

Hopkins & Huebner, P.C.

Response to
Request for Proposal
For the City of



Des Moines Office

2700 Grand Avenue
Des Moines, Iowa 50312
Ph: (515) 244 – 0111
Fa: (515) 244 – 8935

Adel Office

1009 Main Street
Adel, Iowa 50003
Ph: (515) 993 – 4545
Fa: (515) 993 – 5214

Quad Cities Office

100 E. Kimberly Road
Davenport, Iowa 52806
Ph: (653) 445 – 2264
Fa: (515) 445 – 2267

HOPKINS & HUEBNER, P.C. ATTORNEYS AT LAW

Des Moines Office
2700 Grand Avenue
Des Moines, Iowa 50312
Ph: (515) 244 - 0111
Fa: (515) 244 - 8935

E. J. Giovannetti
Jeff H. Jeffries
R. Ronald Pogge (•)
Lorraine J. May
E. J. Kelly (+)
Jeff M. Margolin (*)
Matthew A. Grotnes
Jane V. Lorentzen
Hugh J. Cain
Barbara A. Hering
Apryl M. DeLange
Brent L. Hinders
Jeffrey D. Ewoldt
Robin G. Maxon (#)
Chandler M. Surrency (#)
Eric M. Updegraff
Alex E. Grasso
Jessica A. Eglseder
Alex S. Dornacker
Meghan C. O'Meara
Adam L. Kiel
James J. Theobald

Quad Cities Office
Northwest Bank Tower
100 E. Kimberly Road
Davenport, Iowa 52806
Ph: (653) 445 - 2264
Fa: (515) 445 - 2267

M. Anne McAtee (*)
Michael C. Walker (*)
Glenn F. Ruud (*)
Paul L. Macek
Amanda R. Motto (*)
Kylie K. Franklin (*)

Adel Office
1009 Main Street
Adel, Iowa 50003
Ph: (515) 993 - 4545
Fa: (515) 993 - 5214

James E. Van Werden
Adam Doll
Edward S. Fishman

Terrance A. Hopkins (Retired)
Fred D. Huebner (1919 - 1996)

(*) Also admitted in Illinois
(+) Also admitted in Nebraska
(•) Also admitted in Arizona
(#) Also admitted in Kansas

www.hhlawpc.com

November 8, 2022

Dylan Mulfinger
City Administrator
20 2nd Avenue SW
Oelwein, IA 50662

RE: Hopkins & Huebner, P.C. Response to Request for Proposal for Legal Services

Dear Mr. Mulfinger:

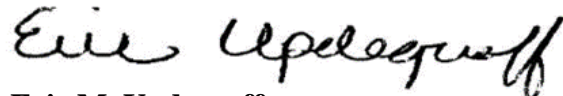
Please accept this as Hopkins & Huebner, P.C.'s response to the City of Oelwein's Request for Proposal for legal services. I have authority to bind the Law Firm. I certify that this information is correct.

Hopkins & Huebner, P.C. is a full-service civil litigation law firm that has been serving Iowa for over 70 years. The Firm is comprised of 30 attorneys located in 3 offices who are licensed in Iowa and practice in municipal law, employment and labor law, construction law, business and corporate law, workers' compensation, and civil litigation. With our combined years of experience, we are able to provide individualized attention to the unique needs of our clients.

This response outlines the Firm's qualifications, references, billing and fee structure, conflict procedures, and current issues. We believe that our extensive experience, staff, and expertise, combined with our knowledge of legal practices in Iowa qualify us for this position.

Should you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Eric M. Updegraff

Ph: (515) 697 - 4242

Fa: (515) 697 - 4243

E: eupdegraff@hhlawpc.com

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Firm Overview

From its beginning in the 1940s, Hopkins & Huebner, P.C. has maintained a reputation for extensive legal knowledge, experience, integrity, and professionalism of its lawyers. Our employment and municipal law attorneys have over 70 years of combined experience in municipal law, employment law, human resources, labor law, and government operations. Hopkins & Huebner, P.C. has worked with cities, counties, and local government boards and commissions to provide assistance with federal and state labor laws, government operations, writs of certiorari, wind turbine issues, agricultural exemptions for property, zoning issues, takings issues, drainage district issues, writing and reviewing contracts, creating and updating job descriptions, developing employee handbooks, collective bargaining, regulatory rules and procedures, OSHA compliance, First Amendment rights, civil rights issues, discrimination complaints, drug testing, open and closed meetings rules, and open records requests. We offer a client-centered and open-door approach to consultation. Please refer to pages 4 and 5 for a list of names and telephone numbers of current and previous client contact persons.

Areas & Availability

Eric Updegraff will be the lead attorneys responsible for delivery of legal services to the City of Oelwein, however legal services may also be tendered by Hugh Cain, Brent Hinders, Eddie Fishman, Adam Doll, Alex Dornacker, or James Theobald. Our attorneys are available by telephone, cell phone, or email to answer questions and provide assistance as needed. Our office is open Monday to Friday from 8:00 a.m. to 5:00 p.m. Attached are biographies that list comprehensive qualifications for all the involved attorneys at Hopkins & Huebner, P.C.

Former Clients

Client Name: Shelby County Emergency Management Commission
Client Address: 612 Court Street, Harlan, Iowa 51537
Client Contact: Alex Londo, Director
Client Email: alondo@shco.org
Phone Number: (712) 755 - 5160

Client Name: Jasper County, Iowa
Client Address: 101 First Street N., Newton, Iowa 50208
Client Contact: Dennis Simon, Human Resources Director
Client Email: hr@co.jasper.ia.us
Phone Number: (641) 787 – 1024

References

Client Name: City of Ames
Client Address: 515 Clark Avenue, Ames, Iowa 50010
Client Contact: Mark Lambert, City Attorney
Client Email: mark.lambert@cityofames.com
Phone Number: (515) 239 - 5146

Client Name: City of Mason City
Client Address: 10 First Street N.W., Mason City, Iowa 50401
Client Contact: Perry Buffington, Human Resources Director
Client Email: pbuffington@masoncity.net
Phone Number: (641) 424 - 7130

Client Name: City of Norwalk
Client Address: 705 N. Avenue, Norwalk, Iowa 50211
Client Contact: Luke Nelson, City Manager
Client Email: lnelson@norwalk.iowa.gov
Phone Number: (515) 493 - 9971

Client Name: Wapello County
Client Address: 215 N. Court Street, Ottumwa, Iowa 52501
Client Contact: Jerry Parker, Chair of County Board of Supervisors
Client Email: jparker@wapellocounty.org
Phone Number: (641) 683 - 4630

Fee Structure

Subject to negotiation with the City of Oelwein, Hopkins & Huebner, P.C. proposes an hourly rate of \$250.00 per hour for Shareholder Attorneys, \$225.00 an hour for Associate Attorneys, \$160.00 per hour for traffic ticket prosecution, and \$100.00 per hour for Paralegals. The Firm will consider alternative billing arrangements. This proposal includes all costs for labor, materials, taxes, insurance, overhead, profits, and all other costs necessary to perform the work in accordance with the contract documents. Minimum hourly billing kept by all timekeepers will be increments of 0.10 (one-tenth) hours. Reimbursable costs for the Firm would be as follows: mileage will be paid at the standard approved IRS mileage rate; fees for court filings; fees for expert witnesses; subpoena fees; bulk photocopying by an outside vendor; express mail and delivery services, if necessitated.

Billing**Hourly Fees**

| | |
|----------------------------|----------|
| Shareholder Attorney | \$250.00 |
| Associate Attorney | \$225.00 |
| Traffic Ticket Prosecution | \$160.00 |
| Paralegal | \$100.00 |

We have the capability to submit invoices on paper or electronically. Hopkins & Huebner, P.C. bills monthly, and will work with our clients to meet their billing frequency needs.

Conflicts

Hopkins & Huebner, P.C. maintains a conflict protocol and client registry as required under existing ethics standards. The Firm maintains a client list in its computer system which notes all clients and adverse parties. Regarding entities related to the City of Oelwein, the Firm has no known existing legal conflicts.

Additional Info

If you should require any additional information regarding this proposal, please feel free to reach out to me at the information provided below:

Eric M. Updegraff
2700 Grand Avenue
Des Moines, Iowa 50312
Ph: (515) 697 - 4242
Fa: (515) 697 - 4243
E: eupdegraff@hhlawpc.com

Attorney Qualifications



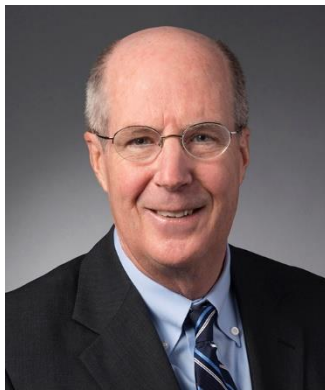
Eric M. Updegraff

Shareholder Attorney

Areas of Practice: Employment and Municipal Law

Eric Updegraff has practiced law in Iowa for over 18 years. Eric is a graduate of Simpson College and University of Iowa College of Law. Eric is experienced in providing legal assistance to boards of supervisors, city councils, city clerks and other governmental entities.

He has provided advice or assistance to municipalities on contractual issues, sale of real property, employment issues, employee handbooks, zoning issues, takings issues, constitutional issues, Open Meetings law, ordinance drafting and a variety of other issues. Eric is an experienced trial lawyer who has tried cases in front of juries, judges, administrative agencies, and boards throughout the State of Iowa.



Hugh J. Cain

Shareholder Attorney

Areas of Practice: Employment and Municipal Law

Hugh Cain is a graduate of the University of Washington School of Law and has practiced in Iowa's state and federal courts for over 39 years. He has spent his legal career finding solutions to his client's legal problems and issues. He brings creativity, ingenuity, and dedication to solving problems. He works with clients proactively to identify problems before they grow into lawsuits and claims. Once claims become litigated, Hugh offers a client-centered approach and works to help resolve matters in his clients' favor. Hugh has been selected as "Lawyer of the Year" three times by The Best Lawyers in America[®]. He has been listed in Chambers USA as a Leader in Iowa Labor and Employment Law. Hugh has litigated legal disputes and advised Iowa private and public employers on a wide variety of employment issues, policies and procedures, employee handbooks, disciplinary actions, civil rights issues, reasonable accommodations, OSHA safety compliance, and wage hour issues. He has negotiated collective bargaining agreements and assisted local government boards with governance, ordinances, open meetings, and open records issues. Hugh has experience representing and advising Iowa cities, counties, and other municipalities.

Qualifications (Cont.)



Brent L. Hinders

Shareholder Attorney

Areas of Practice: Criminal, Municipal, Government, and Employment Law

Brent Hinders has been practicing law in Iowa for over 17 years. He is a graduate of Simpson College and Drake University Law School, and he has substantial experience in advising city councils, boards of supervisors, and other governmental entities on legal matters, interpreting ordinances and statutes, writing policies, reviewing and recommending modifications to ordinances, negotiating collective bargaining agreements, representing municipalities in court, and has tried numerous jury and non-jury trials. Brent is a former assistant Warren County attorney. He has represented clients on cases involving a wide variety of municipal law issues, including: wind turbine issues, agricultural exemptions for property, zoning issues, takings issues, and writs of certiorari. Brent has represented municipal boards of adjustment, zoning commissions, and drainage districts. He has negotiated collective bargaining agreements and assisted local government boards with governance, ordinances, open meetings, and open records issues. Brent has experience representing and advising Iowa cities, counties, and other municipalities.



Eddie S. Fishman

Shareholder Attorney

Areas of Practice: Criminal and Family Law, Estate Planning, and Civil Litigation

Eddie Fishman is a graduate of the University of Iowa College of Law, and the University of Miami. He maintains a general practice working in the areas of criminal defense, civil litigation, family law, and probate. Eddie has been practicing law in Iowa since 2013 and joined Hopkins & Huebner in 2018. Eddie is a member of the Iowa State Bar Association and the Dallas County Bar Association. He is also a member of the Beavertdale Neighbor Association Board.

Qualifications (Cont.)



Adam Doll

Shareholder Attorney

Areas of Practice: Municipal and Family Law, Estate Planning, Civil Litigation, and Real Estate

A graduate of Simpson College and Drake University Law School, Adam now practices in municipal law, wills, trusts, probate and estate planning, criminal law, family law, business planning and advising, and real estate. Adam Doll has been practicing law in Iowa since 2005 and joined Hopkins & Huebner in 2007. Adam is a member of the Iowa State and Dallas County Bar Associations, and is admitted to the United States District Court for the Southern District of Iowa. Adam has been doing municipal work for over 3 years. He is the city attorney for Redfield, Dexter, Linden, Dawson, and has represented Dallas County, Adel, Murray, and Chariton in previous projects. He always represents a city with a common sense and pragmatic approach to get great results at a great value.



Alex S. Dornacker

Associate Attorney

Areas of Practice: Employment and Municipal Law

Alex Dornacker was a law clerk at Hopkins & Huebner while in law school where he also served as a student attorney at Drake Law School Refugee Legal Clinic, where he represented clients seeking asylum in the United States. Alex has been practicing law in Iowa since 2021, the same year he joined H&H as an attorney. A graduate of The University of Iowa and Drake University Law School, Alex now practices primarily in employment law, human resources, municipal, and government law. Alex Dornacker is fluent in Spanish.

Qualifications (Cont.)



James J. Theobald

Associate Attorney

Areas of Practice: Employment Law and Criminal Defense

James J. Theobald joined Hopkins & Huebner, P.C. as an associate attorney in August of 2022, one month prior to him passing the Bar exam. After studying political science and criminal justice at Iowa State University, James received his Doctor of Jurisprudence from Drake University Law School in Des Moines, Iowa. He primarily practices employment law and criminal defense.

Attorney Resumes

Please refer to pages 11 through 20 for the professional resumes of each attorney who will, or may, be providing legal services to the City of Oelwein.

Eric M. Updegraff



Des Moines Office

Ph: (515) 697 - 4242

Fa: (515) 244 - 8935

eupdegraff@hhlawpc.com

Legal Admin Assistant:

Donna Stiegel

Ph: (515) 697 - 4370

Fa: (515) 244 - 8935

dstiegel@hhlawpc.com

Areas of Practice

General practice including, but not limited to:

- Employment Law
- Municipal Law

Bar Admissions

- U.S. District Court for the Eastern District of Wisconsin, 2012
- U.S. Court of Appeals for the Eighth Circuit, 2006
- U.S. District Court for the Southern District of Iowa, 2006
- U.S. District Court for the Northern District of Iowa, 2006
- Iowa, 2004

Education

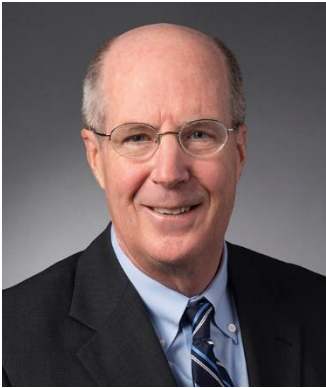
- University of Iowa College of Law, Iowa City, Iowa
 - Doctor of Jurisprudence with Distinction, 2004
- Simpson College, Indianola, Iowa
 - Bachelor of Arts, Economics, 2001

Honors and Awards

- Great Plains Super Lawyers, Rising Stars, 2013 - 2019

Published Works

- Co-Author, "Terminations Under Veterans Preference Law"
- "Working with a Disability"
- "The Fair Labor Standards Act and Exempt Employees"
- "Your Employee Handbook and You"

Hugh J. Cain

Des Moines Office

Ph: (515) 697 - 4222
Fa: (515) 244 - 8935
hcain@hhlawpc.com

Legal Admin Assistant:
Donna Stiegel
Ph: (515) 697 - 4370
Fa: (515) 244 - 8935
dstiegel@hhlawpc.com

Areas of Practice

General practice including, but not limited to:

- Employment Law
- Government

Bar Admissions

- U.S. District Court for the Northern District of Iowa, 1983
- U.S. District Court for the Southern District of Iowa, 1983
- Iowa, 1983

Education

- University of Washington, Seattle, Washington
 - Doctor of Jurisprudence, 1982
- Creighton University, Omaha, Nebraska
 - Bachelor of Arts, History, Summa Cum Laude, 1978

Professional Associations and Memberships

- American Bar Association
 - Member, Government Practice Section
 - Member, Labor and Employment Section
- Iowa Municipal Attorneys Association
- Iowa State Bar Association
- Polk County Bar Association

Public Service

- Warren County Zoning Commission
 - Vice Chair

Cain (Cont.)

Published Works

- Drake Law Review
 - Co-Author, “Evolution of Hostile Environment Claims”, 1999
 - Author, “Evolution of Implied Covenant Exception to the Employment at Will Doctrine in Iowa”, 1994

Classes and Seminars Taught

- Frequent seminar speaker covering a broad array of topics, such as Employment Law and Government Practice

Brent L. Hinders

Des Moines Office

Ph: (515) 697 - 4232

Fa: (515) 244 - 8935

bhinders@hhlawpc.com

Legal Admin Assistant:

Donna Stiegel

Ph: (515) 697 - 4370

Fa: (515) 244 - 8935

dstiegel@hhlawpc.com

Areas of Practice

General practice including, but not limited to:

- Criminal Law
- Employment Law
- Family Law
- Government Law
- Municipal Law

Bar Admissions

- U.S. Supreme Court, 2011
- U.S. Court of Appeals for the Eighth Circuit, 2011
- U.S. District Court for the Northern District of Iowa, 2011
- U.S. District Court for the Southern District of Iowa, 2006
- Iowa, 2005

Education

- Drake University, Des Moines, Iowa
 - Doctor of Jurisprudence, Certificate in Litigation and Alternative Dispute Resolution, 2005
 - Master of Public Administration, Concentration in Human Resources and Public Policy, 2005
- Simpson College, Indianola, Iowa
 - Bachelor of Arts, History and Criminal Justice, 2001

Professional Associations and Memberships

- Leadership Iowa Member Class of 2015 - 2016
- Norwalk Chamber of Commerce
 - Board Member, Former President, 2015 - 2016
- Former Assistant Warren County Attorney, 2007 - 2011
- Indianola Noon Lions Club
 - Former Member
- Iowa Association of Justice
- Iowa County Attorneys Association
 - Former Member

Hinders (Cont.)**Professional Associations and Memberships (Cont.)**

- Iowa Municipal Attorneys Association
- Iowa State Bar Association
 - ISBA Criminal Law Legislative Subcommittee
- ISBA Government Practice Section Council
- Iowa Supreme Court Grievance Commission
- Norwalk Board of Adjustment
 - Vice Chair
- Norwalk Schools Watch D.O.G. Organization
 - Board Member
- Polk County Bar Association
- Warren County Bar Association
- Warren County Leadership Institute Alumni
- Warren County Prosecuting Attorneys Association
 - Former President

Honors and Awards

- Selected to Best Lawyers in America, 2021 - 2023

Published Works

- Iowa Living Magazines, Adel Living
 - “If You Steal my Sunshine: Local Government and Iowa’s ‘Sunshine Laws’”, 2015
- Iowa Living Magazines, Adel Advice Column
 - “Ice, Ice Baby: Limiting Your Premises Liability in the Winter Months”, 2014
 - “Veterans Employment: Laws and Benefit, Protect Veterans”, 2014

Classes and Seminars Taught

- Frequent seminar speaker covering a broad array of topics, such as Governmental Law Statutes and Ordinances
- William Penn College for Working Adults
- Adjunct Instructor, 2012 – Present

Eddie S. Fishman

Adel Office

Ph: (515) 697 - 4296
Fa: (515) 993 - 5214
efishman@hhlawpc.com

Legal Admin Assistant:
Rhonda Scott
Ph: (515) 697 - 4396
Fa: (515) 993 - 5214
rscott@hhlawpc.com

Areas of Practice

General practice including, but not limited to:

- Civil Litigation
- Criminal Law
- Estate Planning - Wills and Trusts
- Family Law

Bar Admissions

- Iowa, 2013

Education

- University of Iowa College of Law, Iowa City, Iowa
 - Juris Doctor, 2013
- University of Miami, Miami, Florida
 - Bachelor's Degree, Journalism and Political Science, Magna Cum Laude, 2010

Professional Associations and Memberships

- Beaverdale Neighbor Association Board
- C. Edwin Moore Inn of Court
- Dallas County Bar Association
- Iowa State Bar Association

Published Works

- "Iowa Can Now Expunge Past Convictions for Misdemeanor Offenses"
- "Marijuana Possession - What Happens When You Are in the Wrong place at the Wrong Time?"
- "Mechanic's Lien on Residential Property - Is it Really Enforceable?"
- "Traffic Tickets: Minor Violations Can Cause Major Problems"

Adam Doll



Adel Office

Ph: (515) 697 - 4282

Fa: (515) 993 - 5214

adoll@hhlawpc.com

Legal Admin Assistant:

Rhonda Scott

Ph: (515) 697 - 4396

Fa: (515) 993 - 5214

rscott@hhlawpc.com

Areas of Practice

General practice including, but not limited to:

- Business Organization
- Civil Litigation (General)
- Estate Planning – Wills, Trusts, and Probate
- Family Law
- Guardianship and Conservatorship
- Municipal Law
- Probate – Estate and Trust Administration
- Real Estate and Farm Sales

Bar Admissions

- U.S. District Court for the Southern District of Iowa, 2015
- Iowa, 2005

Education

- Drake University Law School, Des Moines, Iowa
 - Doctor of Jurisprudence, with Honors, 2005
 - Law Review, 2003 - 2004
- Simpson College, Indianola, Iowa
 - Bachelor of Arts, Business Management, 1999

Professional Associations and Memberships

- Adel Rotary Club
 - President, 2010 – 2011
- Dallas County Bar Association
 - President, 2010
- Iowa State Bar Association
 - Member, Real Estate, Business, and Probate Sections

Doll (Cont.)

Public Service

- Adel Partners
 - Former Director
- ADM Booster Club
 - Board Member
- Youth Sports
 - Coach and Volunteer

Published Works

- Various articles for the Adel Living Magazine

Classes and Seminars Taught

- Frequent seminar speaker covering a broad array of topics, such as Estate Planning and Probate

Alex S. Dornacker



Des Moines Office

Proficient in Spanish

Ph: (515) 697 - 4378

Fa: (515) 244 - 8935

adornacker@hhlawpc.com

Legal Admin Assistant:

Donna Stiegel

Ph: (515) 697 - 4370

Fa: (515) 244 - 8935

dstiegel@hhlawpc.com

Areas of Practice

General practice including, but not limited to:

- Employment Law
- Human Resources
- Municipal Government Law

Bar Admissions

- Iowa, 2021

Education

- Drake University Law School, Des Moines, Iowa
 - Doctor of Jurisprudence, 2021
 - C. Edwin Moore Oral Argument Competition
 - Dean's List
 - Refugee Legal Clinic
- The University of Iowa, Iowa City, Iowa
 - Bachelor of Arts, International Relations, and Spanish, 2018
 - Center for Modern Languages, Study Abroad Program in Granada, Spain
 - Dean's List

Additional Information

- Proficient in Spanish
 - Written, Writing

James J. Theobald



Areas of Practice

General practice including, but not limited to:

- Employment Law
- Criminal Defense

Bar Admissions

- Iowa, 2022

Education

Des Moines Office

Ph: (515) 697 - 4310

Fa: (515) 244 - 8935

jtheobald@hhlawpc.com

- Drake University Law School, Des Moines, Iowa
 - Doctor of Jurisprudence, 2022
- Iowa State University, Ames, Iowa
 - Bachelor of Arts, Political Science and Criminal Justice, Minor in History, 2018

Legal Admin Assistant:

Donna Stiegel

Ph: (515) 697 - 4370

Fa: (515) 244 - 8935

dstiegel@hhlawpc.com