

Updated Synopsis of Legal Fees Paid by the Stony Creek Association for the Legacy Theater and FOIA Matters

Being new to the Board, I wanted to understand what legal fees have been paid by the Association and the source of these funds. Greg Ames has provided me with the following information:

The Association has paid Fasano, Ippolito & Lee \$16,675.30 in billings up to June 29, 2015. Of this amount, fees for the Legacy Theater matter totaled \$10,708.00, \$5,499.50 for the FOIA matter and \$467.50 for election advice. A retainer agreement was entered into with the Fasano law firm on June 19, 2014 for them to represent the Association in the matter of Opposition to Expansion of the Legacy Theatre. The Association agreed to pay them at the rate of \$325 per hour for partners and \$275 for associates and a \$2,500 upfront retainer was paid. I have not been provided with an estimate of the amount of legal work remaining to complete the appeal nor have an estimate of the fees to be charged. Past minutes do not reflect any vote taken to retain the Fasano Law firm for other matters such as FOI matters and the election.

Donors have given \$8,980.00. Interest on this amount brings the amount to **\$8,992.00.** One anonymous donor has given the bulk of these funds. Dan Bullard has donated \$800.00, Janet Weithas \$150.00 and a person named Walsh \$10.00. **The individual plaintiffs have not contributed funds to help pay legal fees.**

Association funds in the amount of \$4,905.00 have been used to pay fees for the Legacy Theater matter and \$5,499.50 for the FOIA matter. Of the \$8,992.00 in **donation funds, \$5,803.00 to date have been used to pay Legacy Theater matter legal fees** leaving a balance of \$3,189.00 available. Dan announced at the last board meeting that the donors had promised an additional \$5,000.00 if needed. No written document has been provide confirming this. I am told that in the event any of the \$3,189.00 or \$5,000, if in fact donated, is not needed to pay legal fees, these funds will be returned to the donors. I have seen nothing in writing to this effect. Past minutes do not reflect any votes to accept any of the donations.

I hope this information is helpful to you.

Dated August 2, 2015



Ted Ells
Chair of Legal and Zoning