

S E C R E S T
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**Proposal for General Counsel Legal Services
For
Village of Lake Orion**

Submitted by:



Mark S. Roberts, Esq.

Secret Wardle

Executive Partner and Managing Partner of the
Municipal Law Practice Group

SECRET WARDLE

PROPOSAL

SUBMITTED TO

Village of Lake Orion

**21 East Church Street
Lake Orion, MI 48362**

Wednesday, October 22, 2025

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P.O. Box 5025
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Proposal for General Counsel Legal Services For The Village of Lake Orion

THANK YOU! for the opportunity to provide Secret Wardle's Proposal for General Village Legal Services for the consideration of the Village of Lake Orion. The Firm acknowledges that if awarded, the contract is anticipated to commence on or before January 1, 2026.

Secret Wardle Executive Partner, Mark S. Roberts, heads up the firm's Municipal Practice Group. He has practiced municipal law exclusively for the past 30 years and currently serves as general counsel to the Charter Township of West Bloomfield and the City of Bloomfield Hills. He is also retained to provide legal services to the Charter Township of Bloomfield's Planning, Building, and Ordinance Department, assisting with land development issues and ordinance enforcement matters. Mr. Roberts has also performed special counsel work for a number of townships, villages, and/or cities, ranging from constitutional challenges to water/sewer rates, building fee challenges, and zoning enforcement matters.

The Secret Wardle Municipal Practice Group includes municipal attorneys capable of providing a wide range of municipal legal services. The attorneys of the group also possess some specialized skill sets that complement the team to effectively provide the full range of service our municipal clients require. Specifically, Alana E. Knox provides services for ordinance enforcement, tax tribunal, METRO Act and cellular service industry issues. Nancy Cooper Green provides expertise in contract analysis and negotiation, land development, ordinance drafting, and issues arising from relationships between municipalities and related boards, administrations, and commissions, bringing more than 30 years' experience in municipal law to the team. L. Charlynn Turner comes to the team from the Oakland County Prosecutor's Office, and provides effective and efficient prosecution services, including regularly prosecuting for communities in the 52/3 District Court. Matthew Nicols supplies appellate law expertise, proven to be an excellent asset to the Municipal Practice Group, as well as general civil litigation experience. Proposed Lead Attorney Mark S. Roberts would be managing legal services to the Village and taking the primary role of its representation, supported by the aforementioned team.

Our Mission:

Secret Wardle: A law firm where competence and commitment combine every day to exceed clients' expectations in every way.

1. Scope of Services - General Village Legal Services

The Secrest Wardle Municipal Law Practice Group is one of the most effective in Michigan, currently representing numerous cities, villages, and townships. Over the years, Secrest Wardle has provided services to municipalities located in Wayne, Oakland, Macomb, Washtenaw, and Ingham counties. Our Municipal Law Practice Group is, in our view, unique in that the attributes of our attorneys have been broadly recognized in a way other firms providing similar services don't match.

Because of the Group's concentration on municipal law, we work hard at keeping current on legal issues that affect our clients. This includes not only attending seminars and presentations by the Public Corporation Section of the State Bar, the Michigan Association of Municipal Attorneys, and other groups, but participating in them as presenters.

Recognized for their experience and commitment to the area of municipal law, attorneys in the Municipal Law Practice Group have been asked to participate in other professional activities by groups such as the Michigan Municipal League (MML) and the Michigan Townships Association (MTA.) Presentations by Municipal Group attorneys include participation in panels on medical marijuana regulations (Oakland County Bar Association Municipal Law Committee and Michigan Association of Code Enforcement Officers), sign ordinance issues following the United States Supreme Court decision in *Reed v Town of Gilbert, Arizona* (MAMA and MTA), dealing with "zombie" developments (Michigan Local Government Managers Association, or MLGMA), the mechanics of the state's constitutional convention process (MLGMA), an overview of the 2008 Planning Enabling Act (MTA,) and a review of recent case law regarding challenges to local land use decisions (Institute of Continuing Legal Education, or ICLE).

This Scope of Services section of Secrest Wardle's proposal, Addendum 1, aligns well with the Legal Services Scope of Services, Appendix A of the Village's RFP.

If selected, our knowledge and experience with ordinances, agreements and contracts will serve the Village well. Secrest Wardle's Municipal Law Practice Group possesses a wealth of knowledge and experience developing ordinances and codes. In addition to working with staff, our attorneys bring ideas and concepts used by municipalities state-wide and nation-wide, providing some real-world guidance to new regulatory concepts.

Similarly, our experience with contract review and agreements will serve the Village well, as we know where to look for possible areas of concern and can effectively counsel the Village where modifications may be needed. We are also adept at legal action to enforce contracts, should the need arise.

Our attorneys are also skilled in the negotiation of agreements and reaching resolutions to differences. Whether dealing with a contract, negotiating a resolution to a zoning dispute, or addressing an issue with another municipal organization, we have been successful in resolving

conflicts quickly and efficiently. Where an issue cannot be resolved amicably, however, we are capable of enforcing the Village's interests.

We routinely assist with the transfer of real property interests, sale or acquisition. Our attorneys can prepare the necessary documents, deeds, easements, utility transfers, land contracts, to accomplish the objective.

Our Practice Group will work closely with the Village Manager, providing guidance and recommendations when requested to ensure the Village's goals are being met legally and effectively. Our attorneys regularly provide opinion letters to the public body on topics of interest or concern and will be ready to meet with the Village Council to discuss the opinions in greater detail if needed. We have the experience to foresee issues developing and can communicate the opinions effectively to Council. We pride ourselves in being proactive in avoiding legal issues, prior to the onset of adverse consequences.

Our Municipal Law Practice Group attorneys are available 365/24/7 to address the requirements of the Village of Lake Orion Manager, Clerk, Treasurer, Department Heads, Village Consultants, and the Village Council that may occur day-to-day, as well as in more urgent situations. Strict confidentiality and a quick response time to all inquiries are standard procedure at Secrest Wardle. We can also offer regular office hours, 3 hours per day, 2 or 3 days per week depending on your needs. We find that having regular office hours keeps us on top of matters pending at the Village and makes meeting with staff a more predictable occurrence.

We welcome the opportunity to be present, at the request of Village Manager Darwin McClary or his colleagues and representatives, for all regularly scheduled meetings, special meetings, executive sessions, as well as meetings of the various boards, departments, and commissions that convene to oversee Village business. Our Firm, and proposed Primary Lead Attorney, Mark S. Roberts, are available to attend all regularly scheduled Village Council meetings on the second and fourth Monday of each month, at 6:30 p.m.

All attorneys in the Municipal Department are well versed in the Home Rule Village Act, Open Meetings Act, Freedom of Information Act, and public improvement special assessment procedures and requirements. Our team is comprised of attorneys focused on serving the legal needs of municipalities. As such, all possess a thorough understanding of all statutes affecting the Village of Lake Orion. Mr. Roberts has worked extensively with public improvement financing structures, as well as reviewing proposals for private developments.

The Group is well-seasoned in the preparation, revision, and review of resolutions and ordinances, notices, purchase and sale documents concerning real and personal property, special assessment resolutions and documents, preparation of deeds and the interpretation of public acts, and explaining the implications of same. Our experienced legal staff possesses the legal acumen and requisite experience to provide exemplary legal services to the Village of Lake Orion in these areas as well as those set out in more detail below.

Aside from zoning ordinances, the Firm has worked with municipal officials in varied and diverse municipalities to assist in the development, administration, enforcement, and defense of codes and ordinances on every subject of municipal regulation, ranging from the routine to the very innovative. Attorneys in the Municipal Law Practice Group prepared one of the first wetlands ordinances in Michigan (1973) and have prepared many environmentally based ordinances since. Our experience includes enforcement, injunctive remedies and re-remediation of wetlands, woodlands, zoning and building code violations. The Firm has also prepared ordinances for municipalities providing for “single waste haulers” in said municipalities.

We are involved on a continual basis in the review, drafting, negotiation, and administration of contracts for our municipal clients on a wide variety of subjects, including contracts with people and entities providing goods and/or services to the community; intergovernmental agreements; development and maintenance agreements with developers; contracts with architects and general contractors; and, permits for right-of-way use. We have prepared agreements with waste hauling companies for our municipalities. The Municipal Department is skilled in the drafting and negotiation of intergovernmental agreements, having prepared and reviewed a number of such agreements for the municipal clients of the firm.

We regularly assist municipalities in planning, zoning, and environmental matters. If desired, we would welcome the opportunity to provide the Village of Lake Orion Board of Zoning Appeals and Planning Commission periodic training sessions. Secrest Wardle firmly believes in maintaining a cooperative learning environment with its clients and informational seminars are regularly provided for Secrest Wardle clients.

We participate in the preparation of master plans, capital improvement plans, and strategic planning studies, including several innovative provisions such as overlay district, historic preservation, and open space planning concepts. We also assist in the preparation of complete zoning ordinances and have worked with planning commissions, boards, councils, administrative officials, and planning consultants in the preparation of countless zoning ordinance amendments, including drafting resource preservation regulations; drafting senior housing provisions; drafting provisions to accomplish special community objectives, such as urban and rural development districts, and special land use provisions to protect existing commercial or industrial uses within an area deemed to be sensitive in terms of surrounding uses; establishing overlay districts to achieve community objectives; preparing Planned Unit Development (PUD) provisions and agreements; and, preparing provisions to allow for a rational administration of the Federal Fair Housing Act requirements. We regularly provide municipal clients with legal consultation and representation in matters involving review, approval, and defense of special land uses, CPD/PUD and site plan approvals/denials. We have also been involved in assisting municipalities in matters pertaining to landfills, incinerators, Brownfields, and waste hauling. Secrest Wardle has also been involved in assisting municipalities in implementing PACE programs per state law.

Our experience in planning and zoning has also included extensive litigation in the circuit and appellate courts. Some relevant published appellate court cases are noted in the Synopsis of Cases section of this Proposal.

Our attorneys routinely advise the Firm's municipal clients on a broad spectrum of election law issues including preparation and certification of ballot proposals, candidate qualifications, charter requirements, polling issues, petitions, political signs, and special election requirements.

Secret Wardle's Municipal Law Practice Group is also experienced with issues concerning bonds, annuities, and financial matters of its clients. Members of the Municipal Law Practice Group, while not serving as Bond Counsel, work regularly with Bond Counsel to support and assist as needed. The Group has also successfully defended a number of complex *Headlee Amendment* tax and/or fee claims.

Secret Wardle's municipal attorneys are well-versed in the review and preparation of resolutions for special assessments and the creation of special assessment districts, and are available to assist the Village when necessary. Secret Wardle is capable of advising the Village in matters pertaining to the various Boards and Commissions at the request of the Village Council, representing the Village as directed by the Village Council, reviewing and providing consultation to the Village on various insurance matters; providing bankruptcy and foreclosure assistance regarding rehabilitation loans and tax collections, and otherwise representing the Village as specifically requested and/or approved by the Village Council.

The Municipal Department is experienced dealing cooperatively with other attorneys working with the Village on specific projects. Our attorneys have worked with Bond Counsel, assigned counsel handling insurance defense matters, and with labor counsel.

The Municipal Law Practice Group has substantial experience and expertise in trial and appellate litigation involving a wide range of client issues. Our attorneys have positive relationships in the county and federal court systems. Firm attorneys are appointed by courts as special mediators and facilitators. The Municipal Group has represented municipalities and municipal associations in a multitude of lawsuits significant to state law over the past several years, some of which are listed in the Synopsis of Cases section of this Proposal.

2. Background of Law Firm

For more than 100 years, since 1912, Secrest Wardle has specialized in defense litigation and counseling for commercial, municipal, and insurance clients. The Firm has represented countless municipal entities, including several prominent Oakland County municipalities, at present and in the past, and in a multitude of legal scenarios. Secrest Wardle's Appellate Practice Group has vast experience in promoting our clients' interests at a profound level. Our appellate attorneys possess the legal expertise to shape laws in ways that can benefit entire communities and protect our clients for years to come.

Established over a century ago with a single office in Detroit, Secrest Wardle has grown consistently over the years through a commitment to providing the best legal expertise available. The key to our growth and success has been an ongoing commitment to provide each and every unique client with exceptional value. By delivering results quickly and effectively, we have built an impressive record and developed long-standing relationships with clients who depend on us. We are now one of Michigan's largest firms offering excellent legal services in a broad range of specialties.

Secrest Wardle is a full-service law firm which is AV Preeminent® Peer Review Rated by Martindale-Hubbell (www.martindale.com/ratings; AV®, BV®, AV Preeminent® and BV Distinguished® are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedures, standards and policies).

We have been recognized as one of the "Largest Law Firms" ranked by number of attorneys in Southeast Michigan by *Crain's Detroit Business*. Secrest Wardle has been named in *U.S. News - Best Lawyers* to the list of "Best Law Firms" in the following categories: Metropolitan Tier 1 - Troy - Municipal Law; Metropolitan Tier 2 - Troy - Insurance Law, Land Use & Zoning Law, Litigation – Municipal; and Metropolitan Tier 3 - Troy - Personal Injury Litigation – Defendants.

Several of our attorneys have been named to the Michigan Super Lawyers and Rising Stars lists in *Super Lawyers* magazine. Additionally, several of our attorneys have been selected to the list of Michigan "Top Lawyers in Metro Detroit" as published in *DBusiness* magazine.

We are quite proud of our over 100-year tradition of providing superior legal services to our clients and consider this to be a competitive advantage when our offerings are stacked up against those of other firms. We have built our reputation by providing our clients with the services they need by acknowledging the unique requisites of each individual client we serve. We are cognizant of the importance of economy and efficiency in providing legal services inherent in the municipal law arena.

Our Firm believes in maintaining a proactive stance; identifying risks before they become issues and therefore reducing exposure to potential liability or litigation pertaining to issues arising in matters affecting communities such as the Village of Lake Orion. Our attorneys possess extensive experience, and an enviable success rate, in matters before courts at all levels across the state.

Secret Wardle's legal staff is well-versed in direct dealings with elected and appointed officials, staffs, boards, and commissions as are expected to be encountered with representation of municipal entities, and have extensive experience in dealings in a variety of applicable situations.

As part of the duties of serving the Village of Lake Orion, Secret Wardle has an open-door policy for addressing legal questions and concerns that may arise at any time. While our regular business hours at each office location are from 8:30 a.m. to 5:00 p.m., the Firm provides cell phone contact information to promptly reach our attorneys when such issues may occur (Primary Lead Attorney Mark S. Roberts' cell – (810) 429-1109; Support Attorneys Alana E. Knox's cell – (586) 718-0314, and Nancy Cooper Green's cell – (586) 214-8523). Our Firm is available for your legal needs around the clock, each and every day of the year. Each of our attorneys is equipped with a cell phone with internet access for a more expedient and economic means of communication when a face-to-face meeting is not necessary.

In the unlikely event an attorney assigned as a principal contact for the Village of Lake Orion cannot be reached, provisions would always be put in place for another attorney to act in their absence.

Our attorneys collectively possess experience handling a variety of matters and are well-versed in representation of entities from individuals to small businesses to large corporations, manufacturers, and municipalities, providing a full range of legal services. Secret Wardle's twenty-one (21) main Practice Groups are comprised of attorneys with years of expertise pertaining to a multitude of areas of the law. Our Practice Groups are as follows, while many of our attorneys concentrate on niche areas of the law in sub-practice groups falling under these broad categories:

- Alternative Dispute Resolution
- Amusement and Leisure
- Appellate
- Commercial and Business Law
- Construction
- Drug and Medical Device
- Employment
- Environmental and Toxic Tort
- Family Law
- General Negligence
- Governmental Litigation
- Insurance Coverage
- Intellectual Property / Advertising Injury
- Malpractice / Professional Liability
- Motor Vehicle Litigation
- Municipal
- Premises Liability

- Product Liability
- Property, Fire and Casualty
- Real Estate
- Trucking/Commercial Vehicle Litigation

Our clients face many challenges on a daily basis. We provide realistic solutions to their legal challenges to make their lives simpler. Secret Wardle provides a creative and collaborative approach to solving our clients' legal issues inside and outside the courtroom.

Secret Wardle is committed to client advocacy. Using teams of legal specialists, we leverage the intellectual capital of our entire Firm to provide extensive insight without sacrificing personal attention. Our collaborative environment enables clients to take advantage of the combined knowledge and experience of attorneys and support staff dedicated to aggressively representing their interests. Our entire approach to counseling and litigation is explicitly structured to meet our clients' needs. Whether defending your lawsuit, helping to identify, manage, and eliminate legal risk, or offering other consultative services, we seek the most direct solution possible, minimizing costs and expended time.

Our first objective is to understand our clients' needs and goals. Secret Wardle's extensive litigation experience allows us to quickly and economically identify methods of achieving those goals while avoiding legal pitfalls. When litigation is the only available solution, we believe it is a collaborative effort involving our clients and our attorneys. Secret Wardle's guiding principle is that each case should be resolved as quickly and efficiently as is reasonably possible. We will develop a negotiation strategy designed to produce the fastest successful resolution. If a hearing is the best solution to the problem, results cannot be guaranteed. However, our clients can rest assured that our extensive experience will serve them well.

In assigning files and tasks to attorneys in the Municipal Law Practice Group and throughout the Firm, we perform the following analysis:

- Consider the nature of the case and its level of complexity
- Identify the applicable practice group best suited to handle the matter
- Consider the expertise and experience (number of trials, years of experience) of the attorney and his/her current work load to assure that the assigned attorney has both the competence and time to aggressively handle the matter

The Firm's main office, from which work would be performed for the Village of Lake Orion, is located in the City of Troy. We also have offices throughout the State of Michigan, in Lansing and Grand Rapids. The addresses of the Firm's three locations are:

Troy - Main Office

2600 Troy Center Drive
P.O. Box 5025
Troy, MI 48007-5025
(248) 851-9500

Grand Rapids Office

2025 East Beltline S. E., Suite 600
Grand Rapids, MI 49546
(616) 285-0143

Employed in the Troy office are 62 attorneys. Executive Partner, and Managing Partner of the Municipal Practice Group, Mark S. Roberts, located in the Troy office, would be the Primary Lead Attorney to oversee legal services provided to the Village. Across our two office locations, the Firm employs approximately 67 attorneys. Attorneys from each of our Practice Groups are available for their expertise and experience in specialty areas of the law to meet the requirements outlined by the Village on a case-by-case basis. Mr. Roberts will have the resources of the entire Firm available to assist in providing exceptional legal services to the Village of Lake Orion.

Resumes for the qualified lawyers proposed to perform services on behalf of the Village are contained in section 3 below, Resumes and Work-Related References for Proposed Village Attorneys.

3. Resumes and Work-Related References for Proposed Village Attorneys

Secret Wardle proposes dedicating five seasoned municipal and appellate attorneys, each with specific and extensive village and general municipal experience, to be assigned to provide legal services to the Village of Lake Orion. All the attorneys hold juris doctor degrees from American Bar Association accredited schools, hold valid licenses to practice law in Michigan, and have been practicing for a minimum of five years.

The following attorneys are proposed to serve the Village on an ongoing basis: Mark Roberts is an Executive Partner and serves as the Managing Partner of the Municipal Law Practice Group, overseeing the day-to-day functions of the group. Alana E. Knox and Nancy Cooper Green are Partners with the Firm and members of the Municipal Practice Group. L. Charlynn Turner is a partner and the municipal prosecutor for the Group. Matthew Nicols is a partner in the firm and is its lead appellate attorney. Mark Roberts is proposed to be Primary Lead Attorney while Alana Knox, Nancy Green, and Matthew Nicols are proposed to be Support Attorneys. L. Charlynn Turner will provide prosecution services. Secret Wardle is most proud of the camaraderie and work ethic shared between counsel proposed to represent the Village of Lake Orion, and all the attorneys and staff within the Municipal Law Practice Group. Mark Roberts proposes to take an active role in representing the Village, along with this hand-picked team.

Secret Wardle assures the Village that our Firm is presently well-staffed and well-prepared to accommodate its legal needs. In the unlikely event a conflict should arise for an assigned attorney to attend a meeting or hearing, our Municipal Law Practice Group is equipped to provide an equally experienced attorney to fill in if Mr. Roberts should become unavailable due to an unforeseen illness, or other scheduling conflict.

Our highly trained support staff is expert at anticipating conflicts and resolving them before they become an issue. The collaborative work environment of our entire Municipal Law Practice Group, and additionally, the availability of several seasoned municipal attorneys, allows for seamless coverage for all of our clients' needs. The attorneys and staff in our Municipal Law Practice Group are a tight-knit group, working collaboratively across practice areas for many years.

Secret Wardle will commit to providing the Village of Lake Orion with either Mr. Roberts, Ms. Knox, or Ms. Green being present at the Village for on-site office hours for 2-3 days per week, 3 hours per day, should the Village wish to take advantage of this service. Mr. Roberts will be available to attend two regularly scheduled Village Council meetings. Mr. Roberts, Ms. Knox, and Ms. Green, or other attorneys in our Municipal Law Practice Group as approved by the Village administration, are available to attend additional Village meetings as requested and/or required.



Proposed Primary Lead Attorney - Mark S. Roberts
Executive Partner, Managing Partner of the Municipal Law Practice Group

Direct Phone: (248) 539-2815

Cell Phone: (810) 429-1109

E-mail: mroberts@secrestwardle.com

Mark Roberts is proposed as the Primary Lead Attorney in providing the Village of Lake Orion with General Village Legal Services. Mr. Roberts joined Secrest Wardle's Municipal Law Practice Group in 1996. He handles general litigation matters for the Firm's municipal clients, including ordinance enforcement matters, eminent domain actions, contract claims, *Headlee Amendment* claims, and defending claims against the Firm's municipal clients arising from prosecutions and ordinance enforcement matters. He serves as counsel for West Bloomfield Township and the City of Bloomfield Hills, as well to numerous lake improvement boards, supervising the establishment and operation of the lake boards, as well as defending claims filed against them. Mr. Roberts handles cases and appeals in the State District and Circuit Courts, Court of Appeals, Supreme Court, and in the Federal District Court and the Sixth Circuit Court of Appeals.

Mr. Roberts has obtained favorable outcomes in cases involving alleged First and Fourth Amendment constitutional violations, Religious Land Use and Institutionalized Persons Act (RLUIPA), Adult Entertainment/First Amendment cases, and *Headlee Amendment* cases for the Firm's municipal clients. He has also obtained favorable results on behalf of municipal clients in land use cases involving lake front property rights, docking regulations, challenges to special assessment districts, dangerous building demolition, as well as property maintenance and/or zoning enforcement matters. In addition to litigation, he has regularly attended city commission, village council, lake improvement board, township board, zoning board of appeals, and planning commission meetings on behalf of Firm clients, providing guidance on procedural and substantive issues, and drafting ordinances.

Mr. Roberts has presented seminars on the issue of sign regulation following a landmark ruling by the United States Supreme Court in *Reed v Town of Gilbert*. Additionally he has provided training presentations to zoning board of appeals and planning commissions. He is also well acquainted with *Open Meetings Act* and *Freedom of Information Act* requirements, and has successfully litigated these issues in court. Mr. Roberts is also experienced in zoning and planning matters, having worked with communities in the master planning process, the adoption of new zoning ordinance codes, as well as developing amendments to existing ordinance code provisions.

Prior to entering private practice, Mr. Roberts worked as a court clerk and subsequently as a staff attorney in the Oakland County Circuit Court where he became well-versed in court procedures. His experience as a litigation attorney and municipal prosecutor, coupled with his work within the court system and familiarity with zoning theories and procedures, make him uniquely qualified to effectively handle zoning and building code enforcement actions.

Mr. Roberts graduated from Wayne State University in 1987. He earned his law degree from The Detroit College of Law in 1990 where he also served on the Detroit College of Law Review while pursuing his degree. He was admitted to the Michigan Bar in 1990. Prior to joining Secrest Wardle, Mr. Roberts served as the staff attorney to the Hon. David F. Breck. He is currently admitted to practice in all Michigan state courts (P44382) as well as in the United States District Court, Eastern District of Michigan and the United States Sixth Circuit Court of Appeals. Mr. Roberts enjoys a 5.0 “Preeminent” rating by Martindale-Hubble®.

Mr. Roberts has served his community as a member of its Zoning Board of Appeals and on its Board of Review.

The following are representative matters handled by Mr. Roberts:

Charter Township of West Bloomfield v UGARS and Vanmeerbeeck – Code enforcement action seeking abatement of zoning violation. Prevailed in the trial court on motion for summary disposition, order entered for demolition of residence built without permits after removal of a preexisting legal nonconforming use. Decision affirmed by Court of Appeals, February 14, 2025.

Dezman/Geiger v Charter Township of Bloomfield – Appeal from Zoning Board of Appeals decision denying request to keep chickens on residential property in the Township. The ZBA’s denial was affirmed by the Circuit Court, but the Court of Appeals initially reversed. The Supreme Court reversed the decision of the Court of Appeals, remanding the case for further consideration. On remand the Court of Appeals affirmed the ZBA’s decision on June 27, 2024.

Ruman v City of Warren – Mr. Roberts represented the City on this class action lawsuit alleging the City’s Act 345 millage, supporting its police and fire retirement benefits, violated the *Headlee Amendment*. The case was dismissed on motion for summary disposition, Plaintiff appealed to the Court of Appeals and Supreme Court, affirmed by an August 17, 2023, published opinion of the Court of Appeals, and leave to appeal denied by the Supreme Court’s December 23, 2024, Order following oral argument.

Youmans v Charter Township of Bloomfield – a class action lawsuit alleging the Township’s water and sewer rates violated the *Headlee Amendment*. Adverse decision following bench trial reversed and remanded for entry of no cause of action against Township by Court of Appeals opinion approved for publication March 2, 2021, leave to appeal denied by Supreme Court on July 6, 2021.

Kas Dalaly v Charter Township of West Bloomfield – Zoning Board of Appeals denial was appealed to Circuit Court, which reversed and ordered the ZBA to grant the variances. Variances were granted but expired when the Developer failed to timely obtain permits or commence construction. After almost ten years, Developer sought to develop the property and filed a motion for a contempt order when Township refused to issue permits. The Circuit Court ordered variances to be granted. The Township appealed to the Court of Appeals, which reversed and dismissed the case by its opinion issued February 10, 2025.

Brodeur v RCOC – trip and fall on public road – Motion for Summary Disposition granted on governmental immunity defense.

Dorr v City of Ecorse – claim of unconstitutional taking of private property dismissed on Motion for Summary Disposition, affirmed in the Court of Appeals.

Frank Lawrence v Bloomfield Township – various constitutional claims alleged in a number of state and federal court actions, all dismissed on Motions for Summary Disposition or Summary Judgment, all affirmed in the Sixth Circuit Court of Appeals and state appellate courts

RCOC v Gateway Center, LLC – condemnation, favorable resolution following case evaluation

Top Flight, et al v City of Inkster – successful defense of the City’s adult use regulation in federal court

West Bloomfield Township v Cedar Creek Landscaping – property maintenance/environmental damage – prevailed following trial

Dearborn Heights v Nasser Abunab – property maintenance lawsuit – Motion for Summary Disposition granted, dismissal of constitutional counter-complaint

TC Spann Bible Institute v Inkster – federal court RLUIPA claim - obtained dismissal

Karkoukli v Dohany, et al – 42 U.S.C. §1983 civil rights notice claim stemming from property tax foreclosure– dismissed on Motion for Summary Judgment – affirmed in the Sixth Circuit Court of Appeals in a May 17, 2005, published opinion

Mr. Roberts’ References:

Steven Kaplan, former West Bloomfield
Township Supervisor
Wayne County Prosecutor’s Office
5301 Russell St
Detroit, MI 48211
skaplan@waynecountymi.gov

Mike McCready, Supervisor
Charter Township of Bloomfield
4200 Telegraph Rd., P.O. Box 489
Bloomfield Hills, MI 48303
mmccready@bloomfieldtwp.org

Lynne M. Senia, City Clerk
City of Dearborn Heights
6045 Fenton
Dearborn Heights, MI 48127
lsenia@dearbornheightsmi.gov

Teri Weingarden, Treasurer
Charter Township of West Bloomfield
4550 Walnut Lake Road
West Bloomfield, MI 48323
tweingarden@wbtownship.org



Proposed Support Attorney – Alana Ballantyne Knox
Partner, Municipal Law Practice Group
Direct Phone: (248) 539-2820
Cell Phone: (586) 718-0314
E-mail: aknox@secrestwardle.com

Alana Knox joined the Municipal Law Practice Group in 2022. Since joining the Municipal Law Practice Group, she has provided legal services to the Charter Township of West Bloomfield, the City of Bloomfield Hills, the City of Auburn Hills, the City of Warren, Bloomfield Township, Pittsfield Township, and Southfield Township.

Prior to joining Secrest Wardle, Ms. Knox worked for Fahey, Schultz, Burzych, Rhodes PLLC, a firm focused on municipal law located in East Lansing, Michigan. There, she provided legal services to over twenty (20) Michigan communities including cities, townships, and villages. During law school, Ms. Knox clerked for Judge Wanda Stokes in the 30th District Court. There, Ms. Knox managed the judge’s administrative appeal docket, drafting orders and opinions on appeals from state agencies, local governments, and prisons. Ms. Knox also worked for the American Civil Liberties Union (ACLU) on its SMART Justice Reform Policy, aimed at reforming Michigan prisons and sentencing guidelines for non-violent offenses.

Ms. Knox has developed a specialty in small cell, cable, and METRO act regulation and implementation, assisting communities across Michigan in drafting appropriate ordinances, negotiating relevant contracts and agreements, and guiding communities through the application and implementation of small cell wireless and fiber.

Ms. Knox has successfully litigated on behalf of her clients in district and circuit court, as well as in the Michigan Court of Appeals on a wide variety of issues, from civil rights complaints, Michigan Tax Tribunal matters (MTT), to zoning appeals. She has served as general counsel to large and small communities across the state, advising communities on issues such as ordinance enforcement, marihuana ordinance enforcement and policy changes, election law, FOIA appeals, environmental appeals, worker’s compensation claims, employee investigations and terminations, and intergovernmental cooperation between communities and agencies.

Alana Knox has also conducted several employee investigations on behalf of municipal clients. These investigations examine the conduct of both appointed/elected officials and employees of municipalities and recommend appropriate disciplinary action. This disciplinary action may include censure for elected officials, termination for employees, or referral for criminal investigations, if appropriate. In addition to her labor and employment work for various municipalities Alana also provides support to prosecutor L. Charlynn Turner.

In addition to her expertise in small cell, fiber cable, and METRO Act, Ms. Knox has experience drafting comprehensive municipal ordinances related to the administration and enforcement of the State Construction Code, zoning ordinance amendments, mobile food vending, stormwater management, erosion and sedimentation control (SESC), waste hauler operations, the implementation of municipal civil infractions, the implementation of recreational marihuana, and

wetland protection and management. When drafting ordinances and advising on their implementation, Ms. Knox strives to strike a balance between individual community policy goals, compliance with state and federal law, and risk mitigation.

Ms. Knox has extensive experience in zoning and land use management. She has drafted numerous zoning ordinances for communities which had never before had a zoning ordinance of their own. She has also negotiated and drafted Planned Unit Development Agreement (PUDs), drafted hold harmless agreements, created special assessment districts (SADs), negotiated and drafted development deeds between municipal clients and developers, reviewed and drafted Master Deeds for PDD and PUD developments, drafted wireless facility site maintenance agreements, and drafted intergovernmental agreements, including those creating intergovernmental commissions. She has advised and defended Zoning Boards of Appeal and Planning Commissions across the state and has provided communities with advice and guidance on Master Plan updates.

Additionally, Ms. Knox has experience in the areas of worker's compensation, labor and employment law, election law, county and municipal drainage issues (including lake improvements), labor and collective bargaining actions, liquor licensing, property acquisition - including eminent domain and condemnation actions, and municipal authorities, including sanitary sewer systems, and water systems, and emergency services.

Ms. Knox is a member of the State Bar of Michigan (P85859) and the Ingham County Bar Association. Ms. Knox received her Bachelor of Arts degree from Loyola University Chicago and her Juris Doctor, *magna cum laude*, from Michigan State College of Law. Alana graduated from Michigan State College of Law's Trial Practice Institute. She was a member of multiple moot court teams including a semi-finalist for the ABA national competition, was a member of the executive board of Michigan State's International Law Review, the Appellate Director for the Board of Advocates, and served as a teaching assistant for Judge David McKeague of the 6th Circuit. Her article, *Film in Crisis: Why Pushing Back Against Censorship Should be a Central Component of US Trade Policy with China and Saudi Arabia* was selected for publication in the 2021 edition of the Michigan State International Law Review. She was admitted to the State Bar of Michigan in 2021.

The following are representative of matters handled by Ms. Knox:

Litigation

- *Clark v Charter Township Bloomfield*, Oakland County Circuit Court, Case. No. 24-210605-AA (appeal from a zoning board of appeals decision)
- *Sidney Barrett vs. Lake Pro Inc.*, Worker's Disability Compensation Agency's Board of Magistrates (Forrest Lake Board was a third-party defendant in a Worker's Compensation case)

- *12 Mound Development LLC et. Al, vs. City of Warren*, Macomb Circuit Court, Case No. 2023-001732-CZ (zoning amendment denial procedure challenged)
- *Butcher vs. City of Auburn Hills*, Case No. 23-203333-AV (appeal arising from a final order on a municipal civil infraction)
- *Charter Township of West Bloomfield vs. Nick Yono and Real Property Located at 6229 Golden Lane, West Bloomfield, Michigan*, Oakland County Circuit Court, Case No. PB 13-1-1120-181935-CE (code enforcement / permit issue)
- *Vlachos vs. Charter Township of West Bloomfield*, Oakland County Circuit Court, Case No. 2023-201017-AA (appeal from a zoning board of appeals decision)
- *Shinn vs. Yaldo*, Oakland County Circuit Court, Case No. 2024-207659-CZ (defamation case with the Township as a third-party defendant)
- *Vlachos vs. Charter Township of West Bloomfield*, Oakland County Circuit Court Case No. 24-211439-CZ (injunctive civil action to stop Township demolition of pole barn)
- *Charter Township of West Bloomfield vs. Jacob Kalo*, Oakland County Circuit Court, Case No. 2024-207-356-CE (cross-litigation regarding an environmental violation on lake-front property)
- *Fletcher-Parks v West Bloomfield Township Police Dept*, Michigan Department of Civil Rights, MDCR 635116 (civil rights complaint stemming from emergency call)
- *Granitz-Chottiner vs. Charter Township of West Bloomfield*, Michigan Department of Civil Rights, MDCR 641084 (civil rights complaint stemming from interaction with supervisor's office)
- *McKeldin vs West Bloomfield Township Fire Station No. 5*, Michigan Department of Civil Rights, MDCR 632149 (civil rights complaint stemming from emergency call)
- *Charter Township of West Bloomfield vs. Vanmeerbeeck*, Oakland County Circuit Court, Case No. 20-183280-CE (cross-litigation on a code enforcement issue)
- *People of West Bloomfield Township vs. Janelle Dierof*, 48th District Court, Case No. 24WB06357 (misdemeanor action related to ticket)

Appeals to the Michigan Court of Appeals

- *Dezman and Geiger vs. Charter Township of Bloomfield and the Charter Township of Bloomfield Zoning Board of Appeals*, Case No. 360406 (appeal from a decision by the zoning board of appeals)
- *Charter Township of West Bloomfield vs. Nick Yono*, Case No. 373753 (appeal from the enforcement of a settlement agreement by the Township)

Sample Advisory Opinion Topics

- Right to Farm Act
- Metro Act application, extensions, and renewals
- Small Cell Wireless statute, applications, and processes
- Recreational marihuana policy for Adult Use Marihuana Establishments
- Termination of municipal employees
- Censure of elected officials
- Freedom of Information Act
- Open Meetings Act
- Environmental Appeals
- First Amendment considerations regarding handbills on public property
- Police Interaction and documentation domestic violence
- Wetland maintenance
- Woodland restoration
- Lake access rights

Sample List of Ordinances and Amendments

- City of Auburn Hills, Adult Use Marijuana Establishments
- West Bloomfield Ordinance C-562, Solid Waste Management
- West Bloomfield Ordinance No. C-735-B, Vacant Property
- West Bloomfield Ordinance No. C-249, Mobile Food Vending
- West Bloomfield Ordinance No. C-746-D, Rental Property
- West Bloomfield Ordinance No. C- 731, Case Investment Policy
- West Bloomfield Ordinance No. C-874, Cultural and Community Engagement
- West Bloomfield Township Ordinance No. C-265, Auto Related Uses
- West Bloomfield Township Ordinance No. C-832, Handbills

Ms. Knox's references:

Matthew Kuschel, Esq.
Municipal Attorney;
Fahey, Schultz, Burzych, Rhodes PLC
Lansing, Michigan
(517) 927-7300

Erik Beauchamp
Code Enforcement Department Head
Charter Township of West Bloomfield
(248) 451 - 4853

Trisha Jones-Aziz
General Motors
Legal & Corporate Development and Strategy
Detroit, Michigan
(248) 688-5940

**Proposed Support Attorney - Nancy Cooper Green****Municipal Law Practice Group****Phone: (248) 851-9500 ext. 2458****Cell Phone: (586) 214-8523****E-mail: ncgreen@secrestwardle.com**

Nancy Cooper Green joined the Municipal Law Practice Group in 2012. Since joining the Municipal Law Practice Group she has provided legal services to the Charter Township of West Bloomfield, the City of Oak Park, the City of Bloomfield Hills, Bloomfield Township, and Wayne County. Ms. Green has over 35 years of municipal experience. Prior to joining the Firm, Ms. Green was the Chief Assistant City Attorney for the City of Warren. Ms. Green has been general counsel providing comprehensive legal services for every facet of the municipality. She has successfully litigated civil cases in all state courts and prosecuted ordinance violations in district and circuit court. She has argued and won many cases in the Michigan Court of Appeals, litigated a political speech case in the United States Court of Appeals, and litigated land use cases in the United States District Court.

Ms. Green has considerable experience advising the governing body, the administration, the various municipal Boards, Commissions, and Authorities on compliance with the Charter, Code of Ordinances, state and federal statutes, and the Michigan and United States Constitutions providing risk assessment and recommended courses of action to minimize and manage legal risk.

Ms. Green also has considerable experience drafting legislation and providing legal guidance in the legislative process. She has drafted comprehensive regulations to address the secondary impacts of oil and gas activities, smoking lounges, massage establishments; environmental protection, and sexually oriented businesses. She also drafted municipal ordinances to ensure compliance with federal and state regulations.

Ms. Green also has experience advising the municipal client with environmental issues. She wrote the ordinance and assisted in implementing the National Pollutant Discharge Elimination System (NPDES) program to comply with the Warren Waste Water Treatment Plant's obligations under their NPDES license, Clean Water Act Regulations and spoke on enforcement at the EPA Region 5 NPDES Enforcement Seminar at the request of the EPA. Since joining the Firm, Ms. Green has provided legal advice and defense to the Environmental Division of the Charter Township of West Bloomfield.

Nancy Cooper Green has developed a strong reputation for her work in the area of zoning and land use regulation, drafting numerous zoning ordinances including but not limited to a downtown mixed use, planned unit development, zoning board of appeals, signage, and wireless facilities regulations. She regularly conducts in-house training sessions related to ordinance application and enforcement and the role of the Zoning Board of Appeals and has provided advice and defense services to Planning Commissions and the Zoning Board of Appeals for many years.

Additionally, Ms. Green has experience in the areas of public employment law, contract law, municipal real estate law, and the application of constitutional protections as it relates to

municipalities under the First Amendment, Freedom of Speech and Freedom of Association protections; and the Fourth Amendment protection against unreasonable searches and seizures.

Ms. Green is a member of the State Bar of Michigan (P39215) and Oakland County Bar Association. Ms. Green received her Bachelor of Arts degree from Michigan State University and her Juris Doctor, *cum laude*, from Michigan State College of Law. She was admitted to the State Bar of Michigan and the United States District Court in 1986 and the United States Court of Appeals in 1996. Ms. Green has received an AV Preeminent® Peer Review Rating by Martindale-Hubbell.

Ms. Green's references:

Jonathan Warshay
West Bloomfield Township Supervisor
4550 Walnut Lake Road
West Bloomfield, MI 48323
248-409-1581

Debbie Binder
West Bloomfield Township Clerk
4550 Walnut Lake Road
West Bloomfield, MI 48323
248-251-4848

Teri Weingarden
West Bloomfield Township Clerk
4550 Walnut Lake Road
West Bloomfield, MI 48323
248-251-4840



Proposed Support Attorney – Matthew T. Nicols
Partner, Appellate Law Practice Group Chair
Direct Phone: (248) 539-2834
Cell Phone: (734) 759-7880
Email: mnicols@secretwardle.com

Mr. Nicols joined Secrest Wardle in March 2023. He is the Chair of the Firm’s Appellate Law Practice Group, which is his main focus of practice. Mr. Nicols handles appeals in the Michigan Court of Appeals and Supreme Court, as well as in the United States Court of Appeals for the Sixth Circuit. Mr. Nicols is licensed to practice law in all state and federal courts within the State of Michigan, as well as the United States Court of Appeals for the Sixth Circuit and the United States Supreme Court. Mr. Nicols has been named to the Michigan Super Lawyers’ Rising Stars lists in Super Lawyers magazine, for Appellate Law, from 2020 – 2024 and was recognized as a “Top Lawyers in Metro Detroit” as published in DBusiness magazine for Appellate Law in 2025.

In addition to appellate practice, Mr. Nicols also handles a variety of civil litigation matters for the Firm’s municipal, insurance and business clients, involving general negligence, premises liability, automobile negligence and No-Fault Act claims, wrongful death, contract disputes and insurance coverage, indemnification claims, and defends claims against the Firm’s municipal clients arising from alleged civil rights violations, alleged police officer misconduct, takings claims, § 1983 and due process matters. As part of the Appellate Practice Group, Mr. Nicols and the Firm’s appellate attorneys provide Secrest Wardle’s trial attorneys with critical legal analyses, caselaw input, and drafting and arguing motions for summary disposition, motions in limine, and post-judgment/post-verdict motions. The Firm’s appellate attorneys, at times, are embedded with our attorneys at trial in order to assist in the jury trial process and to preserve issues for appellate purposes.

Mr. Nicols regularly appears in court and has handled cases in both state and federal trial courts and appellate courts. He has obtained favorable outcomes in cases involving alleged Fourth, Fifth, Eighth, and Fourteenth Amendment constitutional violations, federal takings claims, police officer misconduct/excessive force cases, and property forfeiture claims for the Firm’s municipal clients. He has also obtained favorable results on behalf of the Firm’s clients in automobile negligence, No-Fault Act, and premises liability cases before the Court of Appeals. Mr. Nicols has also obtained successful decisions in the United States Court of Appeals for the Sixth Circuit involving municipal right of first refusal tax foreclosure purchases, civil conspiracy, RICO Act, employment discrimination matters, and excessive force claims.

Prior to joining Secrest Wardle, Mr. Nicols was an attorney at the law firm of Pentiuk, Couvreur & Kobiljak, P.C., located in Wyandotte, Michigan. There, his practice focused in representing municipalities, businesses, condominiums, housing cooperatives, and apartment complexes in real estate litigation, general civil litigation, and appeals. He provided legal representation in several tax foreclosure litigation and appellate cases involving the municipal right of first refusal under the General Property Tax Act (GPTA) and redevelopment companies that rehabilitate tax-foreclosed homes in an effort to revitalize the municipalities neighborhoods. Prior to his

employment at Pentiuik, Couvreur & Kobiljak, P.C., Mr. Nicols was a staff attorney for approximately six years at Legal Aid & Defender Association and Lakeshore Legal Aid, where he represented indigent litigants in landlord-tenant matters and consumer defense cases, and appeals. Throughout Mr. Nicols' twelve years as an attorney, he has successfully represented clients from all walks of life, from individuals and small businesses to municipalities and large corporations.

Mr. Nicols graduated from the University of Detroit Mercy School of Law in 2013, where he also served on the Law School's Mortgage Foreclosure Defense Clinic while pursuing his degree. He was admitted to the Michigan Bar in 2014. Mr. Nicols received his Bachelor of Arts degree from Arizona State University in 2008, magna cum laude, in Justice Studies and Social Inquiry.

Notable cases and opinions:

Hayes v. Clariant Plastics & Coatings USA, Inc., 144 F.4th 850 (6th Cir. 2025) (Title VII, employment discrimination, wrongful termination) (successfully reversing district court's grant of summary judgment in favor of defendant-employer and remanding plaintiff's Title VII sex/gender discrimination and Equal Pay Act claims for trial.)

Lashbrook v Grask, ___ Mich App ___; ___ NW3d ___ (2025), Docket No. 369669, 2025 WL 223486 (Automobile Negligence) (obtained published Court of Appeals opinion affirming dismissal of plaintiff's auto negligence case based on statute of limitations and improper service for failure to substitute plaintiffs' decedents' estates following their death at scene of accident.)

A2C2 Pship, LLC v Loch Alpine Improvement Ass'n, unpublished opinion of the Court of Appeals, issued April 16, 2019 (Docket No. 342743), 2019 WL 1644975 (Real Estate and Restrictive Covenants) (successfully obtained Court of Appeals' opinion affirming Homeowners Association's deed restrictions that prevented residential development on subdivision lots specifically reserved for use/employment of a golf course or parks and recreation area.)

Bronson Health Care Group, Inc v Progressive Michigan Ins Co, unpublished opinion of the Court of Appeals, issued July 23, 2025 (Docket No. 368835), 2025 WL 2078322 (obtained reversal of million-dollar-plus judgment against defendant, and determination from Court of Appeals pertaining to No-Fault Act requirements for insureds opting out of personal injury protection ("PIP") benefits and effect of opt-out on insured's spouse and other qualified persons.)

Brown v King Custom Design, Inc, unpublished opinion of the Court of Appeals, issued June 23, 2025 (Docket No. 368602), 2025 WL 1739763 (Wrongful Death and Premises Liability) (obtained opinion affirming summary disposition in favor of defendant premises owner involving alleged wrongful death action, where premises owner lacked notice of hazardous condition.)

Scott v EAN Holdings, LLC, unpublished opinion of the Court of Appeals, issued November 20, 2024 (Docket No. 366706), 2024 WL 4847759 (Automobile Negligence) (obtained opinion affirming trial court's grant of summary disposition in favor of defendant in automobile negligence and uninsured motorist benefits claim, where plaintiff failed to prove threshold injury pursuant to *McCormick v Carrier*, 487 Mich 180; 795 NW2d 517 (2010).)

Shade v. City of Warren, No. 24-CV-10623, 2025 WL 901255 (E.D. Mich., March 25, 2025) (Unlawful Arrest, Excessive Force, Fourth and Fifth Amendment) (Obtained dismissal of federal lawsuit alleging Warren Police Officers committed wrongful arrest and used excessive force against arrestee.)

De Gortari v. Warren Police Department, No. 23-12578 (E.D. Mich., Aug. 28, 2024) (Civil Rights, § 1983, Takings, Property Forfeiture, *Monell* Claim) (Obtained dismissal of federal lawsuit against Warren Police Department alleging unlawful seizure and forfeiture of currency following traffic stop.)

Estate of Moore v. City of Warren, No. 21-12267, 2024 WL 329129, at *1 (E.D. Mich., Jan. 29, 2024) (Civil Rights, Federal Takings, Property Forfeiture, Due Process, § 1983, and *Monell* Claim) (Obtained dismissal of 8 of 10 claims alleging the Warren Police Department unlawfully retained and forfeited personal property and currency during search.)

Levitan v. Warren Police Dept, No. 22-CV-10162, 2023 WL 8437611 (E.D. Mich., Dec. 5, 2023) (Police Officer Excessive Force Claim, *Monell* Claim) (Obtained dismissal of federal lawsuit alleging Warren Police Officers committed wrongful arrest and used excessive force against arrestee.)

Tawanda Hall, et. al. v. Andrew Meisner, et. al., 51 F.4th 185 (6th Cir. 2022) and No 21-1700, 2022 WL 7478163 (6th Cir Oct. 13, 2022) (Affirming dismissal of constitutional, conspiracy and common law claims against purchaser of tax-foreclosed properties.)

Jackson v. Southfield Neighborhood Revitalization Initiative, No. 344058, 2019 WL 6977831, at *1 (Mich. Ct. App. Dec. 19, 2019), *judgment vacated in part, appeal denied in part*, 953 N.W.2d 402 (Mich. 2021) (Affirming dismissal of constitutional, conspiracy and common law claims against purchaser of tax-foreclosed properties.)

City of Riverview v Prudential Sec Inc, unpublished opinion of the Court of Appeals, issued July 15, 2021 (Docket No. 353950), 2021 WL 3009747 (Municipality Contract, Landfill Operations and Security) (Obtained opinion affirming trial court's grant of summary disposition in favor of municipality in breach of security contract dispute).

Hixon v Westwick Square Coop, unpublished opinion of the Court of Appeals, issued March 25, 2021 (Docket No. 351825), app denied, 924 N.W.2d 582, (Mich. 2019) (Real Estate, Housing Cooperative, Corporate Shares and Counterclaims challenging eviction and sale of shares) (Obtained opinion affirming judgment in favor of housing cooperative corporation and affirming dismissal of defendant's counterclaims).

**Proposed Prosecuting Attorney – L. Charlynn Turner
Partner****Phone: (248) 851-9500, Ext. 2409****Cell Phone: (818) 878-4286****E-mail: cturner@secrestwardle.com**

L. Charlynn Turner joined Secrest Wardle’s Troy office as a Partner in 2024 and she is a member of the Firm’s Appellate and Municipal Practice Groups. She handles some civil appeals, along with city criminal prosecutions and other related matters for the City of Auburn Hills, City of Bloomfield Hills, and Waterford Township.

Charlynn is admitted to practice in the State of Michigan and is also licensed to practice in the U.S. Court of Appeals for the Sixth Circuit and the U.S. District Court for the Eastern District of Michigan.

Prior to joining Secrest Wardle, Charlynn worked in various roles at Oakland County since law school, including the Water Resource Commissioner’s Office, Corporation Counsel, and the Prosecutor’s Office. While an Assistant Prosecuting Attorney at the Oakland County Prosecutor’s Office, she conducted over 12 bench and jury trials in several jurisdictions such as Pontiac, Novi, Rochester, Royal Oak, Oak Park, Madison Heights, and Clarkston. Charlynn began her post-law school career as a research attorney at the Michigan Court of Appeals and then as a judicial clerk to former Justice Kurtis T. Wilder of the Michigan Supreme Court.

During law school, Charlynn served as a member of the Law Review Editorial Board, Mock Trial Board, and Moot Court Board. She was regularly on the Dean’s list and received several “book” awards in classes such as Advanced Legal Writing, Pretrial Skills, and State and Local Government. And she externed at the Genesee County Prosecutor’s Office in the Major Crimes Unit, assisting in multiple high profile murder cases while she was there. Charlynn graduated from Western Michigan University Thomas M. Cooley Law School *magna cum laude* in 2016.

Before law school, Charlynn worked in various roles in all three levels of government and all three branches of government, including policy work for former Governor Pat Quinn of the State of Illinois and former Brad Ellsworth, U.S. Congressman for the State of Indiana.

4. Synopses of Cases

Some relevant court cases involving Secrest Wardle's municipal representation include:

- 1) *Gordon v City of Bloomfield Hills* - Secrest Wardle (former Senior Partner and Managing Partner of the Municipal Law Practice Group, William P. Hampton) successfully defended the City of Bloomfield Hills in a case in which the Court of Appeals upheld compatibility standards for lot splits.
- 2) *Dezman/Geiger v Charter Township of Bloomfield* – Mr. Roberts, assisted by Ms. Knox, defended an appeal from a Zoning Board of Appeals decision denying request to keep chickens on residential property in the Township. The ZBA's denial was affirmed by the Circuit Court, but the Court of Appeals initially reversed. Mr. Roberts sought leave to appeal to the Supreme Court, which reversed the decision of the Court of Appeals, remanding the case for further consideration. On remand the Court of Appeals affirmed the ZBA's decision.
- 3) *Daimler Chrysler Corporation v City of Auburn Hills, et al.* – Derk Beckerleg successfully represented the City of Auburn Hills in this 2008 Michigan Supreme Court case in which the Michigan Supreme Court denied Daimler Chrysler Corporation's request for a pollution control tax exemption for the Chrysler Technology Center.
- 4) *Ruman v City of Warren* (2024) – class action lawsuit alleging the City's Act 345 millage, supporting its police and fire retirement benefits, violated the *Headlee Amendment*. Case dismissed on motion for summary disposition, briefed and argued by Mark Roberts before the Court of Appeals and Supreme Court, affirmed by an August 17, 2023, published opinion of the Court of Appeals, leave to appeal denied by the Supreme Court's December 23, 2024, Order following oral argument.
- 5) *Youmans v Charter Township of Bloomfield* (2021) – class action lawsuit alleging the Township's water and sewer rates violated the *Headlee Amendment* defended by Mr. Roberts. An adverse decision following the bench trial was reversed and remanded for entry of no cause of action against Township by Court of Appeals opinion approved for publication March 2, 2021. An application for leave to appeal was denied by the Supreme Court on July 6, 2021.
- 6) *City of Huntington Woods and City of Pleasant Ridge v City of Oak Park and the 45th District Court* (2015), Ms. Green successfully defended the City of Oak Park in a District Court funding dispute.
- 7) *Frank Lawrence v Bloomfield Township* – various constitutional claims alleged in a number of state and federal court actions, all dismissed on Motions for Summary Disposition or Summary Judgment, all affirmed in the Sixth Circuit Court of Appeals and state appellate courts

5. Sample Billing Statements

The following sample is representative of Secrest Wardle's detailed billing statements issued to the Firm's municipal clients. We understand that the statement required by the Village of Lake Orion shall include a breakdown of the legal services costs by legal issue, time spent on each issue, prosecution and defense time spent in district court, circuit court, and on general legal work, and other relevant billing detail. Secrest Wardle is prepared to accommodate the Village's request for submittal of such statements on a monthly basis.

Representative sample attached as Addendum 2.

6. Statement of Fee Schedule

Secrest Wardle is cognizant of the Village's anticipation of entering into a fee-based agreement for a period of two years, with the Village's right to extend such an agreement for additional one-year periods based upon written mutual consent. We understand that such an agreement would be terminable upon 30 days' written notice by either party, without cause. We understand that billable time and expenses are to be paid in accordance with the Village's current policy. Our Firm is in general agreement with such arrangements.

The Village may expect an attorney-client relationship with Secrest Wardle to be transparent and collaborative in nature. Our Firm is appreciative of the opportunity to submit our Proposal to provide Legal Services to the Village. We propose to provide legal services as General Village Counsel and as Village Prosecutor and Code Enforcement. Secrest Wardle is proposing an hourly rate for all legal services to be provided to the Village.

Secrest Wardle proposes the following straight hourly rate plus costs in providing legal services to the Village of Lake Orion as listed in the Scope of Work contained in the Request for Proposal for General Counsel Legal Services for the Village of Lake Orion:

General Village Legal Services:

Attorneys - \$165 per hour plus costs for attorney Mark S. Roberts,
\$160 per hour plus costs for attorneys Alana E. Knox, Matthew Nicols, L. Charlynn
Turner, and Nancy Cooper Green
\$90 per hour, plus costs, for paralegals

Costs would consist of mileage, court filing fees, overnight mail services, long-distance telephone charges, facsimile, and copy charges.

As part of the Firm's general duties, we are able to accommodate the Village in the selection and management of the services of any special outside counsel that may be deemed necessary.

Billing Requirements

Detailed monthly billing statements (refer to sample attached as required in above section) would be provided, specifying the attorney or paralegal performing the service, the date performed, description and time expended for each service, and an itemization of expenses to be reimbursed, such as:

- Mileage @ .70 cents per mile (or current IRS rate)
- Overnight mail services (actual cost)
- Advanced costs: long distance telephone charges, facsimile (\$1.50 per page), copy charges (@ .20 cents per page/\$1.00 per page for color copies or actual cost if using a copy service)

Expenses would be billed at cost, without an add-on multiplier or administrative fee. This method would be applied to all types of services provided. We do not charge for administrative tasks performed by secretarial staff (e.g., file maintenance, invoicing, verifying date/time/location of events, etc.).

Secret Wardle is open to discussing and likely capable of accommodating other billing methods. Accordingly, if it is determined at any point in this process that the Village's preference is for, or its needs may be better served by way of such a proposal, we would appreciate an opportunity to supplement our proposal in a manner to address same

Proposed Primary Lead Attorney for the Village, Mark Roberts, supported by Ms. Knox and Ms. Green, shall be available to attend all meetings of the Village Council. Mr. Roberts will appear at most Village Council meetings and will have either Ms. Knox or Ms. Green available to appear if Mr. Roberts is unavailable. The Village's other Boards and Commissions will be attended at the request of the Village Board, the Village Manager, or their designees. Either Mr. Roberts, Ms. Knox, or Ms. Green will attend the meeting of the Village's other Boards and Commissions. As an optional service, Secret Wardle will commit to Mr. Roberts, Ms. Knox, or Ms. Green being present for 3 hours at the Village of Lake Orion offices for 2-3 days, or other schedule as negotiated, for regular office hours.

As indicated previously in this Proposal for Legal Services, Secret Wardle anticipates no conflicts in having either Mr. Roberts, Ms. Knox, or Ms. Green attending Village meetings.

7. Statement Pertaining to Worker's Compensation and Unemployment Compensation Insurance

Secret Wardle guarantees to the Village of Lake Orion that the Firm shall maintain worker's compensation and unemployment compensation insurance coverage for our employees at all times while providing legal services to the Village of Lake Orion.

8. Statement Pertaining to General Liability and Professional Liability Malpractice Insurance

Secret Wardle guarantees to the Village of Lake Orion that the Firm shall maintain general liability and professional malpractice coverage for its employees of not less than \$2 million at all times and general liability insurance for not less than \$2 million per occurrence while providing legal services for the Village of Lake Orion.

Additional Information

Conflict

We are aware of no existing or potential conflicts of interest with proposed representation of the Village for General Village Legal Services requested in the current RFP. Because Secrest Wardle represents several communities, the Firm has on occasion had to address potential conflict situations. If such a situation should arise, the Firm strictly follows the guidelines set forth in the Michigan Rules of Professional Conduct, which generally calls for disclosure to all parties and withdrawal as to the matter in conflict, unless waived by all parties.

Licensing Requirements

All Secrest Wardle legal staff possess a valid license to practice law within the State of Michigan as evidenced within their individual biographies, as well as Certificates of Good Standing.

Legal and Professional Associations

Secrest Wardle and its members belong to the following legal and professional associations:

- American Arbitration Association
- American Bar Association
- American College of Trial Lawyers
- American Intellectual Property Law Association
- Armenian American Bar Association
- Association of Defense Trial Counsel
- Association of General Contractors of Greater Detroit and Michigan
- Bond Buyer, list of Municipal Bond Attorneys (Red Book)
- Brother Rice Warrior Bar Association
- Building Owners and Managers Association of West Michigan
- Chaldean American Bar Association
- Defense Research Institute
- Detroit Bar Association
- Eaton County Bar Association
- Federal Bar Association
- Grand Rapids Bar Association
- Ingham County Bar Association
- Insurance Institute of Michigan
- Livingston County Bar Association
- Macomb County Bar Association
- Michigan Association of Municipal Attorneys
- Michigan Association of School Boards
- Michigan Defense Trial Counsel
- Michigan Judges Association
- Michigan Municipal League

National Association of Telecommunications Officials and Advisors
National College of District Attorneys
National School Board Association, Council of School Attorneys
National Society of Professional Insurance Investigators
Oakland County Bar Association
Public Corporations Section of the State Bar of Michigan
Rotary Club of Mt. Clemens
St. Clair County Bar Association
State Bar of Michigan
State Bar of Ohio
Who's Who in American Law
Women's Lawyers Association of Michigan

About Secret Wardle

With two locations in Michigan, we have been recognized as one of the “Largest Law Firms” ranked by number of attorneys in Southeast Michigan by *Crain's Detroit Business*. Secret Wardle has been named in *U.S. News - Best Lawyers* to the list of “Best Law Firms” in the following categories: Metropolitan Tier 1 - Troy - Municipal Law; Metropolitan Tier 2 - Troy - Insurance Law, Land Use & Zoning Law, Litigation – Municipal; and Metropolitan Tier 3 - Troy - Personal Injury Litigation – Defendants.

Several of our attorneys have been named to the Michigan Super Lawyers and Rising Stars lists in *Super Lawyers* magazine. Additionally, several of our attorneys have been selected to the list of Michigan “Top Lawyers in Metro Detroit” as published in *DBusiness* magazine.

Secret Wardle is also proud to give back to the community. Employees submit ideas for different charitable organizations to support.

For more information regarding Secret Wardle please feel free to visit our website at www.secretwardle.com. A comprehensive view of the Firm may be obtained, including access to our newsletters, webinars, white papers, and press releases.

ADDENDUM 1 SUMMARY OF PROPOSAL

1. Secret Wardle
 - a. Areas of specialty:
 - Alternative Dispute Resolution
 - Amusement and Leisure
 - Appellate
 - Commercial and Business Law
 - Construction
 - Drug and Medical Device
 - Employment
 - Environmental and Toxic Tort
 - Family Law
 - General Negligence
 - Governmental Litigation
 - Insurance Coverage
 - Intellectual Property / Advertising Injury
 - Malpractice / Professional Liability
 - Motor Vehicle Litigation
 - Municipal
 - Premises Liability
 - Product Liability
 - Property, Fire and Casualty
 - Real Estate
 - Trucking/Commercial Vehicle Litigation
 - b. 112 years
2. Offices
 - a. Troy, Michigan
 - b. No parent firm, second office in Grand Rapids, Michigan
3. Personnel
 - a. Mark S. Roberts, (248) 539-2815, mroberts@secretwardle.com
 - b. General counsel services, Mak S. Roberts, Alana E. Knox, Nancy Cooper-Green
Prosecution services, L. Charlynn Turnner
General civil defense, Mattew Nicols
 - c. Associate, Maxwell Cavellier
Legal assistant, Gail Fuller
Legal assistant, Tamera Briggs
Legal assistant, Arnela Ahmetovic
 - d. There is 62 licensed attorneys in the Troy office of Secret Wardle
 - e. There is a total staff of 130 at Secret Wardle's Troy office

4. The current staff will be sufficient to handle the work generated by lake Orion and Secrest Wardle will not need to add staff to handle this new client. Secrest Wardle is, however, looking to expand its Municipal department and has recently hired a new associate to grow into the Municipal practice group at Secrest Wardle.
5. Statement of experience – see Section 3 of proposal
6. In reviewing the description of the Village of Lake Orion and its needs for legal counsel, it appears that the Secrest Wardle’s Municipal practice group is a good fit for the Village needs. As outlined in Section 3 of this proposal, our attorneys are well versed in the review of development documents including condominiums, business development, as well as the required infrastructure improvements associated with redevelopment. Our firm has prepared numerous development agreements, financing documentation for infrastructure improvements as well as reviewing and enforcing contractual requirements for this work. Secrest Wardle has a strong background in zoning and planning, with decades of experience handling many land use issues including zoning enforcement, RLUIPA issues, regulatory taking claims, and defending challenges to decisions made by the planning commission or zoning board of appeals. Secrest Wardle has led the field in the area of environmental regulations, having drafted early storm water regulations, wet land regulations, and tree ordinance regulations. Secrest Wardle has in the past worked with the Village planning contractor, McKenna of Northville, leading to some innovative ordinances.
7. References
Steven Kaplan, former West Bloomfield
Township Supervisor
Wayne County Prosecutor’s Office
5301 Russell St
Detroit, MI 48211
kaplan@waynecountymi.gov

Lynne M. Senia, City Clerk
City of Dearborn Heights
6045 Fenton
Dearborn Heights, MI 48127
lsenia@dearbornheightsmi.gov

Mike McCready, Supervisor
Charter Township of Bloomfield
4200 Telegraph Rd. P.O. Box 489
Bloomfield Hills, MI 48303-0489
mmccready@bloomfieldtpw.org

Teri Weingarden, Treasurer
Charter Township of West Bloomfield
4550 Walnut Lake Road

West Bloomfield, MI 48323
tweingarden@wbtownship.org

8. The firm has no existing clients or interests that it reasonably foresees constituting a conflict of interest with its representation of the Village of Lake Orion.
9. The attorneys associated with Lake Orion all practice out of our Troy location. Day-to-day activities will be conducted primarily by Mark Roberts, including attending Village meetings, and if selected as an option, attending office hours at Village offices as well. L. Charlyn Turner will handle the prosecutions on behalf of the Village, and currently represents clients in the 52-3 district court. As such Mrs. Turner is well acquainted with the policies and procedures in this court. Matthew Nicols would be primarily responsible for handling general civil litigation involving the Village, supported by the 62 attorneys located in our Troy office.
10. See Section 7 and 8 for insurance information.
11. Our firm does not intend to represent the Village in any labor, bankruptcy, or bond counsel services. Our firm is well equipped to handle tax tribunal and litigation services on behalf of the Village.
12. The Bar Association has not informed Secrest Wardle of any complaints regarding the firm in the past five years.
13. The firm has not been in bankruptcy, sought reorganization or receivership in the past five years.
14. No Municipal client has terminated Secrest Wardle in the past five years, although clients have replaced Secrest Wardle at the end of a contract following a competitive bidding process. Secrest Wardle has also elected not to continue representing particular clients for business reasons.
15. Any inquiries from Village Council, Village Manager or department heads will be in most cases, immediate, as we provide our clients with multiple avenues for communication with the attorney servicing the account. An initial response to inquiries will in no case be longer than 24 hours.
16. If selected, Secrest Wardle would propose a series of meetings with the Village Manager and department heads to outline the major areas of concern facing the Village administration currently, part of this process would also involve the prosecutor assigned to the Village meeting with the police chief and police officers to gain a better understanding of the goals and objectives of the department. In preparation for these meetings, we would review the prior meeting minutes for the Village to familiarize ourselves with the most recent concerns brought to the Village Council.

17. Secret Wardle is not familiar with any potential conflict of interest that would prevent Secret Wardle or any of the attorneys listed in this proposal from performing their required services for the Village.

18. General counsel services:
Executive partner, \$165 per hour
Partner, \$160 per hour
Associate, \$150 per hour
Paralegal, \$90 per hour

Prosecution services:
Executive partner, \$165 per hour
Partner, \$160 per hour
Associate, \$150 per hour
Paralegal, \$90 per hour

Civil cases:
There will be a separate agreement for each civil litigation matter handled by Secret Wardle and the rate specified for that matter will be the same rate for the duration of that litigation matter.



Proposal for General Counsel Legal Services
For The Village of Lake Orion

ADDENDUM 1
SAMPLE BILLING STATEMENT



OUTSTANDING STATEMENTS AS OF February 10, 2025

| | | |
|----------------|--------------|--------------|
| Statement No.: | 02/10/2025 | XXX |
| | TOTAL | \$XXX |

| DATE | TKPR | Building Inspection | HOURS | VALUE |
|----------|------|---------------------------------------|-------|-------|
| 01/31/25 | XXX | Review letter from XXX regarding XXX. | 0.20 | XX |
| | | TOTAL FOR Building Inspection | XX | \$XX |

| DATE | TKPR | Cable Studio | HOURS | VALUE |
|----------|------|--|-------|-------|
| 01/30/25 | XXX | Review letters (2) from XXX regarding XXX. | 0.30 | XX |
| | | TOTAL FOR Cable Studio | XX | \$XX |

| DATE | TKPR | General Fund | HOURS | VALUE |
|----------|------|---|-------|-------|
| 01/02/25 | XXX | New ROW Permit Request for XXX. | 1.80 | XX |
| 01/02/25 | XXX | Review letter from XXX regarding ZBA case. | 0.20 | XX |
| 01/02/25 | XXX | Review letter from Tom XXX regarding Ordinances. | 0.20 | XX |
| 01/02/25 | XXX | Review letters from XXX and XXX. Letter to XXX regarding signs. | 0.30 | XX |
| 01/02/25 | XXX | Attend office hours at XXX. | 3.00 | XX |
| 01/02/25 | XXX | Review letter from XXX regarding litigation matters. | 0.20 | XX |
| 01/02/25 | XXX | Review letter from XXX. Letter to XXX regarding XXX. | 0.20 | XX |
| 01/02/25 | XXX | Review letter from XXX. Letter to XXX regarding XXX. | 0.20 | XX |
| 01/03/25 | XXX | Review letter from court regarding XXX v. XXX. | 0.20 | XX |
| 01/03/25 | XXX | Review letter from XXX and Order regarding XXX. | 0.30 | XX |
| 01/06/25 | XXX | Review letter from XXX regarding XXX. | 0.20 | XX |
| 01/06/25 | XXX | Attend office hours at XXX. | 3.00 | XX |
| 01/06/25 | XXX | Review letter from XXX regarding XXX meeting. | 0.20 | XX |
| 01/07/25 | XXX | Letter to XXX regarding XXX. | 0.20 | XX |
| 01/07/25 | XXX | Review letter from Court regarding XXX v XXX. | 0.20 | XX |
| | | TOTAL FOR General Fund | XX | \$XXX |

| DATE | TKPR | SAD | HOURS | VALUE |
|----------|------|--|-------|-------|
| 01/06/25 | XXX | Review letter from XXX. Legal research. Letter to XXX regarding XXX. | 0.70 | XX |
| | | TOTAL FOR SAD | XX | \$XXX |

| DATE | TKPR | Water & Sewer | HOURS | VALUE |
|----------|------|---|-------|-------|
| 01/24/25 | XXX | Review letter from XXX regarding XXX. | 0.20 | XX |
| 01/27/25 | XXX | Review letter from XXX. Letter to XXX. Review Plan regarding XXX. | 0.40 | XX |
| | | TOTAL FOR Water & Sewer | XX | \$XXX |

HOURLY CHARGES:

| INIT | TIMEKEEPER | TITLE | RATE | HOURS | BILLED |
|------|------------|-------|-------|-------|--------|
| XXX | XXX | | \$XXX | XX | \$XXX |
| XXX | XXX | | \$XXX | XX | \$XXX |
| XXX | XXX | | \$XXX | XX | \$XXX |

TOTAL HOURLY CHARGES:

\$XXX

EXPENSES ADVANCED:

| | | |
|----------|--|------|
| 01/07/25 | Mark S Roberts - Attorney Mileage (16.00 x 0.70) | \$XX |
| 01/13/25 | Mark S Roberts - Attorney Mileage (32.00 x 0.70) | \$XX |
| 01/21/25 | Mark S Roberts - Attorney Mileage (16.00 x 0.70) | \$XX |
| 01/27/25 | Mark S Roberts - Attorney Mileage (16.00 x 0.70) | \$XX |
| 01/28/25 | Mark S Roberts - Attorney Mileage (16.00 x 0.70) | \$XX |

TOTAL EXPENSES ADVANCED:

\$XX

TOTAL CURRENT BILL:

\$XXX



SECRET, WARDLE, LYNCH
HAMPTON, TRUEX & MORLEY
2600 TROY CENTER DRIVE P.O. BOX 5025
TROY, MICHIGAN 48007-5025
(248) 851-9500

IRS #

[REDACTED]

February 10, 2025
Invoice #
Client No.
Matter No.

RE: [REDACTED]

Services Rendered:

CURRENT BILLING SUMMARY THROUGH JANUARY 31, 2025

| | |
|--------------------------------|--------------|
| Fees for Professional Services | \$XXX |
| Expenses Advanced | \$XX |
| CURRENT BILL DUE | \$XXX |

PLEASE REMIT TO: SECRET, WARDLE, LYNCH,
HAMPTON, TRUEX & MORLEY, PC
P.O. BOX 772725
CHICAGO, IL 60677-2007

REMITTANCE COPY

PLEASE INCLUDE THIS PAGE WITH YOUR PAYMENT