



## City of Ketchum

### CITY COUNCIL MEETING AGENDA MEMO

Meeting Date:  Staff Member/Dept:

Agenda Item:

#### Recommended Motion:

“I recommend the appointment of Josh Stanek as City Attorney with contract approval to follow at the next meeting.”

#### Background:

- Under Idaho Code section 67-2803, the traditional procurement processes related to solicitation of “goods and services” under Chapter 28, Title 67, Idaho Code, does not apply to the procurement of personal or professional services. Further, the Qualification Based Selection process contained in Idaho Code section 67-2320 only applies to the procurement of design professionals, construction managers, and land surveyors.
- That said, the city issued a request for qualifications from interested legal firms on April 23, 2026, with three submissions by the following legal firms:
  - Elam & Burke
  - Josh Stanek
  - White Peterson

All three firms were deemed responsive and qualified. The Mayor and Council’s primary objective was to increase the service level of Legal Services. Specifically, the Council was interested in exploring local legal counsel to ensure a closer understanding of issues arising in the town and valley. Mr. Stanek will be holding regular office hours in city hall with staff. The Council was open to this arrangement in partnership with another out-of-area law firm.

#### The Mayor is recommending the following:

- Josh Stanek as City Attorney
- Award a Legal Services contract to Elam & Burke which would be managed on a task order basis that Mr. Stanek does not have bandwidth to handle

Staff is recommending the Council formally take action to appoint Mr. Stanek as City Attorney and for Council to provide feedback regarding concerns with proceeding with Elam & Burke for supplemental legal services. Assuming no concerns from the Council, staff will return with detailed contracts for both Mr. Stanek and Elam & Burke.

Staff has also spoken with the current the City Attorney and Mr. Stanek to develop the following transition plan:

- July – overlap month to transition duties between existing and new City Attorney. New city attorney would bill hourly and not receive retainer.
- August – White Peterson would no longer receive monthly retainer and would bill hourly on legal matters that are assigned to them to complete.

Sustainability Impact:

No impact

Financial Impact:

None OR Adequate funds exist in account:

- The FY27 Budget allocates \$210,000 for Legal Services in addition to the \$50,000 for misdemeanor prosecution services which is contracted along with the other cities with another local attorney.
- Mr. Stanek has proposed a monthly retainer of \$14,000 based on an hourly rate of \$221 for 63 hours. The proposed hourly rate is consistent with the new City Attorney contract at City of Hailey. Any hours over the 63-hour retainer would be billed at \$265 per hour.

Attachments:

1. Stanek resume
2. Elam & Burke RFP submission

# JOSH STANEK

PO Box 4439 • Hailey, ID 83333 • 208.720.4688 • josh@stanelaw.us

## PROFESSIONAL SUMMARY

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Blaine County attorney with over a decade of broad civil practice, including land use planning, civil litigation, criminal defense, estate planning, and corporate transactions. Experienced in drafting, interpreting, and negotiating contracts and agreements across a wide range of matters. Served as Staff Attorney to a District Court Judge, providing deep familiarity with Idaho courts, procedure, and legal research. Well-versed in local government law and the legal needs of small Idaho communities, with a strong commitment to public service and active civic involvement.

## AREAS OF PRACTICE

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- Land use planning, zoning matters, and related civil litigation
- Contract drafting, interpretation, and negotiation (commercial, residential, government)
- Municipal and local government law; civil rights (42 U.S.C. § 1983) actions
- Civil litigation: trial preparation, court appearances, motions, appeals
- Criminal law and public defense; family law; probate and estate planning
- Business and corporate law, including corporate transactions and governance
- Legal research, memoranda, and advising on risk and cost-benefit analysis

## PROFESSIONAL EXPERIENCE

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### **Stane Law, PLLC** | Hailey, ID

**Owner & Attorney** October 2015 – Present

- Manage a broad civil and criminal practice serving Blaine County and surrounding communities, with matters including land use planning, civil litigation, 42 U.S.C. § 1983 actions, criminal defense, family law, probate, and corporate transactions.
- Drafted, reviewed, and negotiated numerous contracts and agreements, including commercial and residential purchase and sale agreements, corporate transaction documents, and other transactional instruments.
- Handled land use planning matters, advising clients on zoning, permitting, and regulatory compliance, and representing clients in related administrative and civil proceedings.
- Regularly appeared in Idaho state courts; advised clients on litigation risks, trial strategy, and cost-benefit analysis to achieve efficient and favorable resolutions.
- Served as contract public defender for Blaine County and conflict public defender for the Idaho State Public Defender's Office.

### **Blaine County District Court** | Hailey, ID

**Staff Attorney to District Court Judge Robert J. Elgee** July 2013 – August 2015

- Drafted and edited criminal and civil case decisions, court orders, jury instructions, and verdict forms to ensure timely and accurate resolution of court matters.
- Conducted extensive legal research on complex issues arising in pre-hearing preparation, trials, and appeals, enabling judges to rule from the bench on difficult questions.
- Reviewed attorney-submitted proposed orders and briefs; wrote detailed legal memoranda synthesizing law and facts on contested issues.
- Coordinated daily court operations with deputy clerks; assisted patrons of the law library with legal research; promoted fairness and professionalism in all court interactions.

## COMMUNITY INVOLVEMENT

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### **Pioneer Montessori School** | Blaine County, ID

**Board Member** 2023 - Current

- Serve on the board of directors for Pioneer Montessori School, a local non-profit, contributing to organizational governance, strategic planning, and community stewardship.

### **Sun Valley Suns** | Sun Valley, ID

**Board Member** 2025 - Current

- Serve on the board of directors for the Sun Valley Suns, contributing to organizational governance and supporting the corporation's mission in the local community.

## EDUCATION

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### **University of San Diego School of Law** | San Diego, CA

**Juris Doctor** May 2011

- Certificate of Concentration in Business and Corporate Law — focused coursework in corporate transactions, commercial contracts, business organizations, and related transactional practice areas.

### **Pomona College** | Claremont, CA

**Bachelor of Arts, Economics** May 2006

## BAR ADMISSION

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State Bar of Idaho, admitted October 2012

# ELAM & BURKE, P.A.

ATTORNEYS AT LAW

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## Response to Request for Qualifications Legal Services (City Attorney)

*Submitted to:*

**City of Ketchum, Idaho**

Attn: Trent Donat, City Clerk

tdonat@ketchumidaho.org

**May 15, 2026**

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*Primary Contact:*

**Abigail R. Germaine, Shareholder**

251 E. Front Street, Suite 300 | Boise, Idaho 83702

T: (208) 343-5454 | E: arg@elamburke.com | www.elamburke.com

**Abigail R. Germaine**

*Shareholder*

251 E. Front St., Suite 300, Boise, ID 83702  
T: (208) 343-5454 | E: arg@elamburke.com

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May 15, 2026

**VIA EMAIL:** tdonat@ketchumidaho.org

Trent Donat, City Clerk  
City of Ketchum  
P.O. Box 2315  
Ketchum, Idaho 83340

**Re: Request for Qualifications for Legal Services (City Attorney)**

Dear Mr. Donat:

Elam & Burke, P.A. is pleased to submit this response to the City of Ketchum's Request for Qualifications for Legal Services. Founded in Boise in 1928, our firm has dedicated nearly a century to delivering practical, principled, and effective legal counsel to Idaho's public entities, businesses, and communities. We would welcome the opportunity to serve as City Attorney to the City of Ketchum.

Our firm is uniquely positioned to serve Ketchum. We bring established familiarity with the Wood River Valley — Elam & Burke currently serves as legal counsel to the Ketchum Urban Renewal Agency, and our attorneys regularly work with City staff, partner agencies, and stakeholders on matters affecting Ketchum. This existing local knowledge means we have an inherent understanding of the community, its political dynamics, and its long-standing land use and water issues.

Just as importantly, Ketchum will receive the full breadth of a twenty-attorney firm. While Abigail Germaine will serve as principal contact and lead attorney, the City will have direct access to specialists across every area identified in the RFQ — municipal and public sector law, commercial real estate, land use, municipal financing, open meetings and public records, water rights, and complex litigation. In addition, the firm has experienced legal assistants and paralegals who will be available to assist with routine form contract preparation and filings.

The enclosed response addresses each of the City's submission requirements. We would be pleased to provide additional information, attend an interview, or otherwise respond to any questions the City may have. Thank you for the opportunity to be considered. We look forward to the possibility of working with you, the Mayor, the City Council, and the City staff.

Sincerely,

**ELAM & BURKE, P.A.**

**Abigail R. Germaine**

*Shareholder*

*Enclosure: Certificate of Liability Insurance*

# 01 — EXPERIENCE & QUALIFICATIONS

## About Elam & Burke, P.A.

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Elam & Burke, P.A. is one of Idaho's longest-standing law firms. With nearly a century of continuous practice, we have built a reputation for excellence, efficacy, and a teamwork-based approach to representation. We currently employ twenty attorneys, supported by a team of paralegals and professional staff, and our attorneys are licensed in Idaho, California, Montana, Oregon, Utah, and Washington.

The firm represents a broad cross-section of clients — public entities and quasi-governmental bodies; businesses ranging from closely held companies to publicly traded corporations; nonprofits; and individuals. Our practice areas include local government and public entity representation, commercial litigation, real estate, land use, environmental and water law, labor and employment, construction, business formations and corporate transactions, trust and fiduciary litigation, insurance defense, and appellate practice.

What sets Elam & Burke apart is the depth and breadth available behind every engagement. When you retain a single attorney from Elam & Burke, you retain the firm. Our attorneys consult collaboratively with one another, draw on specialized expertise as matters require, and coordinate seamlessly to deliver responsive, integrated counsel. For a public client like the City of Ketchum — whose legal needs span everything from a routine ordinance review to complex multi-party litigation — that depth is decisive.

Elam & Burke is also a member of Meritas, a global alliance of independent law firms, giving our clients access to vetted legal expertise wherever it may be needed. The firm is also actively involved in the Idaho State Bar, the Idaho Association of Defense Counsel, and numerous professional and civic organizations across the State.

## Team Assigned to the City of Ketchum

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The team identified below has been assembled with the specific scope of services in the RFQ in mind. Abigail Germaine will serve as principal contact and primary attorney. Each of the attorneys listed has the experience, training, and capacity to handle the matters in their respective subject areas, and each will be available to the City directly. Brief biographies follow.

### **Abigail R. Germaine — Shareholder**

*Lead — Municipal & Public Sector Law; Land Use; Open Meetings & Public Records; Water Rights*

Abbey Germaine focuses her practice on municipal law, urban renewal, land use, public utilities, water, and energy. The foundation for her legal practice was established during her tenure with the City of Boise, where she offered strategic advice to the Mayor and City Council on a variety of matters and made significant contributions to the Public Works Department, with a key focus on energy and water. She joined Elam & Burke in 2021 and now advises a wide range of public-sector clients on local government,

land use, environmental law, public works, government contracting, and administrative law, regularly representing municipal clients before the Idaho Department of Water Resources, the Idaho Public Utilities Commission, and other quasi-governmental entities. Abbey is recognized as a Best Lawyers "Ones to Watch" honoree and a Super Lawyers Rising Star. She holds her J.D. from the University of Idaho College of Law (2013) and is admitted to the Idaho State Bar, the U.S. District Court for the District of Idaho, and the Ninth Circuit Court of Appeals.

### **Meghan Sullivan Conrad — Shareholder**

*Co-Lead — Municipal & Public Sector Law; Urban Renewal; Open Meetings & Public Records*

Meghan Conrad joined Elam & Burke in 2006 and is a fifth-generation Idaho lawyer. She works extensively with urban renewal agencies throughout Idaho — including the Ketchum Urban Renewal Agency — structuring public-private partnerships, handling government contracts, tax-increment financing, litigation, appeals, and governmental relations. Her experience also includes tax-exempt and taxable bond transactions. Meghan is widely recognized for her urban renewal expertise and is a frequent speaker at statewide conferences on the subject. She was named an Idaho Business Review Leader in Law in 2014 and 2017, and is recognized as a Best Lawyers "Ones to Watch" honoree. She holds her J.D. from the University of Idaho College of Law (2004).

### **Angela K. Edwards — Of Counsel**

*Lead — Commercial Real Estate*

Angela Edwards brings more than 25 years of experience in commercial real estate, general commercial, and technology transactions. Her career uniquely combines private-firm practice with in-house experience as a senior attorney and manager at Micron Technology, Inc., a Fortune 200 semiconductor company, where she established and oversaw the Legal Operations function in the company's global legal department. That dual perspective — outside counsel and in-house counsel — translates directly to a municipal client: Angela understands how organizations actually consume legal services, and structures her work accordingly. She holds her J.D. from Tulane University Law School (1995) and is admitted to the Idaho State Bar.

### **Meredith L. Kohler — Of Counsel**

*Support — Water Rights; Regulatory & Compliance*

Meredith Kohler practices in business counseling, transactions, and outside general counsel work, with particular expertise in regulatory law, compliance, and real estate transactions. She holds dual J.D./M.B.A. credentials and previously served as in-house counsel for a global beauty and wellness brand, where she navigated multi-jurisdictional regulatory compliance. She is admitted in both Idaho and California, has been recognized as a Best Lawyers "Ones to Watch" honoree and a Super Lawyers Rising Star (2024), and supports the firm's water and natural resources practice.

### **Erica J. White — Of Counsel**

*Co-Lead — Complex Litigation; Municipal Government; Tort Claims*

Erica White is an accomplished litigator whose experience is directly aligned with the litigation needs of a municipal client. She spent nearly nine years in the Ada County Prosecuting Attorney's Office, Civil Division, where the majority of her work was civil litigation — including defense of alleged civil rights violations, tort claims, attorney and medical malpractice, personal injury, whistleblower claims, and employment discrimination. In that role she also handled procurement, contracts, and public records requests, and provided legal advice to elected officials and department heads. J.D., University of Idaho College of Law (2006).

### **Jaclyn T. Gans — Shareholder**

*Co-Lead — Complex Litigation*

Jaclyn Gans is a Shareholder and member of the firm's Executive Committee, with a litigation practice spanning commercial litigation, employment law, construction defect, product liability, bad faith, and trust and fiduciary disputes. She has achieved successful outcomes in Idaho state and federal district courts and before the Idaho Supreme Court. Jaclyn clerked for the Honorable Jim Jones of the Idaho Supreme Court and the Honorable B. Lynn Winmill, then-Chief Judge of the U.S. District Court for the District of Idaho. She is recognized as a Super Lawyer and Best Lawyers "Ones to Watch" honoree across multiple categories. J.D., University of Idaho (2013).

### **Matthew L. Walters — Shareholder & Managing Director**

*Co-Lead — Complex Litigation; Employment*

Matt Walters is a Shareholder, current Managing Director of the firm, and has served on the firm's Executive Committee for fifteen years. His litigation practice emphasizes employment law, fiduciary and probate disputes, ski-industry litigation, product liability, first-party bad faith, and complex commercial matters. Matt was named Best Lawyers "Lawyer of the Year" in 2022 and is a Super Lawyers honoree. He is a member of the Association of Ski Defense Attorneys, the Federation of Defense & Corporate Counsel, and the Idaho Association of Defense Counsel.

### **Samuel A. Diddle — Shareholder**

*Co-Lead — Complex Litigation; Insurance & Bad Faith; Construction*

Sam Diddle has spent more than thirty years helping businesses and companies navigate complex legal issues, with a practice spanning commercial litigation, business transactions, and general business representation. His litigation work places particular emphasis on health, disability, and life insurance litigation, first-party bad-faith claims, secured lending, and construction law, and he handles complex matters in both litigation and transactional contexts for local and national clients. Sam regularly provides general representation to large insurers, including contract negotiation and interfacing with government regulators. He is recognized by Best Lawyers and is admitted to practice before the Idaho courts, the U.S. District Court for the District of Idaho, the Ninth Circuit Court of Appeals, and the United States Supreme Court. J.D., University of North Carolina School of Law (1990).

### **Joyce A. Hemmer — Shareholder**

*Co-Lead — Complex Litigation; Insurance & Coverage*

Joyce Hemmer is a defense litigator with nearly twenty years of experience in Idaho state and federal courts. Her practice is built on a foundation of insurance defense litigation, giving her broad expertise across professional liability, legal and medical malpractice, product liability, automobile negligence, premises liability, construction defects, employer liability, and a wide array of torts and statutory claims under both state and federal law. In addition to third-party insurance matters, she regularly advises on first-party insurance and coverage matters, commercial litigation, consumer claims, and contract disputes, and is frequently consulted to evaluate and resolve claims before suit is filed — helping clients develop strategies to avoid litigation altogether. Joyce clerked for Idaho District Judge Joel D. Horton before he took the bench as a Justice of the Idaho Supreme Court. She is recognized by Best Lawyers and Super Lawyers, and serves as 2025–2026 President of the Richard C. Fields American Inn of Court. J.D., William & Mary Law School (2005).

## Alignment with Scope of Services

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The City's RFQ identifies six categories of scope of services and seven applicable areas of law. Our team is positioned to deliver on each.

### Scope of Services (RFQ Items 1–6):

- **1. Legal advice to elected officials, appointed officers, staff, and boards/commissions/committees** — Abigail R. Germaine (lead), Meghan S. Conrad, and Erica White. All three have direct experience advising elected and appointed bodies on the full range of governance issues, from routine to politically sensitive.
- **2. Advice on all aspects of municipal law and litigation** — Abigail R. Germaine and Meghan S. Conrad on transactional and advisory municipal matters; Jaclyn Gans and Matthew Walters on litigation, including employment, contract disputes, and tort claims; Angela K. Edwards on real estate and property matters; Erica J. White on public records request law, leases, and municipal procurement.
- **3. Attorney of Record / oversight of Attorney of Record in civil suits** — Abigail R. Germaine will coordinate as principal contact, with Jaclyn T. Gans and Matthew L. Walters serving as litigation leads. We have substantial experience overseeing special counsel and coordinating with insurance defense panel counsel where appropriate.
- **4. Prepare or review ordinances, resolutions, deeds, leases, contracts, and other legal instruments** — Abigail R. Germaine and Meghan S. Conrad regularly draft and review such instruments for Idaho municipalities and urban renewal agencies. Angela K. Edwards and Sam A. Diddle provide depth on complex commercial and real estate documents.
- **5. Review RFPs, bid invitations, development applications, agenda items, delinquent tax collections, and other matters** — Abigail R. Germaine (lead), supported by Meghan S. Conrad and Eric J. White on procurement and Angela K. Edwards and Sam A. Diddle on commercial transactions.
- **6. Attendance at Council, Planning and Zoning, and Historic Preservation Commission meetings** — Abigail R. Germaine will personally attend regular and special City Council meetings and workshops, and will attend Planning and Zoning Commission meetings as requested. Other attorneys will be made available to cover meetings on the occasion of a scheduling conflict.

### Applicable Areas of Law (RFQ Experience and Qualifications):

- **Municipal, state and public sector law** — Abigail R. Germaine; Meghan S. Conrad
- **Commercial real estate** — Angela K. Edwards; Sam A. Diddle
- **Land use (planning and development)** — Abigail R. Germaine
- **Municipal financing** — Meghan S. Conrad
- **Open meetings and public records** — Abigail R. Germaine; Meghan S. Conrad, Erica J. White
- **Water rights** — Abigail R. Germaine; Meredith L. Kohler

- **Complex litigation in any of the above areas** — Jaclyn T. Gans; Matthew L. Walters; Sam A. Diddle; Joyce A. Hemmer

### **Ability and Capacity to Provide Services**

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Elam & Burke has the institutional capacity to serve as the City of Ketchum's City Attorney. Our twenty-attorney roster, paralegal team, and professional support staff are organized to handle multiple substantial public-entity engagements simultaneously, and we currently do so. Each attorney identified above has been individually consulted regarding this engagement and confirmed availability.

Day-to-day matters will flow through Abigail R. Germaine as principal contact. Routine items — calls, emails, document review, and simple drafting — will typically be turned within one to three business days, and urgent items the same business day where circumstances allow. For larger matters or matters requiring specialized expertise, Abigail R. Germaine will pull in the appropriate team member directly, eliminating the delay and inefficiency that often arises when a generalist must research outside their area. The City will know who is working on each matter, why, and at what rate.

We commit to the following practical standards of service: (i) timely response to inquiries — typically same business day for time-sensitive items; (ii) attendance at all regular and special City Council meetings, with Planning and Zoning Commission and other meetings attended on request; (iii) review and turn-around of ordinances, resolutions, contracts, and similar instruments within agreed deadlines; (iv) monthly billing with detailed, transparent time entries; and (v) direct access to the responsible attorney for the Mayor, Council, Department heads, and authorized staff.

Importantly, our existing representation of the Ketchum Urban Renewal Agency and our prior work as conflict counsel to the City means we are already familiar with Ketchum's governance structure, key personnel, current development activity, and the practical realities of operating in the Wood River Valley.

## 02 — PROPOSED FEE FOR SERVICES

### Hourly Rates

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Elam & Burke proposes the following hourly rates for legal services provided to the City of Ketchum. These rates reflect a discount from our standard schedule and are offered in recognition of the City as a public-sector client.

Timekeeper Classification	Hourly Rate
Shareholder	\$325.00
Of Counsel	\$325.00
Associate	\$250.00
Paralegal	\$150.00

### Billing Methodology

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Elam & Burke bills for services on a monthly basis. Invoices are itemized by timekeeper, date, and task, with a concise narrative description of the work performed. Time is recorded in tenth-of-an-hour increments (six minutes). Costs (filing fees, recording fees, courier charges, travel, and similar out-of-pocket expenses) are passed through at the firm's actual cost without markup.

We will work with the City on the following billing practices:

- Invoices delivered electronically by the 15th of each month for the prior month's services.
- Detailed task-level entries to support the City's review and any public records inquiries.
- On request, billing summaries grouped by matter, department, or board/commission.

We are committed to predictable, transparent, and reasonable billing. Where a matter is likely to exceed an anticipated budget, we will communicate proactively before incurring additional time.

## 03 — REFERENCES

Elam & Burke provides the following three references from Idaho governmental clients for which the firm currently provides or has recently provided legal services. The named contacts are familiar with the firm's work, our team, and our approach to public-entity representation.

### Reference 1 — Elmore County - Board of County Commissioners

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**Contact Name and Title:** Albert Hofer, Chair

**Address:** 2280 American Legion Boulevard, Mountain Home, Idaho 83647

**Phone:** 208-587-2130

**Email:** ahofer@elmorecountyd.gov

**Nature of Work:** General outside legal counsel to the Board of County Commissioners on municipal and county-government matters, including land use, public records, contracts, and related advisory and litigation work.

**Length of Relationship:** Over 4 years

### Reference 2 — City of Boise

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**Contact Name and Title:** Steve Burgos, Public Works Director

**Address:** 150 N. Capitol Boulevard, Boise, Idaho 83702

**Phone:** 208-608-7150

**Email:** sburgos@cityofboise.org

**Nature of Work:** Representation of the City on municipal, public works, water, and energy matters. Served in the City Attorney's office prior to joining Elam & Burke and advised department heads, the Mayor, and City Council.

**Length of Relationship:** 6 years

### Reference 3 — Ketchum Urban Renewal Agency

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**Contact Name and Title:** Jade Riley, Executive Director

**Address:** 191 5th Street West, Ketchum, Idaho 83340

**Phone:** 208.727.5084

**Email:** jriley@ketchumidaho.org

**Nature of Work:** Ongoing general counsel to the Agency, including urban renewal plan administration, tax-increment financing, public-private partnership structuring, development agreements, procurement,

real property disposition, open meetings and public records compliance, and related advisory matters specific to the Ketchum and Wood River Valley context.

**Length of Relationship:** Firm has been serving in this capacity for over 10 years.

## 04 — CONFLICT OF INTEREST

Elam & Burke takes the duty of loyalty and avoidance of conflicts of interest seriously and maintains a formal conflict-screening process before accepting any engagement. In connection with this proposal, the firm has conducted a conflicts check against the Mayor, members of the City Council, identified senior City staff, and known entities currently or recently doing business with the City of Ketchum.

Based on the information presently available, Elam & Burke is not aware of any current conflicts of interest that would prevent the firm from accepting an engagement to serve as legal counsel to the City of Ketchum.

However, certain potential conflicts of interest exist relative to matters involving both the City and the Ketchum Urban Renewal Agency, discussed further below. In addition, Elam & Burke represents various entities, businesses, and individuals who do business in and around the City. In the event a potential or actual conflict arises, the firm will proceed in accordance with the Idaho Rules of Professional Conduct.

### Existing Ketchum-Related Representation — Disclosure

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Elam & Burke currently represents the Ketchum Urban Renewal Agency, a separate body politic created under Idaho law. The Agency and the City of Ketchum are distinct legal entities, but they work closely together and are often parties to the same projects. We disclose this potential conflict in the interest of full transparency.

In practice, this existing relationship is an advantage to the City: our familiarity with the Agency's projects, the City's development trajectory, and Ketchum's institutional landscape allows us to be immediately effective on day one. To the extent any matter in the future could pose a conflict between the City and the Agency, Elam & Burke will follow Idaho Rule of Professional Conduct 1.7 — disclosing the conflict promptly and seeking informed written consent where allowable. In the event of a non-waivable conflict of interest, or if consent is withheld for any reason, the City and/or the Agency would need to obtain conflict counsel.

### Ongoing Conflict Management

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If selected, Elam & Burke will treat the City of Ketchum as a firm-wide client for conflict-checking purposes, meaning that future engagements proposed to any attorney at the firm will be screened against the City's interests before acceptance. Should a future matter present an actual or potential conflict, we will promptly disclose it to the City and proceed only in accordance with the Idaho Rules of Professional Conduct.

## 05 — INSURANCE REQUIREMENTS

Elam & Burke, P.A. maintains professional liability (lawyers' malpractice) insurance in amounts that meet or exceed the requirements customarily imposed by Idaho municipal clients, as well as commercial general liability and other appropriate coverages.

A current Certificate of Liability Insurance is provided with this submission as a separate attachment. The Certificate identifies the firm's carriers, policy numbers, coverage limits, and effective dates. Should the City require the policy to be modified Elam & Burke will work with its broker to accommodate reasonable requests if feasible.

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*End of Response*

Elam & Burke, P.A. | Attorneys at Law | Established 1928  
251 E. Front Street, Suite 300, Boise, Idaho 83702 | (208) 343-5454 | [www.elamburke.com](http://www.elamburke.com)