

**ATU LOCAL 1596 PENSION FUND
MINUTES OF MEETING HELD
APRIL 13, 2009**

Board Members Present:

Robert Doane – Union Appointee
Frank Luna – Chairman, Union Appointee
Bert Francis - LYNX Appointee
Frank Lacock - Secretary, Union Appointee
Lisa Darnall - LYNX Appointee

Others Present

Nick Schiess - Plan Administrator

Agenda Item	Discussion	Decision	Status	Follow-up
1.	The meeting was called to order at 10:00 A.M. in the LYNX Boardroom, Lynx Central Station, 455 N. Garland Av., Orlando, FL 32801.		Closed	None
2.	<p>The Trustees discussed the interview process for a replacement attorney and determined the questions that should be asked of the prospective candidates.</p> <p>Stuart Kaufman appeared before the Board on behalf of Klausner & Kaufman P.A. and discussed the qualifications, experience and history of the firm. He noted that the firm's practice served many national and state entities and the national exposure expanded the firm's perspective. Mr. Kaufman explained that the firm only served governmental pension plans. He discussed the firm's rate structure, which was \$300 per hour, \$250 per hour for associates, plus reimbursement of travel expenses. He advised that an alternative fee arrangement through a monthly retainer was available, however, it was difficult to provide an accurate retainer because the amount of service required was unknown and he ultimately recommended against the retainer. Mr. Kaufman was questioned whether the firm engaged any</p>			

	<p>certified mediators and he responded that the firm did not engage mediators. He was questioned regarding reimbursement for travel expenses and he responded that travel expenses must be reimbursed and travel time is billed for only one hour for that day. Mr. Kaufman was questioned whether a partner of the firm would attend meetings and responded that a partner would be present at all meetings. He was questioned who within the firm handled litigation and he responded that either Bob Kaufman or himself handled litigation. The Trustees discussed with Mr. Kaufman the significant issues before the Board including Amendment Six and the history of the inception of the Plan and he was questioned whether the firm was prepared to handle this matter. Mr. Kaufman responded that his firm was very capable of handling the matter, but significant research was required. He was questioned whether the firm has the ability to aggressively handle issues and disputes between the Union and Agency. He responded that the firm was very experienced in resolving disputes after passive measures have been exhausted.</p> <p>Bob Sugarman appeared before the Board on behalf of Sugarman & Susskind P.A. and discussed the qualifications, experience and history of the firm. He discussed the differences and unique aspects of the Plan versus other governmental pension plans. Mr. Sugarman advised that his firm was uniquely qualified to serve the Board because of his experience with Palm Tran, which is another similar transit union pension plan. He noted that the Plan was a former ERISA plan and his firm still served ERISA plans. Mr. Sugarman discussed in great detail the qualifications and experience of the firm's personnel and explained how this experience would benefit the Plan. Mr. Sugarman discussed the direction of legal representation, which was a focus to protect the Trustees along with participants & beneficiaries. He discussed his analysis of the Plan and advised as to the steps he would initiate immediately if his firm was engaged. He discussed the firm's rate structure, which was \$275 per hour and \$100 per hour for paralegal</p>			
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	<p>services, and alternatively, a retainer of \$4,800 per month based on limited experience and information. Mr. Sugarman recommended the hourly rate initially. The Trustees discussed with Mr. Sugarman the significant issues before the Board including Amendment Six and the history of the inception of the Plan and questioned whether the firm was prepared to handle this matter. Mr. Sugarman responded that his firm was very capable of handling the matter, but significant research was required. He was questioned regarding whether any consideration was given to the learning curve in billing and he responded that the rate structure had already been adjusted downwards to provide consideration for the learning curve.</p> <p>It was noted that the third finalist, Bonnie Jensen of Hanson Perry and Jensen, had suffered a family emergency and was unable to provide a presentation and had withdrawn her proposal to provide legal services.</p> <p>The Board discussed in great detail the qualifications and experience of both firms. It was noted that both candidates were very qualified. The Trustees individually ranked the firms and the consensus was that the Board and Plan would be best served by the firm of Sugarman & Susskind P.A.</p>	<p>Lisa Darnall made a motion to engage the services of Sugarman and Susskind P.A. Frank Lacock seconded the motion, approved by the Trustees 5-0.</p>	Closed	None
	The meeting adjourned at 12:23 P.M.		Closed	None

Respectfully submitted,

Secretary