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Executive Council of Iowa

CAPITOL BUILDING
DES MOINES, IOWA 50319
PHONE: 515 281-5368
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September 8, 2026

Mr. Steven Blankinship
Chief Deputy Attorney General
Attorney General's Office
Hoover Bldg.
LOCAL

Dear Mr. Blankinship,

The Executive Council, in a meeting held this date, approved your requests for retention of special counsel pursuant to Iowa Code section 13.7 to provide legal services and assistance in the defense of the pending lawsuits relating to the March 23, 2021, attacks at the Anamosa State Penitentiary, as well as the materials underlying this request.

Firm: Nyemaster Goode, P.C
700 Walnut Street, Suite 1300
Des Moines, IA 50309

Rate: Rate per hour based on attorney

EXECUTIVE COUNCIL OF IOWA

Kristi Onstot

Kristi Onstot
Executive Secretary

BRENNA BIRD
ATTORNEY GENERAL

STEVE BLANKINSHIP
CHIEF DEPUTY ATTORNEY GENERAL



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

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September 3, 2026

Kristi Onstot
Executive Secretary
Executive Council
State Capitol
LOCAL

Re: Retention of Special Counsel

Dear Ms. Onstot:

The Attorney General has reviewed the request from the Department of Corrections regarding the proposal to retain the firm of Nyemaster Goode, P.C. to assist in the defense of the pending lawsuits relating to the March 23, 2021, attacks at the Anamosa State Penitentiary, as well as the materials underlying this request.

The Attorney General agrees with this proposal and believes it would advance the office's ability to handle these matters and continue providing services to its other clients. The attorney and vendor rates proposed therein are commercially reasonable and appropriate for litigation of this scope, and this office has previous experience with the firm and several of the attorneys there.

Yours truly,

Steve Blankinship
Chief Deputy Attorney General



Iowa Department of Corrections

GOVERNOR KIM REYNOLDS
LT. GOVERNOR CHRIS COURNOYER

BETH SKINNER, PHD, DIRECTOR

Kristi Onstot, Executive Secretary
Executive Council
State Capitol

Re: Request for Special Counsel

Estate of Robert McFarland, et al. v. Beth Skinner, et al.; Kelly Jo Engelken Olson v. Beth Skinner, et al.; Stephanie Schulte v. State of Iowa, et al.; and McKinley Roby v. Beth Skinner, et al.

Dear Ms. Onstot:

The Department of Corrections requests that the Executive Council appoint special counsel for the State-employee defendants in the four cases related to the attacks at the Anamosa State Penitentiary on March 23, 2021. *See* Iowa Code §§ 13.3, 13.7.

Background

Thomas Woodard and Michael Dutcher were incarcerated at the Anamosa State Penitentiary. On March 23, 2021, they attempted to escape by smuggling items from the prison's tool shop and the Iowa Prison Industries shop on the site and trying to cut through a window; during the attempt, they killed corrections officer Robert McFarland and nurse Lorena Schulte. They also injured Roby McKinley, another incarcerated individual who attempted to intervene in the attack.

Several lawsuits have been filed because of the attack, all alleging that gross negligence by a varying number of co-workers at Anamosa led to or failed to stop the attack and resulted in injury. Sara Montague, McFarland's widow, has filed a suit on behalf of McFarland's Estate and her child with him; Stephanie Schulte, the mother of Lorena Schulte, filed suit on behalf of Schulte's Estate and herself; Mr. McKinley filed suit; and Kelly Jo Engelken Olson, a nurse at the prison who entered the scene after the attack, has filed suit alleging emotional distress.

Reasons for the request

Discovery in these four cases has just begun and already promises to be so broad as to exceed the staffing capacity of the Attorney General's Office. Because the AG's Office cannot devote the requisite attorney and paralegal hours without compromising its ability to serve its other agency clients, engaging outside counsel is necessary to manage this litigation. For example, just the initial requests for production in the case filed by Ms. Montague seek, among other items, all documents regarding the population levels at ASP; all documents "reflecting authorized versus actual custodial staffing levels, vacancies, mandatory overtime, post closures, and 'running short' records" at ASP; all communications to or from any of the defendants regarding prison overcrowding, understaffing, or related safety issues—including budget requests, legislative submissions, and union communications; all correctional officer assignments, shift logs, etc. going back almost ten years; and far more. While some of these requests will be subject to objections

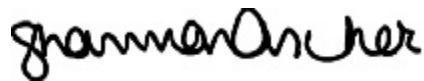
and might be narrowed, the Department will still be required to produce tens of thousands of pages of documents and dozens of witnesses for depositions.

Request

For these reasons, the Attorney General requests that the Executive Council authorize it to employ Nyemaster Goode, P.C. as special counsel. This authorization would be for the purposes of (1) assembling materials responsive to discovery requests in the four cases; (2) responding to and sending discovery requests in these matters; (3) preparing for, defending, and taking relevant depositions in these matters; and (4) preparing for and filing with the court any necessary motion papers relating to discovery in these matters.

The firm has agreed to a discount on its attorney's hourly rates as part of its proposal for work on this case, which would be billed monthly and paid from the State General Fund. The anticipated team at the firm would include Katie Graham (\$360/hour), Dave Bower (\$350/hour), Logan Eliason (\$270/hour), Ethan Olson (\$270/hour), Ryan Stefani (\$315/hour), Matt McGuire (\$340/hour), Keith Duffy (\$340/hour), as well as associates and paralegals used to obtain efficiencies. The firm would also use an eDiscovery vendor, a common practice among firms, charging an hourly rate of \$175 for project management services and storage fees for hosted data.

Sincerely,

A handwritten signature in black ink that reads "Shannon Archer". The signature is written in a cursive, flowing style.

Shannon Archer
General Counsel
Iowa Department of Corrections