.00  | flf |
| 2/15/22 | Email correspondence w/Dr. Varley re [REDACTED]  | 0.20 | 33.00  | flf |
| 2/15/22 | Email Dr. Varley and R. Nixon [REDACTED]   | 0.20 | 33.00  | flf |
| 2/15/22 | Email correspondence w/N. Poberezhsky and Dr. Varley re [REDACTED] meeting availability.                                   | 0.10 | 16.50  | flf |
| 2/15/22 | Research and analysis of [REDACTED]; email M. Rowohlt re same.   | 0.40 | 66.00  | flf |
| 2/15/22 | Draft grievance response; review PERC caselaw related to coseating negotiability   | 1.10 | 181.50 | mne |
| 2/16/22 | Review and revise co seating grievance response  | 0.30 | 49.50  | mjg |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 2/16/22 | Review memo re overload stipend grievance  | 0.20 | 33.00  | mjg |
| 2/16/22 | Teleconf. w/M. Rowohlt re HIB investigation.   | 0.10 | 16.50  | flf |
| 2/16/22 | Review and analyze notes from investigation interview with Anonymous Employee  | 0.50 | 82.50  | vl  |
| 2/16/22 | Draft portion of investigation report re: summary of meeting with Anonymous Employee 1   | 2.90 | 478.50 | vl  |
| 2/16/22 | Finalize and draft correspondence enclosing coseating grievance memorandum   | 0.10 | 16.50  | mne |
| 2/17/22 | Receipt and review of correspondence from School Ethics Commission regarding consideration of MTD Pedraza Complaint              | 0.10 | 16.50  | maw |
| 2/17/22 | Review School Ethics Commission meeting minutes and drafting of email to forward notice to Superintendent with explanation       | 0.10 | 16.50  | maw |
| 2/17/22 | Review/analyze OPRA request, potentially responsive records, & confer with client  | 0.50 | 82.50  | bdt |
| 2/17/22 | Review/analyze OPRA extension/reply & confer with client   | 0.20 | 33.00  | bdt |
| 2/20/22 | Draft letter to ■■■ requesting to meet in connection with investigation  | 0.30 | 49.50  | vl  |
| 2/20/22 | Sent correspondence to ■■■ attaching letter requesting to meet in connection with investigation                                  | 0.20 | 33.00  | vl  |
| 2/20/22 | Revise portion of investigation report re: summary of meeting with ■■■   | 1.40 | 231.00 | vl  |
| 2/21/22 | Email correspondence with Superintendent regarding rescheduling of board meeting and confirmation of availability for attendance | 0.20 | 33.00  | maw |
| 2/21/22 | Revise portion of investigation report re: summary of meeting with ■■■   | 0.80 | 132.00 | vl  |
| 2/21/22 | Revise portion of investigation report re: summary of meeting with Employee 1 and Union Representative                           | 1.50 | 247.50 | vl  |
| 2/21/22 | Revise legal summary portion of investigation report   | 0.90 | 148.50 | vl  |
| 2/22/22 | Review original document, correspondence   | 0.20 | 33.00  | bmc |
| 2/22/22 | Email correspondence w/M. Rowohlt re HIB inquiry.  | 0.20 | 33.00  | flf |
| 2/22/22 | Email correspondence w/J. Morisseau re meeting to discuss HIB process and letters.   | 0.10 | 16.50  | flf |
| 2/22/22 | Review/analyze OPRA request & confer with client   | 0.30 | 49.50  | bdt |
| 2/22/22 | Receipt and review of correspondence from ■■■ re: investigation interview  | 0.20 | 33.00  | vl  |
| 2/22/22 | Arrange zoom meeting and login information and sent to ■■■   | 0.20 | 33.00  | vl  |
| 2/22/22 | Draft and sent correspondence to Employee 1 requesting documents discussed during investigation interview                        | 0.20 | 33.00  | vl  |
| 2/22/22 | Review and analyze investigation complaint and emails provided in anticipation of respondent interview                           | 1.00 | 165.00 | vl  |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 2/23/22 | Email correspondence w/J. Morisseau and M. Rowohlt re meeting to discuss HIB process.  | 0.20 | 33.00  | flf |
| 2/23/22 | Begin drafting proposed letter re [REDACTED]   | 0.40 | 66.00  | flf |
| 2/23/22 | Begin review and analysis of proposed legislation amending ABR; review and analysis of NJDOE proposed changes to rules.  | 0.60 | 99.00  | flf |
| 2/23/22 | Correspond with [REDACTED] and C. Smeltzer re: investigation interview x4  | 0.20 | 33.00  | vl  |
| 2/23/22 | Preparation for investigation interview of [REDACTED]  | 0.80 | 132.00 | vl  |
| 2/23/22 | Conduct investigation interview of [REDACTED]  | 1.10 | 181.50 | vl  |
| 2/23/22 | Review and analyze notes from investigation interview of [REDACTED]  | 0.30 | 49.50  | vl  |
| 2/24/22 | Receipt and review of email query from board president regarding questioning and interaction between board members and public during public comment at board meeting | 0.10 | 16.50  | maw |
| 2/24/22 | Telephone conference with Business Administrator regarding board president query   | 0.20 | 33.00  | maw |
| 2/24/22 | Review board bylaws, Roberts Rules of Order, Open Public Meetings Act, and NJSBA guidance on public comment at board meeting litigation                              | 1.00 | 165.00 | maw |
| 2/24/22 | Draft and revise email to Business Administrator with analysis of pertinent bylaws and law [REDACTED]  | 0.50 | 82.50  | maw |
| 2/24/22 | Begin drafting portion of investigation report re: summary of meeting with [REDACTED]  | 1.00 | 165.00 | vl  |
| 2/25/22 | Virtual Meeting with J. Morriseau and M. Rowohlt re HIB letters and process  | 0.90 | 148.50 | flf |
| 2/25/22 | Prepare for virtual meeting to discuss HIB letters and process; review recent legislative amendment  | 0.40 | 66.00  | flf |
| 2/25/22 | Prepare for [REDACTED] meeting; review file and R. Nixon notes   | 1.00 | 165.00 | flf |
| 2/25/22 | Travel to and attend [REDACTED] meeting with Dr. Varley and R. Nixon   | 2.00 | 330.00 | flf |
| 2/25/22 | Correspond with S. McKinney re: status of investigation x3   | 0.20 | 33.00  | vl  |
| 2/28/22 | Email R. Nixon notes from [REDACTED] meeting.  | 0.10 | 16.50  | flf |
| 2/28/22 | Continue drafting portion of investigation report re: summary of meeting with [REDACTED]   | 2.00 | 330.00 | vl  |
| 2/28/22 | Revise portion of investigation report re: summary of meeting with [REDACTED]  | 1.20 | 198.00 | vl  |
| 2/28/22 | Analyze information provided in connection with investigation in light of [REDACTED] response to claims and legal analysis of same                                   | 1.00 | 165.00 | vl  |
| 2/28/22 | Draft findings portion of investigation report   | 1.20 | 198.00 | vl  |
| 2/28/22 | Draft and sent follow up correspondence to Employee 1 re: documents referenced during investigation interview  | 0.10 | 16.50  | vl  |



2/28/22 Revise findings portion of investigation report

0.50

82.50

vl

Totals

59.40

\$9,801.00

| <u>Lawyer</u>       | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|---------------------|--------------|-------------|---------------|
| Matthew J Giacobbe  | 2.90         | \$165.00    | \$478.50      |
| Brian M. Chewcaskie | 0.60         | \$165.00    | \$99.00       |
| Frances L Febres    | 13.70        | \$165.00    | \$2,260.50    |
| Mark A. Wenczel     | 8.10         | \$165.00    | \$1,336.50    |
| Bradley D Tishman   | 2.40         | \$165.00    | \$396.00      |
| Victoria Leblein    | 30.40        | \$165.00    | \$5,016.00    |
| Mark Nehme          | 1.30         | \$165.00    | \$214.50      |

**Total Fee & Disbursements**

**\$9,801.00**

**PAYMENT DETAILS**

3/3/22 Payment

6,555.40

**Total Payments**

**\$6,555.40**

Previous Balance

11,694.50

Previous Payments

6,555.40

**Balance Now Due**

**\$14,940.10**

TAX ID Number 273680224

# Cleary Giacobbe Alfieri Jacobs

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Apr 07,2022

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143

File #: 9942

Inv #: 106033

**RE:** Berkeley Heights BOE

For Services Rendered Through: March 31,2022

| <b>DATE</b> | <b>DESCRIPTION</b>  | <b>HOURS</b> | <b>AMOUNT</b> | <b>LAWYER</b> |
|-------------|---|--------------|---------------|---------------|
| 3/1/22      | Review and respond to email from Dr. Varley re Bylaw 174  | 0.20         | 33.00         | mjg           |
| 3/1/22      | Review/respond to client inquiry re: OPRA request   | 0.20         | 33.00         | bdt           |
| 3/1/22      | Analyze additional concerns and information needed in connection with investigation   | 0.30         | 49.50         | vl            |
| 3/1/22      | Conference call to Employee 1 requesting additional information in connection with investigation x2   | 0.10         | 16.50         | vl            |
| 3/1/22      | Draft/revise new HIB policy recommendations. (client alert)   | 0.80         | 132.00        | DAP           |
| 3/1/22      | Draft/revise updates to proposed changes to anti-bullying bill of rights act.   | 1.20         | 198.00        | DAP           |
| 3/2/22      | Review emails and County recording information; correspondence to J. Kot  | 0.30         | 49.50         | bmc           |
| 3/2/22      | Review Dr. Varley email re parent consent and disapproval of certain curricular content; review prior guidance; review applicable statutes and DOE guidance; respond. | 0.50         | 82.50         | flf           |
| 3/2/22      | Receipt and review of draft affirmative action investigation report; confer with Victoria Holmes, Esq. regarding report   | 0.70         | 115.50        | maw           |
| 3/2/22      | Conference call to Employee 1 requesting additional information in connection with investigation report   | 0.10         | 16.50         | vl            |
| 3/2/22      | Receipt and review of correspondence from Employee 1 in response to additional information requested in connection with investigation report                          | 0.20         | 33.00         | vl            |
| 3/2/22      | Update and revise investigation report with additional information provided   | 0.40         | 66.00         | vl            |

| Invoice #: | 106033   | Page 2 | April 7, 2022 |     |
|------------|--|--------|---------------|-----|
| 3/2/22     | Finalize investigation report and sent to MJG and MW for review  | 0.30   | 49.50         | vl  |
| 3/2/22     | Receipt and review of MJG's revisions to investigation report and revise accordingly   | 0.20   | 33.00         | vl  |
| 3/2/22     | Compile and format exhibits for inclusion with investigation report  | 0.40   | 66.00         | vl  |
| 3/2/22     | Review correspondence regarding healthcare benefits UPC  | 0.10   | 16.50         | mne |
| 3/3/22     | Review and revise workplace investigation report   | 0.50   | 82.50         | mjg |
| 3/3/22     | Receipt and review of M. Wenzel's revision to investigation report   | 0.10   | 16.50         | vl  |
| 3/3/22     | Revise and finalize investigation report with exhibits   | 0.50   | 82.50         | vl  |
| 3/3/22     | Draft and sent correspondence to Client providing investigation report   | 0.20   | 33.00         | vl  |
| 3/3/22     | Preparation for and attendance at PERC phone conference regarding Chapter 44 UPC   | 0.70   | 115.50        | mne |
| 3/4/22     | Email correspondence w/J. Morriseau re HIB form language.  | 0.10   | 16.50         | flf |
| 3/7/22     | Multiple correspondences with C. Smeltzer and B. Markward regarding resolution of appropriate unit stipulation                             | 0.10   | 16.50         | mne |
| 3/8/22     | Draft letter to PERC re refusal to pay stipend arbitration   | 0.20   | 33.00         | mjg |
| 3/8/22     | Telephone Dr. Varley re BOE matters  | 0.20   | 33.00         | mjg |
| 3/8/22     | Email correspondence with Superintendent regarding investigation meeting and drafting of letters of determination and reprimand            | 0.10   | 16.50         | maw |
| 3/8/22     | Receipt and review of correspondence from M. Varley re: investigation findings letters and written reprimand                               | 0.10   | 16.50         | vl  |
| 3/8/22     | Draft findings letters in connection with investigation report   | 0.70   | 115.50        | vl  |
| 3/8/22     | Draft [REDACTED] in connection with investigation report   | 0.50   | 82.50         | vl  |
| 3/8/22     | Revise findings letters and written reprimand and sent to MJG for review   | 0.30   | 49.50         | vl  |
| 3/8/22     | Correspondence with PERC Agent B. Markward regarding executed stipulation of appropriate unit  | 0.10   | 16.50         | mne |
| 3/9/22     | Telephone Dr. Varley re BOE member website; review website; follow up telephone call   | 0.40   | 66.00         | mjg |
| 3/9/22     | Review and revise letters re investigation   | 0.30   | 49.50         | mjg |
| 3/9/22     | Revise [REDACTED] discipline to written reprimand with increment withholding in accordance with MJG's revisions and sent to MJG for review | 0.60   | 99.00         | vl  |
| 3/9/22     | Receipt and review of MJG's revisions to increment withholding notice  | 0.10   | 16.50         | vl  |
| 3/9/22     | Finalize notice of increment withholding and findings letters and sent to M. Varley  | 0.20   | 33.00         | vl  |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 3/9/22  | Receipt and review of M. Varley's revisions to increment withholding, convert to written reprimand and sent for review   | 0.20 | 33.00  | vl  |
| 3/10/22 | Attend BOE Meeting   | 5.30 | 874.50 | flf |
| 3/10/22 | Review amended coseating ULP; conference with M.J.G. regarding same  | 0.30 | 49.50  | mne |
| 3/11/22 | Teleconf. w/Dr. Varley re [REDACTED]   | 0.20 | 33.00  | flf |
| 3/11/22 | Email correspondence w/Dr. Varley re [REDACTED]  | 0.10 | 16.50  | flf |
| 3/11/22 | Review/analyze preliminary inquiry re: strategic plan and board approval.  | 0.30 | 49.50  | DAP |
| 3/14/22 | Review and analysis of applicable statutes, regulations and agency guidance re strategic plans; review prior board meeting minutes; email Dr. Varley re resolution language and determination. | 0.90 | 148.50 | flf |
| 3/14/22 | Review/analyze OPRA request & confer with client   | 0.40 | 66.00  | bdt |
| 3/14/22 | Draft letter to arbitrator regarding supplement to Chapter 78 dental premium arbitration briefing  | 0.30 | 49.50  | mne |
| 3/15/22 | Teleconf. w/N. Pobereshky re [REDACTED]  | 0.10 | 16.50  | flf |
| 3/15/22 | Email correspondence w/Dr. Varley re independent observation of student program.   | 0.20 | 33.00  | flf |
| 3/16/22 | Email Dr. Varley re status of [REDACTED]   | 0.10 | 16.50  | flf |
| 3/16/22 | Email R. Nixon re [REDACTED] letter following meeting.   | 0.10 | 16.50  | flf |
| 3/16/22 | Email correspondence w/Dr. Varley re [REDACTED]  | 0.10 | 16.50  | flf |
| 3/16/22 | Confer w/DAP re requirements for strategic plans.  | 0.20 | 33.00  | flf |
| 3/16/22 | Research re: strategic planning and required board approval.   | 0.80 | 132.00 | DAP |
| 3/16/22 | Review meeting minutes re: strategic planning.   | 0.30 | 49.50  | DAP |
| 3/16/22 | Draft response to client re: strategic planning and board approval.  | 0.20 | 33.00  | DAP |
| 3/17/22 | Teleconf. w/Dr. Varley, J. Kots and MW re upcoming meeting.  | 0.30 | 49.50  | flf |
| 3/17/22 | Prepare for and appearance at Board meeting  | 5.80 | 957.00 | maw |
| 3/17/22 | Telephone conference with Superintendent, Business Administrator, and Frances Febres to discuss budget, strategic plan, board meeting issues   | 0.30 | 49.50  | maw |
| 3/18/22 | Review resident complaint re OPRA issue; telephone J. Kot and Dr. Varley re same; review and revise memo re same   | 0.80 | 132.00 | mjg |
| 3/18/22 | Review and analysis of R. Nixon draft letter to [REDACTED]; incorporate recommended modifications.   | 1.70 | 280.50 | flf |
| 3/18/22 | Review potentially responsive record & review/respond to client e-mail re: OPRA issue  | 0.30 | 49.50  | bdt |

| Invoice #: | 106033  | Page 4 | April 7, 2022 |
|------------|---|--------|---------------|
| 3/18/22    | Confer with MJG & review documents/correspondence re: Board matter                                | 0.40   | 66.00 bdt     |
| 3/18/22    | Conduct legal research and outline memorandum to client re: Board matter                          | 0.50   | 82.50 bdt     |
| 3/18/22    | Draft/revise memorandum to client re: Board matter  | 1.30   | 214.50 bdt    |
| 3/18/22    | E-mail to client re: Board matter   | 0.10   | 16.50 bdt     |
| 3/21/22    | Telephone Dr. Varley and BOE VP re BOE matters  | 0.30   | 49.50 mjg     |
| 3/21/22    | Telephone Dr. Varley re BOE matter (x3); review BOE member letter to editor and draft response    | 1.00   | 165.00 mjg    |
| 3/22/22    | Telephone Dr. Varley re BOE matter  | 0.20   | 33.00 mjg     |
| 3/22/22    | Telephone M. Lepore re indemnification of J. Ratner; telephone Dr. Varley re BOE matters          | 0.40   | 66.00 mjg     |
| 3/22/22    | Receipt and review of Decision on Motion to Dismiss; forward to Dr. Varley                        | 0.20   | 33.00 maw     |
| 3/22/22    | Confer with client re: Board matter   | 0.10   | 16.50 bdt     |
| 3/22/22    | Review third supplementary correspondence filed by opposing counsel                               | 0.10   | 16.50 mne     |
| 3/22/22    | Draft letter objecting to third supplement  | 1.00   | 165.00 mne    |
| 3/23/22    | Telephone Dr. Varley re BOE matters (x2)  | 0.50   | 82.50 mjg     |
| 3/23/22    | Email to client re defense of employee J.R.   | 0.10   | 16.50 mjg     |
| 3/23/22    | Review finalized correspondence re: Board matter  | 0.20   | 33.00 bdt     |
| 3/23/22    | Incorporate M.J.G. edits into letter to arbitrator regarding third supplement                     | 0.20   | 33.00 mne     |
| 3/23/22    | Review R. Friedman correspondence in response to letter objecting to third supplement             | 0.10   | 16.50 mne     |
| 3/24/22    | Telephone Dr. Varley re BOE matters (2) draft guidance for Tap Into Article                       | 0.70   | 115.50 mjg    |
| 3/24/22    | Review BHEA CBA and participate in virtual meeting with BOE negotiations committee                | 2.00   | 330.00 mjg    |
| 3/24/22    | Review email from Dr. Varley re letter to editor  | 0.10   | 16.50 mjg     |
| 3/24/22    | Email correspondence w/J. Morisseau re HIB notice language and parent inquiry related to records. | 0.20   | 33.00 flf     |
| 3/29/22    | Telephone Dr. Varley re BOE matters   | 0.20   | 33.00 mjg     |
| 3/29/22    | Email and telephone to Superintendent regarding Mathematics Department Grievance                  | 0.20   | 33.00 maw     |
| 3/30/22    | Review TAP into articles and draft email response re same; review ethics complaint                | 0.60   | 99.00 mjg     |
| 3/30/22    | Receipt and review of ethics complaint against Board President and Vice President                 | 0.30   | 49.50 maw     |
| 3/30/22    | Review of community articles underlying ethics complaint allegations                              | 0.30   | 49.50 maw     |

|         |  |       |                   |     |
|---------|--|-------|-------------------|-----|
| 3/31/22 | Participate in Zoom conferece call with Dr. Varley and BOE leadership re BOE matters | 0.40  | 66.00             | mjg |
| 3/31/22 | Receipt and review of email from Superintendent with query regarding [REDACTED]      | 0.10  | 16.50             | maw |
| 3/31/22 | Conduct research on [REDACTED]   | 1.50  | 247.50            | maw |
| 3/31/22 | Drafting of memo on [REDACTED]   | 1.70  | 280.50            | maw |
| Totals  |  | 46.30 | <u>\$7,639.50</u> |     |

| <u>Lawyer</u>       | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|---------------------|--------------|-------------|---------------|
| Matthew J Giacobbe  | 9.10         | \$165.00    | \$1,501.50    |
| Brian M. Chewcaskie | 0.30         | \$165.00    | \$49.50       |
| Frances L Febres    | 10.10        | \$165.00    | \$1,666.50    |
| Mark A. Wenczel     | 11.20        | \$165.00    | \$1,848.00    |
| Bradley D Tishman   | 3.50         | \$165.00    | \$577.50      |
| Victoria Leblein    | 5.50         | \$165.00    | \$907.50      |
| Danielle A. Panizzi | 3.60         | \$165.00    | \$594.00      |
| Mark Nehme          | 3.00         | \$165.00    | \$495.00      |

**DISBURSEMENTS**

|                                      |                       |                           |
|--------------------------------------|-----------------------|---------------------------|
| 3/21/22                              | Photocopies 80 @ 0.20 | 16.00                     |
| Totals                               |                       | <u>\$16.00</u>            |
| <b>Total Fee &amp; Disbursements</b> |                       | <u><b>\$7,655.50</b></u>  |
| Previous Balance                     |                       | 14,940.10                 |
| <b>Balance Now Due</b>               |                       | <u><b>\$22,595.60</b></u> |

TAX ID Number 273680224

# Cleary Giacobbe Alfieri Jacobs

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

May 05,2022

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143  
File #: 9942  
Inv #: 107137

**RE:** Berkeley Heights BOE

For Services Rendered Through: April 30,2022

| DATE   | DESCRIPTION   | HOURS | AMOUNT | LAWYER |
|--------|---|-------|--------|--------|
| 4/1/22 | Email to Dr. Varley re TAP article  | 0.10  | 16.50  | mjg    |
| 4/1/22 | Review revised memo to [REDACTED]; analysis and incorporate recommended changes; email R. Nixon re same.  | 0.40  | 66.00  | flf    |
| 4/1/22 | Confer with Matthew Giacobbe regarding School Ethics Complaint against Board President and Vice President | 0.20  | 33.00  | maw    |
| 4/1/22 | Conduct research on Title 18A, case law, ethics opinions regarding [REDACTED]                             | 1.90  | 313.50 | maw    |
| 4/1/22 | Draft and revise memo to Superintendent on [REDACTED]   | 1.80  | 297.00 | maw    |
| 4/1/22 | Draft email to forward memo to Superintendent on [REDACTED]   | 0.10  | 16.50  | maw    |
| 4/1/22 | Review level 3 grievance and level 2 response on Overload Stipend Grievance                               | 0.20  | 33.00  | maw    |
| 4/1/22 | Confer with Mark Nehme regarding level 2 difference from statement of level 3 grievance                   | 0.20  | 33.00  | maw    |
| 4/1/22 | Review CBA grievance clause   | 0.20  | 33.00  | maw    |
| 4/1/22 | Draft and revise memo to Superintendent on Overload Stipend Grievance [REDACTED]                          | 0.80  | 132.00 | maw    |
| 4/1/22 | Draft email to Superintendent with memo on Overload Stipend Grievance [REDACTED]                          | 0.10  | 16.50  | maw    |
| 4/4/22 | Initial review/analysis of OPRA request & confer with client re: Hernandez OPRA                           | 0.50  | 82.50  | bdt    |
| 4/4/22 | Initial review/analysis of OPRA request re: Migueis OPRA  | 0.20  | 33.00  | bdt    |

| Invoice #: | 107137   | Page 2 | May 5, 2022 |     |
|------------|--|--------|-------------|-----|
| 4/4/22     | Legal research of statute/regulation re: Migueis OPRA  | 0.20   | 33.00       | bdt |
| 4/4/22     | Telephone call & e-mail with client re: Migueis OPRA   | 0.50   | 82.50       | bdt |
| 4/4/22     | Review/analyze OPRA request/correspondence re: Maciejewski OPRA  | 0.30   | 49.50       | bdt |
| 4/4/22     | E-mail with client re: Maciejewski OPRA  | 0.10   | 16.50       | bdt |
| 4/6/22     | Review email from Dr. Varley re rules of engagement negotiations meeting                                       | 0.10   | 16.50       | mjg |
| 4/6/22     | Receipt and review of signed Level Three grievance response  | 0.10   | 16.50       | maw |
| 4/6/22     | Telephone conference with Superintendent regarding police request for student identification                   | 0.10   | 16.50       | maw |
| 4/6/22     | Review of Memorandum of Agreement with Law Enforcement   | 0.30   | 49.50       | maw |
| 4/6/22     | Telephone conference with Superintendent regarding review of MOA and communications with local police on issue | 0.10   | 16.50       | maw |
| 4/6/22     | Telephone call with client re: OPRA request  | 0.20   | 33.00       | bdt |
| 4/6/22     | Outline/prepare initial memorandum to client re: OPRA request  | 0.50   | 82.50       | bdt |
| 4/7/22     | Conduct research for School Ethics Act Advisory Opinions and Decisions for memo on [REDACTED]                  | 1.90   | 313.50      | maw |
| 4/7/22     | Review of Board Bylaws and Policies for memo on [REDACTED]   | 0.50   | 82.50       | maw |
| 4/8/22     | Telephone Dr. Varley re BOE m matter   | 0.50   | 82.50       | mjg |
| 4/11/22    | Drafting and revising of memo on Board member social media platform and School Ethics Act conflicts            | 1.80   | 297.00      | maw |
| 4/11/22    | Drafting of email to Superintendent/Board President to forward memo on social media platform                   | 0.10   | 16.50       | maw |
| 4/11/22    | Receipt and review of email with proposed addition to employee contracts pending conclusion of negotiations    | 0.10   | 16.50       | maw |
| 4/11/22    | Drafting of proposed revision to language to be included in employee contracts                                 | 0.10   | 16.50       | maw |
| 4/11/22    | Draft email approving of additional language as revised  | 0.10   | 16.50       | maw |
| 4/11/22    | Confer with MJG re. BOE ethics letter assignment and take notes.   | 0.30   | 49.50       | AL  |
| 4/11/22    | Begin reviewing information provided by client re. BOE member publishing opinions in newspaper and take notes. | 0.40   | 66.00       | AL  |
| 4/12/22    | Draft email to Superintendent with response to query regarding issue addressed in social media platform memo   | 0.10   | 16.50       | maw |
| 4/12/22    | Finish reviewing information provided by client re. BOE member publications and take notes.                    | 0.70   | 115.50      | AL  |



| Invoice #: | 107137  | Page 3 | May 5, 2022 |
|------------|---|--------|-------------|
| 4/12/22    | Review prior memos on file re. BOE ethics for relevant authorities to include in memo re. BOE member publications.  | 0.40   | 66.00 AL    |
| 4/12/22    | Conduct statutory and regulatory research re. BOE ethics and take notes.  | 1.70   | 280.50 AL   |
| 4/12/22    | Research and review BOE policies and regulations re. BOE member ethics and public disclosures and take notes.   | 1.20   | 198.00 AL   |
| 4/13/22    | Review, analysis and respond to C. Pitingolo email re HIB determination letters.  | 0.20   | 33.00 fif   |
| 4/13/22    | Receipt and review of [REDACTED]  | 0.30   | 49.50 maw   |
| 4/13/22    | [REDACTED] forward to Superintendent<br>Draft email to [REDACTED] s counsel, requesting dating of authorization   | 0.10   | 16.50 maw   |
| 4/13/22    | Conduct case law research under NJSA 18A:12-24.1 re. BOE member publications.   | 2.10   | 346.50 AL   |
| 4/13/22    | Conduct case law research under NJSA 18A:12-24 re. BOE member publications.   | 1.70   | 280.50 AL   |
| 4/13/22    | Research School Ethics Commission decisions and advisory opinions re. BOE member publications.  | 1.50   | 247.50 AL   |
| 4/13/22    | Begin reviewing all information and research compiled and take notes for use in drafting letter re. BOE member publications.  | 1.40   | 231.00 AL   |
| 4/14/22    | Review and revise letter to BOE re ethics; telephone Dr. Varley re BHEA negotiations  | 1.00   | 165.00 mjg  |
| 4/14/22    | Draft ground rules  | 0.30   | 49.50 mjg   |
| 4/14/22    | Receipt and review of email from Superintendent with sample Rice notice and query from assistant regarding countersigning of notice; draft reply to Superintendent with guidance on confirming delivery of notice | 0.20   | 33.00 maw   |
| 4/14/22    | Receipt and review signed authorization for release of records for [REDACTED]   | 0.10   | 16.50 maw   |
| 4/14/22    | Draft email to counsel for [REDACTED], requesting delivery of dated authorization   | 0.10   | 16.50 maw   |
| 4/14/22    | Drafting of email to Superintendent regarding request for HIB investigation to be addressed upon return from break  | 0.10   | 16.50 maw   |
| 4/14/22    | Receipt of email from counsel for [REDACTED] with dated authorization; forward dated authorization to Superintendent  | 0.10   | 16.50 maw   |
| 4/14/22    | Review/analyze OPRA request   | 0.20   | 33.00 bdt   |
| 4/14/22    | Confer with client re: OPRA request   | 0.20   | 33.00 bdt   |
| 4/14/22    | Finish reviewing all research conducted and information compiled re. BOE member public statements and take notes.   | 1.00   | 165.00 AL   |
| 4/14/22    | Draft outline of template letter re. BOE member public statements.  | 0.90   | 148.50 AL   |
| 4/14/22    | Draft template letter re. BOE member public statements.   | 2.90   | 478.50 AL   |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 4/14/22 | Revise and edit template letter re. BOE member public statements and send to MJG for review.   | 0.40 | 66.00  | AL  |
| 4/14/22 | Confer with F. Febres re. BOE member public statements and potential ethics violations.  | 0.30 | 49.50  | AL  |
| 4/14/22 | Update letter re. BOE member public statements based on MJG's requested revisions and send back to MJG for final review.   | 0.40 | 66.00  | AL  |
| 4/14/22 | Update memo re. BOE member public statements based upon MJG's further revisions, conduct final review, and send to MJG for distribution to client.   | 0.40 | 66.00  | AL  |
| 4/18/22 | Prepare and revise BOE negotiations proposals; prepare for and attend negotiations   | 5.00 | 825.00 | mjg |
| 4/18/22 | Review Dr. Varley email re parent request to exclude students from certain instruction; review memoranda re same; review applicable statute; respond to Dr. Varley.                                | 0.50 | 82.50  | flf |
| 4/18/22 | Email correspondence with Superintendent regarding communications between parent and district and attorney correspondence  | 0.20 | 33.00  | maw |
| 4/18/22 | Email correspondence with Superintendent regarding communications by guidance counselor and principal with parent of S.S. regarding commencement of HIB investigation                              | 0.20 | 33.00  | maw |
| 4/19/22 | Email correspondence with Superintendent regarding parent request to be present during student interview for HIB investigation   | 0.20 | 33.00  | maw |
| 4/20/22 | Email correspondence w/Dr. Varley re upcoming meeting.   | 0.10 | 16.50  | flf |
| 4/20/22 | Review and analysis of memorandum re public and private comments; review public-posted comments.   | 0.50 | 82.50  | flf |
| 4/20/22 | Receipt and review of OPRA query from Superintendent regarding budget information on collective negotiations   | 0.10 | 16.50  | maw |
| 4/20/22 | Confer with Bradley Tishman regarding OPRA query on budget information privileged for collective negotiations  | 0.10 | 16.50  | maw |
| 4/20/22 | Draft email reply to Superintendent regarding OPRA request and involvement of Bradley Tishman in response to request   | 0.10 | 16.50  | maw |
| 4/20/22 | Receipt and review of email from counsel for ██████ regarding preservation of video pending resolution; draft email to forward request for confirmation of preservation of video to Superintendent | 0.20 | 33.00  | maw |
| 4/20/22 | Confer with MAW re: OPRA request   | 0.20 | 33.00  | bdt |
| 4/21/22 | Participate in Zoom meeting re negotiations proposals; revise same   | 0.50 | 82.50  | mjg |
| 4/21/22 | Telephone conference with Superintendent regarding ██████  | 0.10 | 16.50  | maw |
| 4/21/22 | Draft email to ██████'s attorney regarding preservation of ██████ pending resolution of discipline dispute   | 0.10 | 16.50  | maw |
| 4/21/22 | Receipt and review of text messages from Superintendent and Principal ██████   | 0.10 | 16.50  | maw |
| 4/21/22 | Draft text reply to Superintendent regarding ██████  | 0.10 | 16.50  | maw |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 4/21/22 | Receipt and review of email from Richard Kaplow, Esq., regarding requested return to individualized pick-up and return of UCVTS students from home | 0.10 | 16.50  | maw |
| 4/21/22 | Review prior correspondence to Richard Kaplow, Esq., denying request for individualized UCVTS student pickup due to driver shortages               | 0.10 | 16.50  | maw |
| 4/21/22 | Draft response to Richard Kaplow, Esq., with copy to client and requested response   | 0.10 | 16.50  | maw |
| 4/21/22 | Receipt and review of email from Superintendent on [REDACTED]  | 0.10 | 16.50  | maw |
| 4/21/22 | Review of Maciejewski ethics complaint and letters to editor for drafting of motion to dismiss   | 0.50 | 82.50  | maw |
| 4/21/22 | Draft and revise Certification of Michael D'Aquila in support of motion to dismiss   | 2.90 | 478.50 | maw |
| 4/21/22 | Draft email to Michale D'Aquila to forward draft Certification in Support of Motion to Dismiss for review  | 0.10 | 16.50  | maw |
| 4/21/22 | Review/analyze correspondence & confer with client re: OPRA request  | 0.30 | 49.50  | bdt |
| 4/22/22 | Conduct research on School Ethics Opinions and caselaw for Brief in Support of Motion to Dismiss   | 2.50 | 412.50 | maw |
| 4/22/22 | Receipt and review of emails from Board members to Tap Into Berkeley Heights regarding agreement with letter to editor                             | 0.20 | 33.00  | maw |
| 4/22/22 | Draft revisions to Certification of Michael D'Aquila in Support of Motion to Dismiss   | 0.80 | 132.00 | maw |
| 4/22/22 | Draft and revise Certfication of Angela Penna in Support of Motion to Dismiss  | 1.00 | 165.00 | maw |
| 4/22/22 | Draft Preliminary Statement for Brief in Support of Motion to Dismiss  | 0.60 | 99.00  | maw |
| 4/22/22 | Telephone conference with Michael D'Aquila regarding Certification   | 0.10 | 16.50  | maw |
| 4/22/22 | Receipt and review of signed Certification from Angela Penna   | 0.10 | 16.50  | maw |
| 4/22/22 | Receipt and review of signed Certification from Michael D'Aquila   | 0.10 | 16.50  | maw |
| 4/22/22 | Drafting of Statement of Facts for Brief in Support of Motion to Dismiss   | 1.60 | 264.00 | maw |
| 4/22/22 | Drafting of Legal Argument for Brief in Support of Motion to Dismiss   | 1.90 | 313.50 | maw |
| 4/22/22 | Review client e-mail re: OPRA  | 0.10 | 16.50  | bdt |
| 4/25/22 | Meeting w/Dr. Varley and R. Nixon re [REDACTED]  | 0.30 | 49.50  | flf |
| 4/25/22 | Email correspondence w/Dr. Varley and R. Nixon regarding [REDACTED] letter.  | 0.20 | 33.00  | flf |
| 4/25/22 | Email correspondence with Superintendent regarding pending probable cause determination  | 0.10 | 16.50  | maw |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 4/25/22 | Review and revise Brief in Support of Motion to Dismiss Ethics Complaint on behalf of Board President Michael D'Aquila and Vice President Angela Penna  | 1.00 | 165.00 | maw |
| 4/25/22 | Draft Certification of Service for filing and service of Motion to Dismiss Ethics Complaint   | 0.30 | 49.50  | maw |
| 4/25/22 | Draft cover letter for filing of Motion to Dismiss Ethics Complaint   | 0.30 | 49.50  | maw |
| 4/25/22 | Compiling of motion documents for electronic filing with School Ethics Commission   | 0.30 | 49.50  | maw |
| 4/25/22 | Draft email to serve and file Motion to Dismiss Ethics Complaint on behalf of Board President Michael D'Aquila and Vice President Angela Penna  | 0.10 | 16.50  | maw |
| 4/25/22 | Legal research & outline memorandum to client re: Migueis OPRA  | 0.50 | 82.50  | bdt |
| 4/25/22 | Prepare memorandum to client re: Migueis OPRA   | 1.00 | 165.00 | bdt |
| 4/26/22 | Telephone to Donna Geoghan, Esq., and Nicholas Alice on Subpoena Duces Tecum for employment records of [REDACTED]   | 0.10 | 16.50  | maw |
| 4/26/22 | Begin drafting position statement in response to Chapter 78 dental premium unfair practice charge   | 1.20 | 198.00 | mne |
| 4/27/22 | Teleconf. w/Dr. Varley re upcoming meeting.   | 0.10 | 16.50  | flf |
| 4/27/22 | Review email regarding access to personnel records.   | 0.10 | 16.50  | flf |
| 4/27/22 | Confer with Frances Febres regarding pending Board meeting issues   | 0.40 | 66.00  | maw |
| 4/27/22 | Telephone conference with Progressive Insurance counsel regarding service and extension of time for district to respond to Subpoena Duces Tecum; draft confirmatory email and blind copy client | 0.20 | 33.00  | maw |
| 4/28/22 | Teleconf. w/Dr. Varley regarding upcoming BOE meeting.  | 0.10 | 16.50  | flf |
| 4/28/22 | Prepare for BOE Meeting; review agenda, correspondence, legal memoranda, SEC filings; and online publications.  | 1.50 | 247.50 | flf |
| 4/28/22 | Attend BOE meeting.   | 4.50 | 742.50 | flf |
| 4/28/22 | Receipt and review of email from Superintendent regarding parent demand to review surveillance video  | 0.10 | 16.50  | maw |
| 4/28/22 | Conduct research on [REDACTED]  | 0.50 | 82.50  | maw |
| 4/28/22 | Conduct research on [REDACTED]  | 0.50 | 82.50  | maw |
| 4/28/22 | Draft and revise reply to Superintendent with draft response to parent  | 0.90 | 148.50 | maw |
| 4/28/22 | Receipt and review of acknowledgment of MTD filing; draft email to forward to Board President/Vice President  | 0.10 | 16.50  | maw |
| 4/28/22 | Attention to download of documents forwarded by Steve Hopkins [REDACTED]  | 0.20 | 33.00  | maw |
| 4/28/22 | Email correspondence with Business Administrator regarding production of redacted personnel file documents in response to subpoena duces tecum  | 0.20 | 33.00  | maw |

|         |   |       |                    |     |
|---------|---|-------|--------------------|-----|
| 4/28/22 | Continue drafting position statement in response to Chapter 78 dental premium unfair practice charge                        | 2.30  | 379.50             | mne |
| 4/29/22 | Teleconf. w/M. Daquila and Dr. Varley regarding meeting process and board member participation expectations.                | 0.30  | 49.50              | flf |
| 4/29/22 | Review social media posts and comments on district page.  | 0.20  | 33.00              | flf |
| 4/29/22 | Telephone conference with Superintendent and principal regarding [REDACTED]   | 0.40  | 66.00              | maw |
| 4/29/22 | Telephone conference with Superintendent regarding review of video, completion of HIB investigation, and response to parent | 0.10  | 16.50              | maw |
| 4/29/22 | Draft email to Steve Hopkins regarding discussion of [REDACTED] document production and investigation                       | 0.10  | 16.50              | maw |
| 4/29/22 | Telephone conference with Steve Hopkins regarding [REDACTED] file documents and investigation                               | 0.70  | 115.50             | maw |
| 4/29/22 | Email correspondence with Principal Hopkins regarding reproduction of emails and video                                      | 0.20  | 33.00              | maw |
| 4/29/22 | Review of [REDACTED] student file documents   | 0.40  | 66.00              | maw |
| Totals  |   | 76.00 | <u>\$12,540.00</u> |     |

| <u>Lawyer</u>      | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|--------------------|--------------|-------------|---------------|
| Matthew J Giacobbe | 7.50         | \$165.00    | \$1,237.50    |
| Frances L Febres   | 9.00         | \$165.00    | \$1,485.00    |
| Mark A. Wenczel    | 33.30        | \$165.00    | \$5,494.50    |
| Bradley D Tishman  | 5.00         | \$165.00    | \$825.00      |
| Anthony LoBrace    | 17.70        | \$165.00    | \$2,920.50    |
| Mark Nehme         | 3.50         | \$165.00    | \$577.50      |

**DISBURSEMENTS**

|                                      |                       |                           |
|--------------------------------------|-----------------------|---------------------------|
| 4/25/22                              | Photocopies 65 @ 0.20 | 13.00                     |
| Totals                               |                       | <u>\$13.00</u>            |
| <b>Total Fee &amp; Disbursements</b> |                       | <b><u>\$12,553.00</u></b> |

**PAYMENT DETAILS**

|        |         |          |
|--------|---------|----------|
| 5/5/22 | Payment | 5,139.10 |
| 5/5/22 | Payment | 9,801.00 |
| 5/5/22 | Payment | 7,655.50 |

**Total Payments**  
Previous Balance  
Previous Payments

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**\$22,595.60**  
22,595.60  
22,595.60

**Balance Now Due**

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**\$12,553.00**

TAX ID Number 273680224

# Cleary Giacobbe Alfieri Jacobs

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Jun 06,2022

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143  
File #: 9942  
Inv #: 108380

**RE: Berkeley Heights BOE**

For Services Rendered Through: May 31,2022

| DATE   | DESCRIPTION   | HOURS | AMOUNT | LAWYER |
|--------|---|-------|--------|--------|
| 5/2/22 | Review J. Kot email inquiring into adequacy of BOE meeting minutes.   | 0.10  | 16.50  | flf    |
| 5/2/22 | Review resident email to M. Daquila; analysis and respond.  | 0.10  | 16.50  | flf    |
| 5/2/22 | Review email correspondence between [REDACTED] ; [REDACTED] email Dr. Varley regarding same.  | 0.20  | 33.00  | flf    |
| 5/2/22 | Review BoE Member explanation to meeting minutes.   | 0.10  | 16.50  | flf    |
| 5/2/22 | Review email correspondence regarding committee meeting.  | 0.10  | 16.50  | flf    |
| 5/2/22 | Review and analysis of email correspondence alleging harassment by [REDACTED]   | 0.20  | 33.00  | flf    |
| 5/2/22 | Email correspondence w/Dr. Varley regarding [REDACTED] continued communications.  | 0.10  | 16.50  | flf    |
| 5/2/22 | Email correspondence w/J. Kot regarding HIB hearing resolutions and agenda references.  | 0.10  | 16.50  | flf    |
| 5/2/22 | Review M. Rowohlt email forwarding HIB investigation records.   | 0.10  | 16.50  | flf    |
| 5/2/22 | Receipt and review of email from community member to Board president regarding Board member comments during meeting and uniform application of bylaws | 0.20  | 33.00  | maw    |
| 5/2/22 | Receipt and review of email from Superintendent with [REDACTED]<br>[REDACTED]   | 0.10  | 16.50  | maw    |
| 5/2/22 | Receipt and attempted review of [REDACTED] student file documents received from principal Steve Hopkins for response to                               | 0.40  | 66.00  | maw    |

|        |  |      |        |     |
|--------|--|------|--------|-----|
|        | Denise Verzella, Esq.; confer with Jason Jeski for attempted technological enhancement   |      |        |     |
| 5/2/22 | Receipt and review of email from assistant principal with student witness identification and video time stamping   | 0.10 | 16.50  | maw |
| 5/2/22 | Review of video of [REDACTED] student interaction during [REDACTED] with [REDACTED] time stamp guidance  | 0.40 | 66.00  | maw |
| 5/2/22 | Email correspondence with Steve Hopkins regarding student file storage illegibility issues   | 0.20 | 33.00  | maw |
| 5/2/22 | Confer with assistant Jason Jeski to attempt to enhance illegibility produced [REDACTED] student file documents for review and production to parent's attorney | 0.20 | 33.00  | maw |
| 5/3/22 | Email correspondence w/M. Rowohlt regarding upcoming HIB hearing.  | 0.20 | 33.00  | flf |
| 5/3/22 | Telephone conference with Superintendent regarding HIB investigation summary and parent view of video  | 0.10 | 16.50  | maw |
| 5/3/22 | Email correspondence with Steve Hopkins regarding legibility of reformatted S.S. student documents   | 0.10 | 16.50  | maw |
| 5/3/22 | Receipt and review of [REDACTED] HIB investigation report  | 0.30 | 49.50  | maw |
| 5/3/22 | Review/analyze OPRA requests   | 0.20 | 33.00  | bdt |
| 5/3/22 | Confer with client regarding: OPRA requests  | 0.30 | 49.50  | bdt |
| 5/4/22 | Meeting with Dr. Varley and R. Nixon regarding student matter.   | 0.30 | 49.50  | flf |
| 5/4/22 | Attend personnel committee meeting.  | 1.20 | 198.00 | flf |
| 5/4/22 | Review Dr. Varley's email forwarding email from member of the public regarding police investigation.   | 0.10 | 16.50  | flf |
| 5/4/22 | Review J. Kot email regarding public meeting.  | 0.10 | 16.50  | flf |
| 5/4/22 | Review M. Cianciulli email regarding curriculum committee.   | 0.10 | 16.50  | flf |
| 5/4/22 | Email C. Pitingolo regarding letter to parent confirming HIB hearing.  | 0.10 | 16.50  | flf |
| 5/4/22 | Email C. Pitingolo regarding notice to parents of others' request for an HIB hearing.  | 0.10 | 16.50  | flf |
| 5/4/22 | Telephone conference with Denise Verzella, Esq., regarding response to opposition to student suspension and student record request                             | 0.20 | 33.00  | maw |
| 5/4/22 | Review of student records  | 0.40 | 66.00  | maw |
| 5/4/22 | Drafting of letter in response to letter from Denise Verzella, Esq., in opposition to [REDACTED] suspension and requesting incident video and student records  | 1.20 | 198.00 | maw |
| 5/4/22 | Email correspondence with Steve Hopkins regarding records review and response to parent  | 0.10 | 16.50  | maw |
| 5/4/22 | Telephone conference with Steve Hopkins regarding HIB investigation and student records  | 0.20 | 33.00  | maw |
| 5/4/22 | Receipt and review of HIB Investigation Executive Summary  | 0.20 | 33.00  | maw |



|        |   |      |        |     |
|--------|---|------|--------|-----|
| 5/4/22 | Review and revise response letter to Denise Verzella, Esq. regarding contested suspension, HIB investigation, and video review  | 0.40 | 66.00  | maw |
| 5/4/22 | Review prior memorandum & e-mails with client regarding: OPRA issue   | 0.40 | 66.00  | bdt |
| 5/5/22 | Review email from Dr. Varley re negotiations prep.  | 0.10 | 16.50  | mjg |
| 5/5/22 | Telephone conference with Superintendent regarding parent review of video and request for copy of same  | 0.10 | 16.50  | maw |
| 5/5/22 | Follow up email correspondence with Superintendent to review email from father and draft recommended response   | 0.20 | 33.00  | maw |
| 5/5/22 | Additional email correspondence with Superintendent regarding unavailability of additional footage sought and irrelevance of enhancement technology to resolution of ultimate issue | 0.10 | 16.50  | maw |
| 5/5/22 | Review of student records redactions  | 0.40 | 66.00  | maw |
| 5/5/22 | Draft email to Denise Verzella, Esq., to forward response letter and student records  | 0.10 | 16.50  | maw |
| 5/5/22 | Receipt and review of email exchange between Superintendent and parent regarding requested video reproduction and enlargement   | 0.10 | 16.50  | maw |
| 5/5/22 | Review client e-mail regarding: OPRA issue  | 0.10 | 16.50  | bdt |
| 5/6/22 | Telephone Dr. Varley re BHEA proposals  | 0.20 | 33.00  | mjg |
| 5/6/22 | Confer w/MJG regarding salary guide bubbles and correction.   | 0.30 | 49.50  | flf |
| 5/6/22 | Teleconf. w/Dr. Varley regarding board governance.  | 0.10 | 16.50  | flf |
| 5/6/22 | Research, review and analysis of [REDACTED]   | 1.50 | 247.50 | flf |
| 5/6/22 | Email correspondence w/Dr. Varley regarding [REDACTED] claims of athletic department spending.  | 0.20 | 33.00  | flf |
| 5/6/22 | Analysis of parliamentary procedure guides for purposes of developing guidance for BOE.   | 0.60 | 99.00  | flf |
| 5/6/22 | Receipt and review of email from Superintendent regarding [REDACTED]  | 0.10 | 16.50  | maw |
| 5/6/22 | Telephone conference with Superintendent regarding evaluation of video enlargement program for response to father   | 0.10 | 16.50  | maw |
| 5/8/22 | Review prior BOE meetings to assess efficiency and make recommendations.  | 4.30 | 709.50 | flf |
| 5/9/22 | Review proposals and participate in virtual meeting with Board negotiations team  | 0.50 | 82.50  | mjg |
| 5/9/22 | Attend BOE Meeting.   | 2.20 | 363.00 | flf |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 5/9/22  | Email correspondence w/Dr. Varley regarding [REDACTED]  | 0.10 | 16.50  | flf |
| 5/9/22  | Confer w/AL regarding parliamentary procedure memo.   | 0.20 | 33.00  | flf |
| 5/9/22  | Email correspondence w/Dr. Varley regarding meeting with [REDACTED]   | 0.10 | 16.50  | flf |
| 5/9/22  | Meeting w/J. Hopkins and M. Rowholt regarding HIB investigation and hearing.  | 0.90 | 148.50 | flf |
| 5/9/22  | Prepare for Meeting w/M. Rowholt; review and analysis of HIB investigation report and supporting evidence.                                    | 0.50 | 82.50  | flf |
| 5/9/22  | Review/analyze request regarding: Najarian OPRA   | 0.20 | 33.00  | bdt |
| 5/9/22  | Confer with client regarding: Najarian OPRA   | 0.20 | 33.00  | bdt |
| 5/9/22  | Confer with client regarding: Hernandez OPRA  | 0.20 | 33.00  | bdt |
| 5/10/22 | Telephone Dr. Varley re: BHEA CBA; review and revise BHEA proposals per BOE/exchange same   | 0.50 | 82.50  | mjg |
| 5/10/22 | Review BHEA proposals and email BHBOE negotiations team with thoughts   | 0.50 | 82.50  | mjg |
| 5/10/22 | Teleconf. w/M. Daquila regarding meeting format and board memer comments.   | 0.30 | 49.50  | flf |
| 5/10/22 | Email correspondence w/C. Pitingolo regarding disclosure of HIB records.  | 0.10 | 16.50  | flf |
| 5/10/22 | Review Board member facebook posting.   | 0.10 | 16.50  | flf |
| 5/10/22 | Email correspondence w/J. Kot and C. Pitingolo regarding requests for legal bills [REDACTED]  | 0.20 | 33.00  | flf |
| 5/10/22 | Receipt and review of Certification in Opposition to Motion to Dismiss by Edmund Maciejewski  | 0.40 | 66.00  | maw |
| 5/10/22 | Drafting of email to forward Opposition to Motion to Dismiss to Board President, Vice President, and Business Administrator                   | 0.10 | 16.50  | maw |
| 5/10/22 | Email correspondence with Superintendent regarding availabilty to discuss personnel issue   | 0.10 | 16.50  | maw |
| 5/10/22 | Receipt and review of email from Sarah Latzke regarding employee sick leave issue   | 0.10 | 16.50  | maw |
| 5/10/22 | Review/respond to client e-mails regarding: OPRA request  | 0.30 | 49.50  | bdt |
| 5/11/22 | Telephone Dr. Varley re BOE matters and BHEA proposals  | 0.40 | 66.00  | mjg |
| 5/11/22 | Prepare for and attend BHEA negotiations; draft BOE responses to BHEA's proposals; review CBA and conduct negotiations                        | 5.00 | 825.00 | mjg |
| 5/11/22 | Teleconf. w/N. Poberezhsky regarding [REDACTED] (2).  | 0.30 | 49.50  | flf |
| 5/11/22 | Teleconf. w/Dr. Varley regarding [REDACTED].  | 0.10 | 16.50  | flf |
| 5/11/22 | Email correspondence w/Dr. Varley regarding [REDACTED] increment withholding and suspension; provide template notice and resolution language. | 0.50 | 82.50  | flf |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 5/11/22 | Email correspondence w/Dr. Varley regarding [REDACTED]  | 0.10 | 16.50  | flf |
| 5/11/22 | Telephone conference with Sarah Latzke regarding [REDACTED]<br>[REDACTED]   | 0.20 | 33.00  | maw |
| 5/11/22 | Draft and revise recommended letter [REDACTED]<br>[REDACTED]  | 1.60 | 264.00 | maw |
| 5/11/22 | Draft email to forward recommended letter to employee to Superintendent s   | 0.10 | 16.50  | maw |
| 5/11/22 | Receipt and review of letter from OAL on assignment of school ethics complaint to judge and scheduling of conference  | 0.10 | 16.50  | maw |
| 5/11/22 | Research background of judge and drafting of email to Superintendent to forward letter and advise of scheduling of conference   | 0.20 | 33.00  | maw |
| 5/11/22 | Email correspondence with Superintendent confirming appearance at conference by attorneys only  | 0.10 | 16.50  | maw |
| 5/11/22 | Receipt and review of email from Superintendent forwarding subpoena issued by Pennsylvania court  | 0.20 | 33.00  | maw |
| 5/11/22 | Draft email to Superintendent [REDACTED]<br>[REDACTED]  | 0.10 | 16.50  | maw |
| 5/11/22 | Receipt and review of email from principal with information on service of subpoena  | 0.10 | 16.50  | maw |
| 5/11/22 | Draft email to subpoena service company to advise of unenforceability of Pennsylvania subpoena in NJ without NJ court order   | 0.10 | 16.50  | maw |
| 5/11/22 | Outline initial memorandum to client regarding: Hernandez OPRA  | 0.10 | 16.50  | bdt |
| 5/11/22 | Prepare initial memorandum to client regarding: Hernandez OPRA  | 0.50 | 82.50  | bdt |
| 5/11/22 | Confer with FF re. parliamentary procedure memo   | 0.30 | 49.50  | AL  |
| 5/11/22 | Review Board policies, regulations, and bylaws for relevant information re. memo setting forth parliamentary procedure for BOE meetings and take notes.               | 0.80 | 132.00 | AL  |
| 5/11/22 | Review other information posted on District website re. conduct of BOE meetings and take notes.   | 0.60 | 99.00  | AL  |
| 5/11/22 | Begin reviewing past BOE meeting agendas to determine typical order of business for use in drafting memo re. parliamentary procedure for BOE meetings and take notes. | 0.60 | 99.00  | AL  |
| 5/12/22 | Review email from Dr. Varley re walk in resolution for ethics charges   | 0.10 | 16.50  | mjg |
| 5/12/22 | Email correspondence w/Dr. Varley regarding [REDACTED]'s attendance attendance at upcoming meeting as confirmed by his counsel.                                       | 0.10 | 16.50  | flf |
| 5/13/22 | Review and analysis of [REDACTED]; email R. Nixon regarding same.   | 0.20 | 33.00  | flf |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 5/13/22 | Review N. Poberezhsky email regarding [REDACTED]; forward same to Dr. Varley.   | 0.10 | 16.50  | flf |
| 5/13/22 | Email correspondence w/Dr. Varley regarding [REDACTED] affirmative action meeting.  | 0.10 | 16.50  | flf |
| 5/13/22 | Review school ethics presentations given to BOE members and case law discussed therein.   | 1.30 | 214.50 | AL  |
| 5/13/22 | Conduct research on NJSBA and NJ Dept. of Education website re. conduct of BOE meetings and parliamentary procedure.              | 1.40 | 231.00 | AL  |
| 5/13/22 | Review Robert's Rules of Order re. right to speak at BOE meetings and order and decorum during same.                              | 1.60 | 264.00 | AL  |
| 5/16/22 | Review email from Dr. Varley re logo  | 0.10 | 16.50  | mjg |
| 5/16/22 | Email Dr. Varley regarding [REDACTED]   | 0.10 | 16.50  | flf |
| 5/16/22 | Receipt and review of email from Denise Verzella, Esq., regarding scheduling review of videotape of incident involving [REDACTED] | 0.10 | 16.50  | maw |
| 5/16/22 | Draft email to Steve Hopkins to forward request and advise of availability  | 0.10 | 16.50  | maw |
| 5/16/22 | Receipt and review of email from Steve Hopkins with district availability for scheduling of video review                          | 0.10 | 16.50  | maw |
| 5/16/22 | Draft email to Denise Verzella, Esq., to advise of district availability for review of video of incident                          | 0.10 | 16.50  | maw |
| 5/16/22 | Email correspondence with Steve Hopkins regarding meeting before parent/attorney arrival  | 0.10 | 16.50  | maw |
| 5/16/22 | Receipt and review of Board Member Use of Social Networks Policy  | 0.40 | 66.00  | maw |
| 5/16/22 | Review exemplars of social network and electronic communication by Board member policies  | 0.50 | 82.50  | maw |
| 5/16/22 | Draft recommended revisions/additions to proposed Board Member Social Network's Policy  | 1.00 | 165.00 | maw |
| 5/16/22 | Draft reply to [REDACTED]   | 0.10 | 16.50  | maw |
| 5/16/22 | [REDACTED]  |      |        |     |
| 5/16/22 | Telephone call with client regarding: OPRA request  | 0.20 | 33.00  | bdt |
| 5/17/22 | Email correspondence w/Dr. Varley regarding increment withholding resolution for [REDACTED]                                       | 0.10 | 16.50  | flf |
| 5/17/22 | Confer w/AL re board meeting procedural memo.   | 0.30 | 49.50  | flf |
| 5/17/22 | Teleconf. W/Dr. Varley re upcoming meeting.   | 0.20 | 33.00  | flf |
| 5/17/22 | Email correspondence w/M. Rohwolt regarding HIB inquiry.  | 0.10 | 16.50  | flf |
| 5/17/22 | Confer with FF. re. memo on proper procedure for BOE meetings   | 0.30 | 49.50  | AL  |
| 5/18/22 | Review and revise social media policy and email to Dr. Varley   | 0.30 | 49.50  | mjg |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 5/18/22 | Review FF's notes on BOE meeting videos and additional information obtained re. proper procedure for Board meetings.  | 1.00 | 165.00 | AL  |
| 5/18/22 | Update outline for memo re. proper procedure and conduct of Board meetings based upon additional information reviewed.  | 0.80 | 132.00 | AL  |
| 5/18/22 | Review Robert's Rules and draft portion of memo re. obtaining the floor and the right of Board members to speak during motions and debate.  | 1.70 | 280.50 | AL  |
| 5/18/22 | Review Robert's Rules and draft portion of memo re. order and decorum at Board meetings.  | 1.10 | 181.50 | AL  |
| 5/18/22 | Review Robert's Rules and draft portion of memo re. responsibilities of Board President as presiding officer.   | 0.90 | 148.50 | AL  |
| 5/19/22 | Prepare for and appearance in district for review of video surveillance of incident regarding [REDACTED] with Steve Hopkins, Grace Acosta, parent, and parent's attorney, Denise Verzella, Esq. | 2.80 | 462.00 | maw |
| 5/19/22 | Begin drafting portion of memo re. [REDACTED]<br>[REDACTED]   | 2.40 | 396.00 | AL  |
| 5/19/22 | Confer with FF re. information to be included in memo re. conduct of Board meetings   | 0.20 | N/C    | AL  |
| 5/20/22 | Review marked up proposals; Review/respond to email from J. Kot   | 0.30 | 49.50  | mjg |
| 5/20/22 | Teleconf. w/Dr. Varley regarding [REDACTED]   | 0.20 | 33.00  | flf |
| 5/20/22 | Email Dr. Varley regarding [REDACTED]   | 0.10 | 16.50  | flf |
| 5/20/22 | Review, analysis and revision of draft memorandum regarding [REDACTED]; email R. Nixon regarding same.  | 0.20 | 33.00  | flf |
| 5/20/22 | Email correspondence w/R. Nixon regarding [REDACTED]  | 0.10 | 16.50  | flf |
| 5/20/22 | Review [REDACTED]; draft proposed letter regarding parameters for accommodation; email R. Nixon regarding same.   | 0.30 | 49.50  | flf |
| 5/20/22 | Review affirmative action report finding letter regarding [REDACTED]  | 0.10 | 16.50  | flf |
| 5/20/22 | Review of email with Board member comments to Board Member Social Media policy revisions  | 0.10 | 16.50  | maw |
| 5/20/22 | Review policy revisions and drafting of reply to Superintendent with rationale for revisions and query regarding stated concern   | 0.30 | 49.50  | maw |
| 5/20/22 | Begin drafting portion of memo re. Code of Ethics for School Board Members.   | 2.90 | 478.50 | AL  |
| 5/20/22 | Conduct research re. OPMA and FERPA and draft portion of memo regarding same.   | 1.10 | 181.50 | AL  |
| 5/20/22 | Finish drafting portion of memo re. [REDACTED]<br>[REDACTED]  | 2.00 | N/C    | AL  |
| 5/20/22 | Draft portion of memo re. exceptions under School Ethics Act.   | 0.60 | N/C    | AL  |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 5/21/22 | Continue review of prior BOE meetings for parliamentary procedure memo.  | 4.10 | 676.50 | flf |
| 5/22/22 | Continue review of prior BOE meetings for parliamentary procedure memo.  | 3.70 | 610.50 | flf |
| 5/23/22 | Prepare for and attend BHEA negotiations   | 3.00 | 495.00 | mjg |
| 5/23/22 | Review email from J.Kot re shared services for SRO   | 0.10 | 16.50  | mjg |
| 5/23/22 | Meeting w/Dr. Varley regarding upcoming BOE meeting.   | 0.50 | 82.50  | flf |
| 5/23/22 | Email correspondence w/R. Nixon regarding [REDACTED] meeting.  | 0.20 | 33.00  | flf |
| 5/23/22 | Review several e-mails re: shared services agreement   | 0.20 | 33.00  | rfl |
| 5/23/22 | Finish drafting portion of memo re. Code of Ethics for School Board Members.   | 3.10 | 511.50 | AL  |
| 5/23/22 | Confer with FF re. review of Board meeting videos and revisions to memo re. conduct of board meetings.               | 0.50 | 82.50  | AL  |
| 5/24/22 | Draft email to client re NJSEHBP 2022 rates  | 0.10 | 16.50  | mjg |
| 5/24/22 | Review R. Nixon email regarding [REDACTED]   | 0.10 | 16.50  | flf |
| 5/24/22 | Email N. Poberezhsky regarding [REDACTED] additional infractions.  | 0.10 | 16.50  | flf |
| 5/24/22 | Review, analysis and revision of memorandum regarding parliamentary procedure.                                       | 1.00 | 165.00 | flf |
| 5/24/22 | Email M. D'Aquila regarding proposed parliamentary memo for review.  | 0.10 | 16.50  | flf |
| 5/24/22 | Review Robert's Rules and other research compiled and draft portion of memo re. agenda and approval of minutes.      | 1.20 | 198.00 | AL  |
| 5/24/22 | Review Robert's Rules and other research compiled and draft portion of memo re. committee reports and other reports. | 1.40 | 231.00 | AL  |
| 5/24/22 | Review Robert's Rules and other research compiled and draft portion of memo re. public comment sessions.             | 0.90 | 148.50 | AL  |
| 5/24/22 | Review Robert's Rules and other research compiled and draft portion of memo re. old business and new business.       | 1.40 | 231.00 | AL  |
| 5/24/22 | Draft conclusion of memo re. parliamentary procedure and proper conduct of Board meetings.                           | 0.50 | 82.50  | AL  |
| 5/24/22 | Revise and edit memo re. parliamentary procedure and proper conduct of Board meetings and send to FF for review.     | 0.50 | 82.50  | AL  |
| 5/25/22 | Teleconf. w/M. Daquila regarding parliamentary memorandum.   | 0.20 | 33.00  | flf |
| 5/25/22 | Teleconf. w/M. Rohwolt regarding HIB investigation and finding.  | 0.20 | 33.00  | flf |
| 5/25/22 | Teleconf. w/N. Poberehsky regarding [REDACTED]   | 0.20 | 33.00  | flf |
| 5/25/22 | Meeting w/Dr. Varley and M. Daquila regarding upcoming board meeting.  | 0.40 | 66.00  | flf |
| 5/25/22 | Teleconf. w/R. Nixon regarding [REDACTED]  | 0.20 | 33.00  | flf |

|         |   |        |                    |     |
|---------|---|--------|--------------------|-----|
| 5/25/22 | Review and finalize memorandum regarding parliamentary procedure and board member conduct; prepare for BOE meeting executive session. | 1.00   | 165.00             | flf |
| 5/25/22 | Attend BOE meeting (private and executive sessions).  | 4.70   | 775.50             | flf |
| 5/25/22 | Email correspondence w/M. Rowohlt regarding HIB investigation.  | 0.10   | 16.50              | flf |
| 5/25/22 | Review BOE bylaws regarding board member virtual participation; confer w/MJG.   | 0.20   | 33.00              | flf |
| 5/25/22 | Email Dr. Varley regarding [REDACTED].  | 0.10   | 16.50              | flf |
| 5/25/22 | Email correspondence w/Dr. Varley regarding conversation w/N. Poberezhsky.  | 0.10   | 16.50              | flf |
| 5/25/22 | Email N. Poberezhsky regarding [REDACTED] pension service.  | 0.10   | 16.50              | flf |
| 5/25/22 | Email correspondence with Superintendent regarding [REDACTED]   | 0.20   | 33.00              | maw |
| 5/31/22 | Confer w/AL regarding ethics charges.   | 0.30   | 49.50              | flf |
| 5/31/22 | Email correspondence w/M. D'Aquila regarding email received.  | 0.10   | 16.50              | flf |
| 5/31/22 | Review/analyze/redact potentially responsive records regarding: OPRA request  | 3.50   | 577.50             | bdt |
| 5/31/22 | Confer with FF re. 5/25/22 Board meeting and next steps.  | 0.30   | 49.50              | AL  |
| 5/31/22 | Begin marking redactions on responsive records for Najarian OPRA response (CMS)   | 0.90   | 81.00              | PAR |
| Totals  |   | 101.30 | <u>\$16,185.00</u> |     |

| <u>Lawyer</u>      | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|--------------------|--------------|-------------|---------------|
| Matthew J Giacobbe | 11.20        | \$165.00    | \$1,848.00    |
| Frances L Febres   | 36.00        | \$165.00    | \$5,940.00    |
| Mark A. Wenczel    | 15.40        | \$165.00    | \$2,541.00    |
| Ronald F Kavanagh  | 0.20         | \$165.00    | \$33.00       |
| Bradley D Tishman  | 6.20         | \$165.00    | \$1,023.00    |
| Anthony LoBrace    | 31.40        | \$165.00    | \$5,181.00    |
| Paralegal          | 0.90         | \$90.00     | \$81.00       |

**DISBURSEMENTS**

|         |                                       |       |
|---------|---------------------------------------|-------|
| 4/4/22  | Photocopies 10 @ 0.20                 | 2.00  |
| 4/25/22 | Federal Express to E. Maciejewski     | 29.73 |
| 5/3/22  | Photocopies 375 @ 0.20                | 75.00 |
| 5/5/22  | Federal Express to Dr. Melissa Varley | 24.28 |
| 5/9/22  | Photocopies 85 @ 0.20                 | 17.00 |

Invoice #: 108380 Page 10

June 6, 2022

5/11/22 Photocopies 62 @ 0.20 12.40

Totals \$160.41

**Total Fee & Disbursements** **\$16,345.41**

**PAYMENT DETAILS**

6/3/22 Payment 12,553.00

**Total Payments** **\$12,553.00**

Previous Balance 12,553.00

Previous Payments 12,553.00

**Balance Now Due** **\$16,345.41**

TAX ID Number 273680224



# Cleary Giacobbe Alfieri Jacobs

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Jul 07,2022

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143

File #: 9942

Inv #: 109355

**RE:** Berkeley Heights BOE

For Services Rendered Through: June 30,2022

| DATE   | DESCRIPTION   | HOURS | AMOUNT | LAWYER |
|--------|---|-------|--------|--------|
| 6/1/22 | Telephone Dr. Varley re BHEA negotiations (2x)  | 0.30  | 49.50  | mjg    |
| 6/1/22 | Receipt and review of email from Sarah Latzke regarding<br>[REDACTED]   | 0.10  | 16.50  | maw    |
| 6/1/22 | Telephone conference with Sarah Latzke to discuss<br>[REDACTED]   | 0.20  | 33.00  | maw    |
| 6/1/22 | Conduct research re. procedure for filing of ethics complaint with<br>School Ethics Commission and take notes.              | 1.70  | 280.50 | AL     |
| 6/1/22 | Continue marking redactions for records responsive to Najarian<br>OPRA (CMS)  | 1.40  | 126.00 | PAR    |
| 6/2/22 | Telephone E. Innis re BHEA negotiations   | 0.30  | 49.50  | mjg    |
| 6/2/22 | Email J. Kot regarding board committee meeting agendas.   | 0.10  | 16.50  | flf    |
| 6/2/22 | Telephone conference with DAG Laurie Fichera to discuss<br>settlement possibilities for ethics complaint                    | 0.20  | 33.00  | maw    |
| 6/2/22 | Telephone conference with Superintendent regarding conversation<br>with DAG Fichera and pending conference with Judge Baron | 0.10  | 16.50  | maw    |
| 6/2/22 | Prepare for and telephone conference with Judge Baron and DAG<br>Fichera regarding ethics complaint                         | 0.30  | 49.50  | maw    |
| 6/2/22 | Notify Superintendent of discussion with Judge Baron and DAG<br>Fichera   | 0.10  | 16.50  | maw    |
| 6/2/22 | Review e-mail re: transportation bids   | 0.10  | 16.50  | rfl    |

|        |  |      |        |     |
|--------|--|------|--------|-----|
| 6/2/22 | Review e-mail re: exhaust fan bid review   | 0.10 | 16.50  | rfk |
| 6/2/22 | Additional review/redaction of responsive records regarding: OPRA request  | 1.20 | 198.00 | bdt |
| 6/2/22 | Conduct additional research re. complaint processing and adjudication procedures for School Ethics Commission complaints.                      | 1.10 | 181.50 | AL  |
| 6/2/22 | Draft memo re. complaint and adjudication procedure for School Ethics Commission complaints.   | 1.80 | 297.00 | AL  |
| 6/2/22 | Revise and edit memo re. complaint and adjudication procedure for School Ethics Commission complaints and send to FLF for review and comments. | 0.30 | 49.50  | AL  |
| 6/3/22 | Participate in virtual meeting with Superintendent and BOE members re BOE matter   | 0.50 | 82.50  | mjg |
| 6/3/22 | Organize exhibits for draft ethics charges.  | 0.30 | 49.50  | flf |
| 6/3/22 | Confer w/AL regarding ethics charges.  | 0.20 | 33.00  | flf |
| 6/3/22 | Confer w/BDT regarding OPRA OSC.   | 0.20 | 33.00  | flf |
| 6/3/22 | Confer w/AL regarding ethics filing procedure.   | 0.20 | 33.00  | flf |
| 6/3/22 | Confer w/AL regarding parliamentary memo.  | 0.20 | 33.00  | flf |
| 6/3/22 | Attend meeting w/Dr. Varley, A. Penna, M. Cianculli and MJG.   | 0.50 | N/C    | flf |
| 6/3/22 | Review SRO agreement   | 0.80 | 132.00 | rfk |
| 6/3/22 | Review/analyze Complaint & Order to Show Cause application regarding: OPRA litigation  | 0.70 | 115.50 | bdt |
| 6/3/22 | Begin legal research in preparation for opposition to Order to Show Cause regarding: OPRA litigation   | 0.60 | 99.00  | bdt |
| 6/3/22 | Confer with client regarding: OPRA litigation  | 1.50 | 247.50 | bdt |
| 6/3/22 | Confer with MJG/FLF regarding: OPRA litigation   | 0.30 | 49.50  | bdt |
| 6/3/22 | Review request & confer with client regarding: Maciejewski OPRA  | 0.40 | 66.00  | bdt |
| 6/3/22 | Review/analyze request & confer with client regarding: Williams OPRA   | 0.40 | 66.00  | bdt |
| 6/3/22 | Call School Ethics Commission and conduct research re. filing of identical ethics complaints and report findings to FLF.                       | 0.70 | 115.50 | AL  |
| 6/3/22 | Confer with FLF re. organization of ethics charges and next steps.   | 0.30 | 49.50  | AL  |
| 6/6/22 | Participate in conference call with J. Kot and B. Tishman re OPRA lawsuit  | 0.20 | 33.00  | mjg |
| 6/6/22 | Review spreadsheet re health benefits analysis   | 0.40 | 66.00  | mjg |
| 6/6/22 | Review R. Cianciulli email regarding block party.  | 0.10 | 16.50  | flf |
| 6/6/22 | Email correspondence w/Dr. Varley regarding [REDACTED]; review [REDACTED] emails.  | 0.20 | 33.00  | flf |

|        |  |      |        |      |
|--------|--|------|--------|------|
| 6/6/22 | Provide executive session resolution to J. Kot.  | 0.20 | 33.00  | flf  |
| 6/6/22 | Review e-mail from J. Kott re: shared services agreement   | 0.10 | 16.50  | rflk |
| 6/6/22 | Confer with client & outline memorandum regarding: Maciejewski OPRA  | 0.20 | 33.00  | bdt  |
| 6/6/22 | Begin review of documents provided by client regarding: OPRA litigation  | 0.30 | 49.50  | bdt  |
| 6/6/22 | Telephone call with client regarding: OPRA litigation  | 0.60 | 99.00  | bdt  |
| 6/6/22 | Update redactions per BDT instructions and review records for additional redactions re: Najarian OPRA (CMS)                | 0.60 | 54.00  | PAR  |
| 6/6/22 | Draft memo to client enclosing draft response for Maciejewski OPRA (CMS)   | 0.10 | 9.00   | PAR  |
| 6/7/22 | Prepare for and attend BHEA negotiations   | 6.00 | 990.00 | mjg  |
| 6/7/22 | Provide draft resolution for [REDACTED]  | 0.10 | 16.50  | flf  |
| 6/7/22 | Email correspondence w/Dr. Varley regarding [REDACTED]; provide proposed correspondence of discipline.                     | 0.40 | 66.00  | flf  |
| 6/7/22 | Email correspondence w/S. Latzke regarding [REDACTED] request for accommodations.  | 0.10 | 16.50  | flf  |
| 6/7/22 | Confer with Frances Febres regarding employee discipline pending filing of tenure charges                                  | 0.10 | 16.50  | maw  |
| 6/7/22 | Conference with J. Kot re: transportation specifications   | 0.10 | 16.50  | rflk |
| 6/7/22 | Legal research & outline memorandum to client regarding: Williams OPRA   | 0.40 | 66.00  | bdt  |
| 6/7/22 | Draft memorandum to client regarding: Williams OPRA  | 1.00 | 165.00 | bdt  |
| 6/7/22 | Revise/finalize redactions of responsive records regarding: OPRA request   | 0.40 | 66.00  | bdt  |
| 6/7/22 | Outline/prepare memorandum to client regarding: Maciejewski OPRA   | 0.60 | 99.00  | bdt  |
| 6/7/22 | Confer with FLF re. organization of ethics charges and division of work.   | 0.10 | 16.50  | AL   |
| 6/7/22 | Prepare ethics complaint template and begin drafting factual background section of ethics complaint re. S. Barghavi Akiri. | 1.70 | 280.50 | AL   |
| 6/7/22 | Draft memo to client enclosing response re: Williams OPRA (CMS)  | 0.40 | 36.00  | PAR  |
| 6/8/22 | Confer w/AL regarding ethics charges filed against Board members.  | 0.20 | 33.00  | flf  |
| 6/8/22 | Receipt and review of Certificated Employee Contract Template and BHEA communication from Sarah Latzke                     | 0.10 | 16.50  | maw  |
| 6/8/22 | Revise Template and create Certificated Tenured Employee Contract Template   | 0.30 | 49.50  | maw  |
| 6/8/22 | Revise Template and create Certificated Non-Tenured Employee Contract Template   | 0.30 | 49.50  | maw  |
| 6/8/22 | Draft email to Sarah Latzke to forward revised templates for tenured/non-tenured certificated employees                    | 0.10 | 16.50  | maw  |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 6/8/22  | Receipt and review of Shauna Williams Ethics Complaint against Board members  | 0.30 | 49.50  | maw |
| 6/8/22  | Receipt and review of revised email and attachments received from School Ethics Commission  | 0.10 | 16.50  | maw |
| 6/8/22  | Receipt and review of letter from Denise Verzella, Esq., regarding [REDACTED] HIB investigation and code of conduct dispute       | 0.20 | 33.00  | maw |
| 6/8/22  | Draft email to forward letter to Middle School Principal and Superintendent with query regarding issues asserted by Ms. Verzella  | 0.10 | 16.50  | maw |
| 6/8/22  | Receipt and review of email reply from Middle School Principal to allegations in attorney letter                                  | 0.10 | 16.50  | maw |
| 6/8/22  | Review and revise bid specifications; review sample bid forms   | 1.40 | 231.00 | rfk |
| 6/8/22  | Review all prior memorandums and other guidance issued re. school ethics for use in drafting Barghavi Akiri ethics complaint.     | 0.80 | 132.00 | AL  |
| 6/8/22  | Finish drafting factual background section of Barghavi Akiri ethics complaint.  | 1.10 | 181.50 | AL  |
| 6/8/22  | Confer with FLF re. [REDACTED]  | 0.20 | 33.00  | AL  |
| 6/8/22  | Review relevant Board meeting recordings and begin drafting section of Barghavi Akiri ethics complaint re. NJSA 18A:12-24.1(c).   | 3.10 | 511.50 | AL  |
| 6/9/22  | Continue drafting ethics charges; send to AL for review and merger.   | 5.00 | 825.00 | flf |
| 6/9/22  | Begin review and revision of draft tenure charges; confer w/AL regarding same.  | 0.40 | 66.00  | flf |
| 6/9/22  | E-mail to J. Kott re: transportation specifications   | 0.20 | 33.00  | rfk |
| 6/9/22  | E-mail to J. Kot re: transportation bid specs   | 0.40 | 66.00  | rfk |
| 6/9/22  | Continue reviewing applicable Board meeting videos and drafting portion of Barghavi Akiri ethics charges re. NJSA 18A:12-24.1(c). | 2.40 | 396.00 | AL  |
| 6/10/22 | Review Dr. Varley email regarding [REDACTED] tenure charges timeline and status of ethics charges; confer w/MJG regarding same.   | 0.10 | 16.50  | flf |
| 6/10/22 | Bid review re: Echelon Services LLC; e-mail to Department of Labor  | 1.50 | 247.50 | rfk |
| 6/10/22 | Confer with client regarding: OPRA  | 0.20 | 33.00  | bdt |
| 6/10/22 | (Sai Ethics Charges) Draft portion of ethics charges re. NJSA 18A:12-24.1(d).   | 2.90 | 478.50 | AL  |
| 6/10/22 | (Sai Ethics Charges) Draft portion of ethics charges re. NJSA 18A:12-24.1(e).   | 1.80 | 297.00 | AL  |
| 6/10/22 | (Sai Ethics Charges) Draft portion of ethics charges re. NJSA 18A:12-24.1(f).   | 1.10 | 181.50 | AL  |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 6/10/22 | (Sai Ethics Charges) Review and edit portions of ethics charges drafted by FLF re. NJSA 18A:12-24.1(g), (i), and (j).  | 1.40 | 231.00 | AL  |
| 6/10/22 | (Sai Ethics Charges) Add citations to record for portions of ethics charges re. NJSA 18A:12-24.1(g), (i), and (j).   | 2.60 | 429.00 | AL  |
| 6/10/22 | (Sai Ethics Charges) Revise and edit ethics charges and send to MJG for review.  | 0.90 | 148.50 | AL  |
| 6/13/22 | Review email from Dr. Varley re charges being read into record at Board meeting  | 0.10 | 16.50  | mjg |
| 6/13/22 | Finalize bid review re: exhaust fan  | 0.40 | 66.00  | rfl |
| 6/13/22 | Review First Hope Bank bid; draft bid review letter  | 0.90 | 148.50 | rfl |
| 6/13/22 | (Barghavi Akiri Ethics Charges) Confer with MJG re. draft ethics charges and any revisions thereto.  | 0.20 | 33.00  | AL  |
| 6/13/22 | (Barghavi Akiri Ethics Charges) Implement MJG's requested revisions re. ethics charges, prepare and add citations to exhibits, and send to Dr. Varley for transmission to Board. | 1.70 | 280.50 | AL  |
| 6/13/22 | (Barghavi Akiri Ethics Charges) Respond to Dr. Varley email correspondence re. inclusion of TapInto articles with ethics charges.  | 0.10 | 16.50  | AL  |
| 6/13/22 | (Barghavi Akiri Ethics Charges) Review additional information provided by Dr. Varley and forward to MJG and FLF for consideration.   | 0.50 | 82.50  | AL  |
| 6/14/22 | Review and analysis of email correspondence regarding HIB procedures; email correspondence w/Dr. Varley regarding same.  | 0.20 | 33.00  | rfl |
| 6/14/22 | Research re: failure to sign bid proposal page   | 0.30 | 49.50  | rfl |
| 6/14/22 | (Akiri Ethics Charges) Confer with FLF re. inclusion of additional information provided by Dr. Varley and J. Kot in ethics charges.  | 0.30 | 49.50  | AL  |
| 6/15/22 | Teleconf. w/N. Poberezhsky regarding [REDACTED]  | 0.40 | 66.00  | rfl |
| 6/15/22 | Teleconf. w/Dr. Varley regarding [REDACTED]  | 0.20 | 33.00  | rfl |
| 6/15/22 | Email correspondence w/Dr. Varley regarding conversation with N. Poberezhsky regarding [REDACTED]  | 0.10 | 16.50  | rfl |
| 6/15/22 | Draft and revise proposed response letter to counsel for parents of [REDACTED]   | 1.70 | 280.50 | maw |
| 6/15/22 | Draft email to Superintendent and Principal with proposed response to counsel for [REDACTED]   | 0.10 | 16.50  | maw |
| 6/15/22 | Email correspondence with Principal and Superintendent regarding [REDACTED]  | 0.20 | 33.00  | maw |
| 6/15/22 | Finalize response letter regarding [REDACTED] and drafting of email to forward correspondence to Denise Verzella, Esq.   | 0.30 | 49.50  | maw |
| 6/15/22 | Review transportation bid  | 0.80 | 132.00 | rfl |
| 6/15/22 | Initial review/analysis of requests regarding: Weisfeld OPRA   | 0.40 | 66.00  | bd  |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 6/15/22 | (Akiri Ethics Charges) Review and confer with FLF and MJG re. inclusion of additional information re. allegations of improper conduct on Board attorney's part. | 0.60 | 99.00  | AL  |
| 6/15/22 | (Akiri Ethics Charges) Revise ethics charges to include additional information provided by Dr. Varley and FLF.  | 1.90 | 313.50 | AL  |
| 6/15/22 | (Akiri Ethics Charges) Recompile exhibits to ethics charges based on inclusion of new information and update all citations to exhibits in complaint.            | 0.60 | 99.00  | AL  |
| 6/15/22 | (Akiri Ethics Charges) Add certification page to complaint.   | 0.10 | 16.50  | AL  |
| 6/15/22 | (Akiri Ethics Charges) Address any outstanding items, conduct final review of complaint and exhibits, and send to FLF for review.                               | 0.40 | 66.00  | AL  |
| 6/16/22 | Review proposed resolution language   | 0.20 | 33.00  | mjg |
| 6/16/22 | Prepare for and attend BOE Executive Session meeting  | 3.00 | 495.00 | mjg |
| 6/16/22 | Participate in Zoom with Administration re BOE meeting  | 0.70 | 115.50 | mjg |
| 6/16/22 | Review/revise and finalize draft ethics charges   | 1.20 | 198.00 | mjg |
| 6/16/22 | Attend meeting with Dr. Varley, A. Penna, M. Cianciulli and MJG regarding upcoming meeting.   | 1.00 | 165.00 | flf |
| 6/16/22 | Attend BOE meeting.   | 4.00 | 660.00 | flf |
| 6/16/22 | Email J. Kot regarding certified resolution   | 0.10 | 16.50  | flf |
| 6/16/22 | Confer w/MJG regarding resolution language for ethics charges.  | 0.20 | 33.00  | flf |
| 6/16/22 | Email M. D'Aquila resolution language.  | 0.10 | 16.50  | flf |
| 6/16/22 | Review and analysis of statutory and regulatory references in draft ethics charges; confer w/AL regarding same.   | 0.40 | 66.00  | flf |
| 6/16/22 | Conference with K. Sheehan re: transportation bid review  | 0.10 | 16.50  | rfk |
| 6/16/22 | Conference with J. Kott   | 0.10 | 16.50  | rfk |
| 6/16/22 | Draft bid review letter   | 0.20 | 33.00  | rfk |
| 6/16/22 | (Sai Ethics Charges) Add home addresses and conduct final review of charges and exhibits.   | 0.90 | 148.50 | AL  |
| 6/16/22 | (Sai Ethics Charges) Revise and edit ethics charges based on FLF's comments and advise FLF of all new material added since prior draft sent to Board members.   | 0.60 | 99.00  | AL  |
| 6/16/22 | (Said Ethics Charges) Revise and edit ethics charges based on MJG's comments.   | 0.90 | 148.50 | AL  |
| 6/17/22 | Telephone Dr. Varley re BOE member behavior (S. Akiri)  | 0.40 | 66.00  | mjg |
| 6/17/22 | Telephone Dr. Varley re BOE matters   | 0.30 | 49.50  | mjg |
| 6/17/22 | Review email from Dr. Varley re email from J. Migueis to M. D'Aquila  | 0.20 | 33.00  | mjg |
| 6/17/22 | Review and respond to email from Dr. Varley re question on OPRA matter  | 0.10 | 16.50  | mjg |

| Invoice #: | 109355   | Page | 7      | July 7, 2022 |
|------------|--|------|--------|--------------|
| 6/17/22    | Email J. Kot regarding certified resolutions from May 25 and June 16.  | 0.10 | 16.50  | flf          |
| 6/17/22    | Review community member email to M. D'Aquila; confer w/MJG regarding same.   | 0.10 | 16.50  | flf          |
| 6/17/22    | Email correspondence w/N. Poberehsky regarding [REDACTED]  | 0.10 | 16.50  | flf          |
| 6/17/22    | Confer with client regarding: OPRA   | 0.20 | 33.00  | bdt          |
| 6/20/22    | Finalize SEC transmittal letter for ethics charges; email J. Kot for filing.   | 0.20 | 33.00  | flf          |
| 6/20/22    | Receipt and review of School Ethics Commission motion to dismiss determination scheduling letter; draft email to forward to Michael D'Aquila and Angela Pena | 0.20 | 33.00  | maw          |
| 6/20/22    | Review/analyze OPRA request regarding: Kasthuri OPRA   | 0.20 | 33.00  | bdt          |
| 6/20/22    | E-mails with client regarding: Weisfeld OPRA   | 0.30 | 49.50  | bdt          |
| 6/20/22    | Telephone call with client regarding: Weisfeld OPRA  | 0.40 | 66.00  | bdt          |
| 6/21/22    | Draft MOA; review CNA and negotiations notes and proposals   | 1.50 | 247.50 | mjg          |
| 6/21/22    | Draft email to client re draft MOA and request to circulate  | 0.10 | 16.50  | mjg          |
| 6/21/22    | Email correspondence w/L. McAdam regarding ethics charges filing process.  | 0.10 | 16.50  | flf          |
| 6/21/22    | Confer with Frances Febres regarding service of process of School Ethics Complaint   | 0.10 | 16.50  | maw          |
| 6/21/22    | Confer with MAW/FLF regarding: Kasthuri OPRA   | 0.20 | 33.00  | bdt          |
| 6/22/22    | Participate in virtual meeting with terms of MOA and modifying same; email to team for review  | 1.00 | 165.00 | mjg          |
| 6/22/22    | Attend BHEA negotiations   | 5.50 | 907.50 | mjg          |
| 6/22/22    | Review email from Dr. Varley re Draft MOA  | 0.10 | 16.50  | mjg          |
| 6/22/22    | Review email from T. Foregger re draft MOA   | 0.10 | 16.50  | mjg          |
| 6/22/22    | Review email from T. Foegger re Draft MOA  | 0.10 | 16.50  | mjg          |
| 6/22/22    | Review agency notice acknowledging receipt of SEC complaint.   | 0.10 | 16.50  | flf          |
| 6/23/22    | Review email from J. Kot re ethics complaint   | 0.10 | 16.50  | mjg          |
| 6/23/22    | Review correspondence from requestor regarding: Weisfeld OPRA  | 0.20 | 33.00  | bdt          |
| 6/23/22    | Review finalized initial responses regarding: Weisfeld OPRA  | 0.20 | 33.00  | bdt          |
| 6/24/22    | Review email from Dr. Varley re Mt. Park PTO and Boy Scouts  | 0.10 | 16.50  | mjg          |
| 6/24/22    | Legal research of administrative regulations & case law regarding: Kasthuri OPRA   | 0.60 | 99.00  | bdt          |
| 6/24/22    | Confer with client regarding: Kasthuri OPRA  | 0.30 | 49.50  | bdt          |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 6/24/22 | Review/analyze OPRA request & confer with client regarding: Weisfeld OPRA   | 0.30 | 49.50  | bdt |
| 6/24/22 | Review/analyze subpoena   | 0.30 | 49.50  | bdt |
| 6/24/22 | Telephone call to requesting counsel regarding: subpoena  | 0.20 | 33.00  | bdt |
| 6/24/22 | Confer with client regarding: subpoena  | 0.20 | 33.00  | bdt |
| 6/27/22 | Email correspondence w/J. Kot regarding revised resolutions.  | 0.10 | 16.50  | flf |
| 6/27/22 | Confer with Bradley Tishman, Esq., regarding OPRA request for Ethics Complaints   | 0.30 | 49.50  | maw |
| 6/27/22 | Compile and forward School Ethics Complaints and decisions on motions to dismiss and probable cause determinations for preparation of OPRA response | 0.40 | 66.00  | maw |
| 6/27/22 | Telephone call to requesting counsel regarding: subpoena  | 0.20 | 33.00  | bdt |
| 6/27/22 | E-mail to requesting counsel regarding: subpoena  | 0.20 | 33.00  | bdt |
| 6/27/22 | Confer with client regarding: Kasthuri OPRA   | 0.20 | 33.00  | bdt |
| 6/27/22 | Confer with MAW/FLF regarding: Kasthuri OPRA  | 0.50 | 82.50  | bdt |
| 6/27/22 | Begin review/analysis of potentially responsive records regarding: Kasthuri OPRA  | 0.60 | 99.00  | bdt |
| 6/27/22 | Review/respond to client e-mails regarding: Najarian OPRA   | 0.20 | 33.00  | bdt |
| 6/27/22 | Review reply from counsel regarding: subpoena   | 0.10 | 16.50  | bdt |
| 6/28/22 | Telephone D. Antonelli re BOE member ethics complaint; representation and indemnification   | 0.50 | 82.50  | mjg |
| 6/28/22 | Review letter to school ethics commission   | 0.10 | 16.50  | mjg |
| 6/28/22 | Draft transmittal forwarding corrected resolution for School Ethics Commission; email J. Kot regarding same.  | 0.30 | 49.50  | flf |
| 6/28/22 | Review of documents and research for drafting of motion to dismiss ethics complaint against board members   | 1.80 | 297.00 | maw |
| 6/28/22 | Outline memorandum to client regarding: Kasthuri OPRA   | 0.30 | 49.50  | bdt |
| 6/28/22 | Continue review of potentially responsive records & draft/revise memorandum to client regarding: Kasthuri OPRA                                      | 1.50 | 247.50 | bdt |
| 6/28/22 | Review/analyze/redact potentially responsive records regarding: Najarian OPRA   | 1.00 | 165.00 | bdt |
| 6/28/22 | Mark invoice for redaction regarding Najarian OPRA (CMS)  | 0.50 | 45.00  | PAR |
| 6/28/22 | Review potentially responsive records and update memo to client regarding Kathsuri OPRA (CMS)   | 0.20 | 18.00  | PAR |
| 6/29/22 | Review tort claim notice re Chu Ming Zheng  | 0.30 | 49.50  | mjg |
| 6/29/22 | Conduct research for drafting of motion to dismiss school ethics complaint against board members  | 0.70 | 115.50 | maw |



|         |   |      |        |     |
|---------|---|------|--------|-----|
| 6/29/22 | Draft Certification for Robert Cianciulli in support of motion to dismiss Shauna Williams Ethics Complaint                          | 1.90 | 313.50 | maw |
| 6/29/22 | Review and respond to e-mail re: opinion letter   | 0.10 | 16.50  | rfk |
| 6/29/22 | Review opinion letter   | 0.10 | 16.50  | rfk |
| 6/30/22 | Review of Certification and drafting of email to forward same to Robert Cianciulli in support of motion to dismiss ethics complaint | 0.20 | 33.00  | maw |
| 6/30/22 | Telephone conference with Robert Cianciulli regarding revisions to certification  | 0.10 | 16.50  | maw |
| 6/30/22 | Review and respond to e-mails re: transportation bid review   | 0.10 | 16.50  | rfk |
| 6/30/22 | Review transportation bid   | 0.90 | 148.50 | rfk |
| 6/30/22 | Review documentation re: Berkeley Heights Exhaust Fan Replacements  | 0.20 | 33.00  | rfk |
| 6/30/22 | E-mail to architect re: exhaust fan replacement   | 0.10 | 16.50  | rfk |
| 6/30/22 | Draft contracts re: exhaust fan replacement   | 1.90 | 313.50 | rfk |
| 6/30/22 | Review project manual   | 0.60 | 99.00  | rfk |
| 6/30/22 | E-mail to architect re: contracts   | 0.20 | 33.00  | rfk |

Totals

117.70      \$19,098.00

| <u>Lawyer</u>      | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|--------------------|--------------|-------------|---------------|
| Matthew J Giacobbe | 23.40        | \$165.00    | \$3,861.00    |
| Frances L Febres   | 16.30        | \$165.00    | \$2,689.50    |
| Mark A. Wenczel    | 10.70        | \$165.00    | \$1,765.50    |
| Ronald F Kavanagh  | 11.70        | \$165.00    | \$1,930.50    |
| Bradley D Tishman  | 17.60        | \$165.00    | \$2,904.00    |
| Anthony LoBrace    | 34.80        | \$165.00    | \$5,742.00    |
| Paralegal          | 3.20         | \$90.00     | \$288.00      |

**DISBURSEMENTS**

|         |                        |                 |
|---------|------------------------|-----------------|
| 6/16/22 | Photocopies 704 @ 0.20 | 140.80          |
| 6/20/22 | Photocopies 118 @ 0.20 | 23.60           |
|         | Totals                 | <u>\$164.40</u> |

**Total Fee & Disbursements**

**\$19,262.40**

Previous Balance

16,345.41

Invoice #: 109355

Page 10

July 7, 2022

**Balance Now Due**

**\$35,607.81**

TAX ID Number 273680224

# *Cleary Giacobbe Alfieri Jacobs*

955 State Route 34  
Suite 200  
Matawan, NJ 07747

Ph# 732-583-7474

Fax # 732-290-0753

Aug 17,2022

Berkeley Heights Board of Education  
345 Plainfield Ave.  
Berkeley Heights , NJ  
07922

**Attention:**

Client # 2143  
File #: 9942  
Inv #: 111222

**RE:** Berkeley Heights BOE

For Services Rendered Through: July 31,2022

| <b>DATE</b> | <b>DESCRIPTION</b>  | <b>HOURS</b> | <b>AMOUNT</b> | <b>LAWYER</b> |
|-------------|---|--------------|---------------|---------------|
| 7/1/22      | Telephone conference with Robert Cianciulli regarding draft Certification in support of motion to dismiss school ethics complaint   | 0.20         | 33.00         | maw           |
| 7/1/22      | Draft revisions to Certification of Robert Cianciulli   | 0.80         | 132.00        | maw           |
| 7/1/22      | Email correspondence with Robert Cianciulli regarding revisions to and signing of Certification   | 0.10         | 16.50         | maw           |
| 7/1/22      | Draft Certification for Pamela Stanley in support of motion to dismiss school ethics complaint  | 0.40         | 66.00         | maw           |
| 7/1/22      | Email and telephone conference with Pamela Stanley regarding unavailability for signing of certification  | 0.20         | 33.00         | maw           |
| 7/1/22      | Telephone conference with Business Administrator regarding unavailability for signing of certification  | 0.10         | 16.50         | maw           |
| 7/1/22      | Telephone conference with Jordan Hyman regarding board member unavailability and submission of Certification of Robert Cianciulli in support of motion to dismiss school ethics complaint | 0.10         | 16.50         | maw           |
| 7/1/22      | Draft revisions to Certification of Robert Cianciulli in support of motion to dismiss school ethics complaint   | 0.70         | 115.50        | maw           |
| 7/1/22      | Draft email to forward revised Certification in support of motion to dismiss school ethics complaint to Robert Cianciulli   | 0.10         | 16.50         | maw           |
| 7/1/22      | Conduct research for drafting of brief point for dismissal of alleged violation of N.J.S.A. 18A:12-24.1(c)  | 0.60         | 99.00         | maw           |
| 7/1/22      | Conduct research for drafting of brief point for dismissal of alleged violation of N.J.S.A. 18A:12-24.1(e)  | 0.80         | 132.00        | maw           |

|        |  |      |        |     |
|--------|--|------|--------|-----|
| 7/1/22 | Conduct research for drafting of brief point for dismissal of alleged violation of N.J.S.A. 18A:12-24.1(f)                       | 0.20 | 33.00  | maw |
| 7/1/22 | Conduct research for drafting of brief point for dismissal of alleged violation of N.J.S.A. 18A:12-24.1(g)                       | 0.20 | 33.00  | maw |
| 7/1/22 | Draft and revise preliminary statement to brief in support of motion to dismiss ethics complaint                                 | 0.60 | 99.00  | maw |
| 7/1/22 | Draft and revise Statement of Facts and Procedural History to Brief in Support of Motion to Dismss School Ethics Complaint       | 1.00 | 165.00 | maw |
| 7/1/22 | Draft and revise Statement of Facts and Procedural History to Brief in Support of Motion to Dismiss School Ethics Complaint      | 0.90 | 148.50 | maw |
| 7/1/22 | Draft and revise brief point in support of dismissal of violation of N.J.S.A. 18A:12-24.1(c)                                     | 1.50 | 247.50 | maw |
| 7/1/22 | Draft and revise brief point for brief in support of dismissal of allegation of violation of N.J.S.A. 18A:12-24.1(e)             | 1.00 | 165.00 | maw |
| 7/1/22 | Draft and revise brief point for brief in support of dismissal of allegation of violation of N.J.S.A. 18A:12-24.1(f)             | 0.70 | 115.50 | maw |
| 7/1/22 | Draft and revise brief point for brief in support of dismssal of allegation of violation of N.J.S.A. 18A:12-24.1(g)              | 0.70 | 115.50 | maw |
| 7/1/22 | Draft and revise Conclusion to brief in support of motion to dismiss School Ethics Complaint                                     | 0.30 | 49.50  | maw |
| 7/1/22 | Draft Certification of Service for filing of Brief and Certification in Support of Motion to Dismiss School Ethics Act Complaint | 0.30 | 49.50  | maw |
| 7/1/22 | Draft cover letter to file Motion to Dismiss School Ethics Act Complaint   | 0.20 | 33.00  | maw |
| 7/1/22 | Compile motion documents for electronic filing   | 0.30 | 49.50  | maw |
| 7/1/22 | Draft email to file and serve documents in support of Motion to Dismiss School Ethics Act Complaint                              | 0.20 | 33.00  | maw |
| 7/1/22 | Review and respond to e-mail from D. Tekeoglu re: exhaust fan replacements   | 0.10 | 16.50  | rfk |
| 7/5/22 | Confer with client regarding: Weisfeld OPRA  | 0.20 | 33.00  | bdt |
| 7/5/22 | Review finalized extension correspondence regarding: Weisfeld OPRA   | 0.20 | 33.00  | bdt |
| 7/6/22 | Review letter from D. Antonelli re S. Bhagavi Akiri representation and email; telephone Dr. Varley related to same               | 0.60 | 99.00  | mjg |
| 7/7/22 | Teleconf. w/N. Poberezhsky regarding [REDACTED]  | 0.20 | 33.00  | flf |
| 7/7/22 | Email Dr. Varley regarding [REDACTED]  | 0.10 | 16.50  | flf |
| 7/7/22 | Email J. Morrisseau related to HIB investigation and parent requests for information.  | 0.10 | 16.50  | flf |
| 7/7/22 | Review e-mail re: lease purchase bid   | 0.10 | 16.50  | rfk |
| 7/8/22 | Communication w/Dr. Varley regarding public comment session requirements fo rmeetings.   | 0.10 | 16.50  | flf |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 7/11/22 | Begin review/analysis of potentially responsive records regarding: Weisfeld OPRA  | 0.30 | 49.50  | bdt |
| 7/12/22 | Teleconf. w/J. Morisseau regarding HIB hearing (2).   | 0.20 | 33.00  | flf |
| 7/12/22 | Email correspondence w/Dr. Varley re HIB scheduling requirements.   | 0.10 | 16.50  | flf |
| 7/12/22 | Review HIB investigation information provided; email correspondence w/J. Morrisseau re HIB information for parent.  | 0.20 | 33.00  | flf |
| 7/12/22 | Receipt and review of email from Sarah Latzke regarding employee arrest and suspension and communication with Office of Student Protection                                | 0.10 | 16.50  | maw |
| 7/12/22 | Telephone to Bridgewater Municipal Court  | 0.10 | 16.50  | maw |
| 7/12/22 | Draft email to Sarah Latzke regarding [REDACTED]  | 0.10 | 16.50  | maw |
| 7/12/22 | Review lease purchase documents   | 0.40 | 66.00  | rfk |
| 7/12/22 | Confer with client regarding: Weisfeld OPRA   | 0.20 | 33.00  | bdt |
| 7/13/22 | Email correspondence w/Dr. Varley re Board Member conflict for HIB hearing.   | 0.20 | 33.00  | flf |
| 7/13/22 | Email correspondence w/Dr. Varley re meeting quorum.  | 0.10 | 16.50  | flf |
| 7/13/22 | Email correspondence w/Dr. Varley re disclosure of student video.   | 0.10 | 16.50  | flf |
| 7/13/22 | Review lease purchase paperwork, call to client, finalize opinion letters   | 1.80 | 297.00 | rfk |
| 7/13/22 | Telephone call with client regarding: Weisfeld OPRA   | 0.40 | 66.00  | bdt |
| 7/13/22 | Outline initial memorandum to client regarding: Weisfeld OPRA   | 0.10 | 16.50  | bdt |
| 7/13/22 | Prepare initial memorandum to client regarding: Weisfeld OPRA   | 0.50 | 82.50  | bdt |
| 7/13/22 | Review/respond to client e-mails regarding: Weisfeld OPRA   | 0.20 | 33.00  | bdt |
| 7/13/22 | Review/analyze OPRA request & e-mails with client regarding: Maciejewski OPRA   | 0.50 | 82.50  | bdt |
| 7/13/22 | Review finalized initial response regarding: Maciejewski OPRA   | 0.20 | 33.00  | bdt |
| 7/13/22 | Draft memo providing additional extension language regarding Weisfeld OPRA (CMS)  | 0.30 | 27.00  | PAR |
| 7/14/22 | Receipt and review of Response to Motion to Dismiss Shauna Williams School Ethics Complaint; draft email to forward response to respondent board members with explanation | 0.30 | 49.50  | maw |
| 7/14/22 | Email correspondence with adjuster regarding Margit Pedraza ethics complaint [REDACTED]   | 0.10 | 16.50  | maw |
| 7/14/22 | Review finalized initial response regarding: Weisfeld OPRA  | 0.10 | 16.50  | bdt |

|         |   |      |        |     |
|---------|---|------|--------|-----|
| 7/14/22 | Review requestor reply & confer with client regarding: Weisfeld OPRA  | 0.20 | 33.00  | bdt |
| 7/15/22 | Review/respond to email from G. Emond, Esq. re Board member S. Akiri  | 0.10 | 16.50  | mjg |
| 7/15/22 | Review and analysis of parent and school official correspondence, [REDACTED]  | 0.70 | 115.50 | flf |
| 7/15/22 | Email correspondence w/Dr. Varley re use of video during HIB hearing.   | 0.10 | 16.50  | flf |
| 7/15/22 | Review and analysis of HIB investigation report [REDACTED]  | 0.30 | 49.50  | flf |
| 7/18/22 | Email to J. Kot re Akiri matter; forward email from DOE re same   | 0.10 | 16.50  | mjg |
| 7/18/22 | Begin drafting tenure charges regarding [REDACTED]  | 1.70 | 280.50 | flf |
| 7/18/22 | Receipt and review of acknowledgment from School Ethics Commission of receipt of opposition to motion to dismiss ethics complaint     | 0.10 | 16.50  | maw |
| 7/18/22 | Review e-mail from J. Kot re: opinion letter  | 0.10 | 16.50  | rfl |
| 7/19/22 | Continue drafting tenure charges regarding [REDACTED]   | 2.00 | 330.00 | flf |
| 7/20/22 | Continue drafting tenure charges regarding [REDACTED]   | 5.50 | 907.50 | flf |
| 7/20/22 | Receipt and review of query from Superintendent regarding desired employment of principal's daughters as substitutes                  | 0.10 | 16.50  | maw |
| 7/20/22 | Review Board Nepotism Policy 142.1  | 0.20 | 33.00  | maw |
| 7/20/22 | Review OFAC nepotism regulation and referenced 18A provisions   | 0.20 | 33.00  | maw |
| 7/20/22 | Draft and revise email to Superintendent with guidance on nepotism law and desired employment of principal's daughters as substitutes | 0.40 | 66.00  | maw |
| 7/20/22 | Confer with client regarding: Weisfeld OPRA   | 0.30 | 49.50  | bdt |
| 7/20/22 | Prepare supplemental memorandum to client regarding: Weisfeld OPRA  | 0.60 | 99.00  | bdt |
| 7/20/22 | Draft memo to client providing extension language regarding Weisfeld OPRA (CMS)   | 0.20 | 18.00  | PAR |
| 7/21/22 | Continue drafting tenure charges regarding [REDACTED]; begin drafting statement of evidence; organize exhibits.                       | 2.30 | 379.50 | flf |
| 7/21/22 | Review Transpiration bid  | 0.90 | 148.50 | rfl |
| 7/21/22 | Review/analyze request regarding: Weisfeld OPRA   | 0.20 | 33.00  | bdt |
| 7/21/22 | Outline/prepare initial memorandum to client regarding: Weisfeld OPRA   | 0.60 | 99.00  | bdt |
| 7/21/22 | Prepare correspondence to requestor regarding: Subpoena   | 0.40 | 66.00  | bdt |
| 7/21/22 | Draft 30 day extension letter regarding PMC v. Watchung Area Council Subpoena (CMS)   | 0.20 | 18.00  | PAR |
| 7/21/22 | Draft memo to client providing extension language regarding Weisfeld OPRA (CMS)   | 0.20 | 18.00  | PAR |

|         |  |      |        |     |
|---------|--|------|--------|-----|
| 7/22/22 | Email R. Nixon re [REDACTED]   | 0.10 | 16.50  | flf |
| 7/22/22 | Continue review and revision of [REDACTED]; send to Dr. Varley for review along with proposed transmittal letter.                              | 1.50 | 247.50 | flf |
| 7/22/22 | Outline initial memorandum to client regarding: Weisfeld OPRA  | 0.10 | 16.50  | bdt |
| 7/22/22 | Prepare initial memorandum to client regarding: Weisfeld OPRA  | 0.60 | 99.00  | bdt |
| 7/25/22 | Email correspondence w/Dr. Varley regarding [REDACTED] charges.  | 0.10 | 16.50  | flf |
| 7/25/22 | Update tenure charges and statement of evidence regarding [REDACTED]   | 0.60 | 99.00  | flf |
| 7/25/22 | Email correspondence w/S. Latzke regarding [REDACTED]; draft transmittal letter to send courtesy copy to attorney.                             | 0.20 | 33.00  | flf |
| 7/26/22 | Telephone G. Emond re S. Akiri ethics matter   | 0.30 | 49.50  | mjg |
| 7/26/22 | Email correspondence w/R. Nixon regarding [REDACTED]   | 0.10 | 16.50  | flf |
| 7/26/22 | Email N. Poberezhsky digital copy of [REDACTED] tenure charges.  | 0.10 | 16.50  | flf |
| 7/26/22 | Review/analyze request & confer with client regarding: Kasthuri OPRA   | 0.30 | 49.50  | bdt |
| 7/27/22 | Review BOE members social media posting and email D. Antonelli re same   | 0.30 | 49.50  | mjg |
| 7/27/22 | Review of Decision on Motion to Dismiss Maciejewski Ethics Complaint against Board President and Vice President                                | 0.30 | 49.50  | maw |
| 7/27/22 | Draft and revise email to forward Decision on Motion to Dismiss to Board President and Vice President with explanation                         | 0.20 | 33.00  | maw |
| 7/27/22 | Receipt and review email and physician certification for FMLA leave  | 0.20 | 33.00  | maw |
| 7/27/22 | Draft email to Sarah Latzke regarding discussion of request and certification  | 0.10 | 16.50  | maw |
| 7/27/22 | Review Decision on Motion to Dismiss Maciejewski Ethics Complaint  | 0.30 | 49.50  | maw |
| 7/27/22 | Draft and revise email to forward Motion to Dismiss to President and Vice President with explanation   | 0.20 | 33.00  | maw |
| 7/27/22 | Review client e-mail regarding: Kasthuri OPRA  | 0.10 | 16.50  | bdt |
| 7/27/22 | Outline/prepare memorandum to client regarding: Kasthuri OPRA  | 0.80 | 132.00 | bdt |
| 7/27/22 | Review/edit response & confer with client regarding: Maciejewski OPRA  | 0.40 | 66.00  | bdt |
| 7/27/22 | Draft memo to client providing draft response language regarding Kasthuri OPRA (CMS)   | 0.20 | 18.00  | PAR |
| 7/28/22 | Review and redaction of invoiced time for Margit Pedraza Complaint; draft email to forward redacted invoices to Utica adjuster Joseph Caltiere | 0.40 | 66.00  | maw |

|         |   |       |                   |     |
|---------|---|-------|-------------------|-----|
| 7/28/22 | Email correspondence with Superintendent regarding acceptance of doctor's note for student absences and determination of credit satisfaction for graduation | 0.10  | 16.50             | maw |
| 7/28/22 | Review FMLA policy for employee extended leave request discussion with Sarah Latzke   | 0.30  | 49.50             | maw |
| 7/28/22 | Review of CBA for provisions pertinent to extended leave request  | 0.30  | 49.50             | maw |
| 7/28/22 | Telephone to Sarah Latzke regarding [REDACTED]  | 0.10  | 16.50             | maw |
| 7/28/22 | Confer with client regarding: Weisfeld OPRA   | 0.30  | 49.50             | bdt |
| 7/29/22 | Telephone conference with Sarah Latzke regarding [REDACTED] doctor's note, leave request, use of sick time, and pending FMLA leave after use of sick leave  | 0.30  | 49.50             | maw |
| 7/29/22 | Review/analyze documents/correspondence & telephone call with client regarding: Weisfeld OPRA   | 0.60  | 99.00             | bdt |
| Totals  |   | 47.70 | <u>\$7,788.00</u> |     |

| <u>Lawyer</u>      | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|--------------------|--------------|-------------|---------------|
| Matthew J Giacobbe | 1.40         | \$165.00    | \$231.00      |
| Frances L Febres   | 16.70        | \$165.00    | \$2,755.50    |
| Mark A. Wenczel    | 16.70        | \$165.00    | \$2,755.50    |
| Ronald F Kavanagh  | 3.40         | \$165.00    | \$561.00      |
| Bradley D Tishman  | 8.40         | \$165.00    | \$1,386.00    |
| Paralegal          | 1.10         | \$90.00     | \$99.00       |

**DISBURSEMENTS**

|                                      |  |                          |
|--------------------------------------|--|--------------------------|
| 7/5/22                               | Federal Express to NJ Dept. of Education | 25.23                    |
| 7/5/22                               | Federal Express to Shauna Williams       | 31.79                    |
| 7/18/22                              | Federal Express to First Hope Bank       | 20.68                    |
| Totals                               |  | <u>\$77.70</u>           |
| <b>Total Fee &amp; Disbursements</b> |  | <u><b>\$7,865.70</b></u> |

**PAYMENT DETAILS**

|                       |         |                           |
|-----------------------|---------|---------------------------|
| 7/28/22               | Payment | 35,607.81                 |
| <b>Total Payments</b> |         | <u><b>\$35,607.81</b></u> |
| Previous Balance      |         | 35,607.81                 |



Invoice #: 111222

Page 7

August 17, 2022

Previous Payments

35,607.81

**Balance Now Due**

7,865.70

TAX ID Number 273680224