



Webb County

Statement of Qualifications in Response to the Request for Qualifications for Real Estate Legal Services for Webb County

February 1, 2024



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February 1, 2024

VIA PORTAL

Webb County Purchasing Department
1110 Washington Street, Suite 101
Laredo, Texas 78045
Attn: Contract Administrator

Re: Request for Qualifications (RFQ) for Real Estate Legal Services for Webb County (RFQ 2024-008)

Dear Mr. Guerrero:

On behalf of Nossaman LLP (Nossaman), I am pleased to submit our Statement of Qualifications (SOQ) in response to Webb County's Request for Qualifications (RFQ) for Real Estate Legal Services for Webb County. We are excited at the opportunity to work with Webb County to deliver first rate legal services to meet the County's needs.

Nossaman is one of the most experienced providers of real property and eminent domain legal services to public agencies in the western United States (U.S.) and we are confident that no other firm is as qualified to assist Webb County. We are skilled and successful in helping clients acquire the property that facilitates construction of the projects that shape the futures of communities. Our representation includes acquisition, disposition and transfer of property, eminent domain and inverse condemnation, relocation assistance requirements, real property-related tort claims such as trespass, nuisance, and negligence, utility relocations, encroachment disputes, quiet title and title disputes, easement interpretation, access issues, unlawful detainer, flooding liability and other real property-related issues and disputes. We regularly counsel public agency clients and assist them in successfully traversing the myriad of state and federal laws relevant to real property acquisitions, relocation, and litigation of claims, including severance damages. We offer unparalleled experience handling and advising on property acquisition, settlement negotiation, title and property ownership disputes, complex appraisal issues, maintenance and repair obligations and other eminent domain issues. More of the special advantages we offer include:

- **Texas Presence and Experience.** Nossaman has a long and successful track record of supporting public agencies throughout the state of Texas. We hold a deep commitment to

servicing those agencies from our firm's Austin office, as well as maintaining strong relationships with a number of Texas public agencies and entities. Firm-wide, we have assisted the Texas Department of Transportation (TxDOT) with successfully delivering a multitude of large-scale infrastructure projects across the state since 1999. Nossaman attorneys are also providing legal representation to TxDOT and the Texas Transportation Commission for various eminent domain matters, as well as currently advising the Austin Transit Partnership (ATP) on real property acquisitions and related matters to help expand the city's transit network. Our Eminent Domain & Valuation Group is actively expanding our practice in Texas with new personnel, including our newest team member Melissa Ferringer, and by establishing a greater presence in the state overall.

- **Deep Experience Handling Real Estate Matters for Public Agency Clients.** We have an extensive public agency practice, representing more than 200 public agencies and governmental entities at the local, state and federal levels. We have extensive experience representing public agencies and concentrate our representation on advising governmental agencies on some of the most complex and unique right-of-way acquisitions and related real estate matters for infrastructure projects across the country. Our attorneys have significant experience with different types of properties from raw land to fully developed high tech industrial and research and development facilities. We have dealt with every type of property and property owner, including residential, commercial, industrial, railroad, government, mineral, mining and agricultural production properties, from high density urban to wide open rural areas. We also assist agency clients with utility relocations, land use and zoning related matters, boundary disputes, negotiating and documenting licenses, easements, title issues and matters and of course acquisition and disposition of real properties including condemnations. Through our experience on virtually every type of real estate project, we have gained unique insight into the thinking of impacted property and business owners, contractors, engineering and architectural firms, sureties and lenders involved with large-scale development projects. This knowledge proves invaluable when a dispute arises, as it allows clients to better understand the motivations and perspectives of the claimant and its stakeholders. In addition, our dedication to public agencies minimizes the potential for conflicts and avoids the political difficulties that emerge from them.
- **Unmatched Right-of-Way Acquisition and Eminent Domain Qualifications.** Nossaman's team is comprised of the largest group of skilled eminent domain attorneys in the western U.S., and we believe we are also the most technically qualified. For decades, our attorneys have achieved unparalleled results on behalf of our public agency clients on some of the largest eminent domain and valuation cases in the region, and we have been involved with many high-profile public works projects that shape infrastructure in our communities. What sets us apart is our ability to guide agencies with project site acquisition planning, including creating realistic schedules and budgets, working cooperatively with impacted property owners to avoid condemnation actions, minimizing large severance damages claims, and

ensuring all technical steps are followed to reduce right-to-take challenges or challenges to prejudgment possession.

- **Full Range of Related Legal Expertise.** Unlike many other law firms, our proposed team does not stand alone or operate internally in a vacuum. Coordination among our Eminent Domain & Valuation, Infrastructure and Environmental & Land Use attorneys helps us identify and address interrelated property acquisition, procurement, construction claims, utilities and environmental issues. As a result of the fluidity that exists between our complementary practice groups, we are well equipped to assist Webb County in anticipating and managing the broad range of legal issues that may arise.
- **Commitment to Diversity.** Our commitment to a diverse and inclusive environment is at the core of Nossaman's values. We understand the importance of a work environment that reflects the broader community and offers opportunities for all. We are proud of the gender and racial diversity we have achieved in our Eminent Domain & Valuation practice group and place a high priority on maintaining and improving our record of inclusivity.

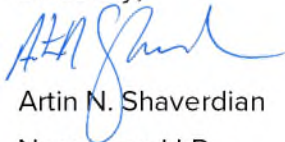
We are committed to providing the services required by Webb County. As required by the RFQ, this Statement of Qualifications (SOQ) is valid for ninety (90) days from the deadline of submission.

Thank you for the opportunity to submit this SOQ and for your consideration of our response.

I, Artin Shaverdian, affirm that I am legally authorized to bind the firm to the representations of our response and have provided my signature below.

We would consider it a distinct honor and privilege to work with Webb County. Please do not hesitate to contact me if you have any questions or would like additional information or would like to schedule an interview.

Sincerely,



Artin N. Shaverdian

Nossaman LLP

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A. TRANSMITTAL LETTER

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B. EXECUTIVE SUMMARY

We present a detailed and comprehensive Statement of Qualifications (SOQ) that demonstrates Nossaman LLP's (Nossaman's) unique experience and knowledge. After reading our SOQ, we hope Webb County will agree that Nossaman is the best choice to provide real estate legal services to the County. This SOQ addresses each of the requirements listed in the Request for Qualifications (RFQ). Through reading our response, we hope Webb County will agree that our firm's understanding, experience and success assisting public agencies and government entities with real property related matters makes us the best choice. Our unrivaled understanding of the intricacies of right-of-way acquisitions and easements, as well as experience with general eminent domain matters, demonstrates our nuanced understanding of real property matters and the careful steps surrounding each stage of them. We consistently assist clients, both inside and outside of Texas, by taking complex projects of every scale from start to finish.

Led by seasoned eminent domain attorney Artin Shaverdian, our team has both the capacity and the experience to assist Webb County in an efficient and effective manner. Our team includes a deep bench of attorneys including Texas attorneys Melissa Ferringer, Maya Hamouie and more, that specialize in the areas of real estate and eminent domain matters, highlighting the depth of our firm resources. Along with that main component, our team also includes resource members who bring specialized skills in construction claims, environmental matters and other complementary practice areas. This diversity of experience and knowledge presents Webb County with a team that is unmatched in its quality and capabilities and one that is equipped to hit the ground running.

Throughout our response, we detail our relevant experience on similar matters in size, scope or region in which we have worked. These projects highlight our abilities to successfully start and complete projects and offer a clear example of how our capabilities align with Webb County's goals.

We include details regarding our firm's diversity efforts, awards for our services and some of the additional value-added services that would be available to Webb County and its employees, should we be awarded work. Fostering a diverse and welcoming working environment is a core tenant of Nossaman. We strive to create a space where people and ideas can interact and develop together, producing an environment where people are able to perform at their best. Additionally, by incorporating as many perspectives as possible, we are able to innovate and develop new ideas that benefit our clients. Webb County would be the beneficiary of this environment, as well as having access to a wide range of educational and industry insights from our attorneys across our practice groups.

We believe our proposal clearly demonstrates our capabilities, the quality of our team and experience and the value Webb County would receive, should we be selected to provide our legal services. We appreciate the opportunity to offer our knowledge and experience to Webb County.

C. TABLE OF CONTENTS

Please find our Table of Contents above **Section A: Transmittal Letter**.

D. PROFESSIONAL LEGAL SERVICES FOR GOVERNMENT ENTITIES

Firm Overview

Founded in 1942, Nossaman is a Limited Liability Partnership with more than 150 attorneys and policy advisors across nine offices in the United States (U.S.), including in Austin, TX; Los Angeles, Irvine, San Francisco and Sacramento, CA; Phoenix and Tucson, AZ; Seattle, WA; and Washington, D.C. We maintain an extensive public agency practice, representing more than 200 public agencies and governmental entities at the local, state and federal levels across the country and have built robust practices in Eminent Domain & Valuation; Real Estate; Litigation; Infrastructure; Environment & Land Use; Water; Government Relations & Regulation; Pensions, Benefits & Investments; Healthcare; Corporate; Employment; Insurance Recovery; and Intellectual Property.

Firm Information

Name: Nossaman LLP

Address of Headquarters: 777 South Figueroa Street, 34th Floor, Los Angeles, CA 90017

Type of Business Entity: Limited Liability Partnership

Place of Incorporation: Los Angeles, CA

Firm Offices for this Work:

Austin

919 Congress Avenue, Suite 1200
Austin, TX 78701

Phoenix

Two North Central Avenue, Suite 1715
Phoenix, AZ 85004

Los Angeles (Headquarters)

777 South Figueroa Street, 34th Floor
Los Angeles, CA 90017

Sacramento

621 Capitol Mall, Suite 2500
Sacramento, CA 95814

Principal Contact Person: Artin Shaverdian, e: ashaverdian@nossaman.com, p: 213.612.7811, f: 213.612.7801, 777 South Figueroa Street, 34th Floor, Los Angeles, CA 90017

Team Member Locations:

- Austin, TX: Melissa Ferringer, Maya Hamouie, Christine Ryan, Rebecca Hays Barho, Kyle Hamilton
- Los Angeles, CA: Artin Shaverdian
- Phoenix, AZ: Christopher Kramer, Jordan Leavitt
- Sacramento, CA: Steve Silva

Financial Stability

Nossaman is in good financial standing. We do not foresee any litigation or other circumstances that would prevent us from performing the work described in the RFQ or that would adversely impact our ability to meet our financial obligations.

Like most law partnerships, Nossaman requires each equity partner to contribute capital to the firm and distributes net profits annually to its equity partners. We have banking relationships with Wells Fargo and Citibank, both of which conduct annual analyses of the legal market and have advised us that our expenses and revenues are within the appropriate range for firms of our size. We are profitable and pay all of our accounts payable on a current basis.

We understand from Wells Fargo and Citibank both our long- and short-term debt are below the average borrowings of our peer firms. The work we propose to perform for Webb County is comparable to services we provide to other clients. There are no current conditions anticipated to affect our finances or impede our ability to provide these legal services to Webb County.

Scope of Services Experience

Nossaman's Eminent Domain & Valuation Group is recognized by *Chambers & Partners* as a leading practice in the U.S. We regularly counsel clients in legal services similar to those desired by Webb County and help bring projects of all shapes and sizes to fruition.

Real Estate Reviews & Closings

From the acquisition and development of raw land to property purchases and eventual closing, our attorneys represent public agencies and entities on some of the most complex real estate projects in the western U.S. Our role ranges from drafting, reviewing and negotiating acquisitions and other key materials to assisting with the review of title, land use, zoning and various entitlements.

Nossaman offers in-depth experience representing clients in all aspects of office, industrial and retail acquisitions, dispositions, leasing and ground leases, as well as leasing services and property management matters. Our experience encompasses commercial facilities, parking structures, mixed-use facilities and intermodal centers. Some of our most significant acquisition, disposition and leasing transactions involve hundreds of thousands of square feet of office and warehouse space, commercial retail space, medical centers and data centers and often includes negotiations and documentation of buildout provisions. We have handled all types of real property transactions including acquisitions, financing, leases including partial leasebacks, as well as ground leases and build-to-suit leases. Finally, we are well versed in real property related landlord tenant disputes.

Right-of-Way Easements / Acquisitions & Negotiations

Nossaman views acquisition projects through the lens of considerable experience, having advised public agencies on projects of every variety, from complex high-profile projects to single acquisition projects for such things as a water tank or railroad crossing. In particular, in situations where multiple acquisitions happen simultaneously and where the acquisitions vary in complexity, adversity and issues, time and time again our attorneys have successfully secured orders for prejudgment possession and delivered the parcels necessary to certify the right-of-way to meet the project's construction schedule, minimize construction delays and avoid the potential loss of project funding.

Nossaman attorneys prepare a plan of action that works backward from the acquiring agency's scheduled construction commencement or project operation date. We have been the industry leaders in understanding and keeping apprised of the systems' limitations in seeking possession through court proceedings, and we take a proactive role to minimize delays. We ensure sufficient time and attention is allocated to the following:

- **Preparing Right-of-Way Action Plans** - including preparation of a real estate acquisition management plans (RAMP) and the analysis of potential alternatives to condemnation and oversight of project design to minimize, where possible, right-to-take challenges, oppositions to motions for possession and exposure to claims for severance damages or inverse condemnation claims from the impacts of proposed projects; working with agencies and consultants in the preparation of legal documents identifying necessary parcels, preparing of notices, appraisal review and offers.
- **Negotiating with Impacted Properties and Businesses** - including oversight and analysis of negotiations with recommendations on settlements, preparation of purchase and sale and other related documents.
- **Eminent Domain Acquisition** - including preparing board reports, staff briefings, resolution of necessity documents and notices, attending and advising clients at public hearings and preparing, filing and litigating condemnation matters through settlement or trial.
- **Relocation Experience** - including reviewing the myriad state and federal laws and regulations relevant to real property acquisition and relocation claims , if necessary.

As eminent domain attorneys, we view our primary objective as acquiring right-of-way as quickly and cost effectively as possible—often without the need for an eminent domain lawsuit. With all of the above in mind, we strategize with our agency clients and regularly succeed in creating opportunities for voluntary acquisitions that may have seemed impossible before implementation of our strategies. We are confident that no other firm is as qualified to assist Webb County or is as successful as we are in acquiring right-of-way for our public agency clients prior to litigation. When our eminent domain attorneys do litigate, we regularly achieve a noteworthy level of success in trial courts and in appellate courts. No other firm has the bench strength or breadth of experience we do.

Title and Boundary Disputes

We maintain a breadth of experience navigating potential title disputes, boundary disputes and related issues. For clients, our attorneys often take a hands-on approach and review preliminary title reports to identify all title exceptions that must be addressed. As an added value, we also review and recommend modifying take areas where possible, revise easement scopes as appropriate to minimize claims for damages, work with the right-of-way team and the acquisition appraisers to identify unique valuation issues and develop mitigation opportunities, assist in the preparation of legally compliant offer packages and relocation related documents and, when necessary, prepare parcel packages for resolutions of necessity. This includes all initial pleadings to ensure clients is ready to file condemnation actions and obtain prejudgment possession. Given the significant time constraints often imposed by projects, Nossaman will work with Webb County to commence these tasks immediately, should such work become necessary.

We will also develop strategies designed to help minimize potential title disputes and boundary disputes, as well those designed to limit right-to-take challenges, as a set priority throughout any engagement. This type of preparation will help streamline the right-of-way and acquisition process of any project overall.

Eminent Domain

Our attorneys have in-depth experience in the acquisition of property for public projects and have defended public agencies against large, complicated inverse condemnation claims. On behalf of Webb County, we are prepared to handle any pre-acquisition and acquisition process efficiently and effectively. Our group provides unparalleled experience in this area, including:

- Working with the federal and state oversight agencies;
- Addressing potential project design challenges;
- Overseeing the appraisal, offer and negotiation process to minimize the need for condemnation;
- Title review and title curative work;
- Preparing real estate conveyance documents, including title curative documents;
- Preparing condemnation packages;
- Scheduling and attending Special Commissioner hearings;
- Preparing agency recommendations to file objections or accept Special Commissioner awards;
- Requesting award funds and preparing and filing Notices of Deposit;
- Obtaining possession

- Prosecuting eminent domain actions through settlement or trial and Final Order; and
- Coordinating issuance of final title policies for condemnation parcels; and
- Ensuring proper steps are taken to certify a project's right-of-way.

Our eminent domain and right-of-way lawyers have decades of experience counseling public agency clients with right-of-way planning, including overseeing the project's preliminary acquisition activities. Such oversight and coordination ensure the necessary steps are taken to meet all facets of a project's schedule, thereby minimizing delays or the potential loss of project funding. When public agencies involve us early on in their projects, they routinely experience a high percentage of voluntary acquisitions at a significant cost savings. Where agreements with property owners cannot be reached, our clients typically see fewer challenges to their right to take or their attempts to secure prejudgment possession. Our attorneys prepare a plan of action that involves working back from the acquiring agency's scheduled construction commencement or project operation date.

In short, we strive to take steps to acquire right-of-way without the need for an eminent domain lawsuit. We regularly succeed in creating opportunities for voluntary acquisitions that may have seemed impossible before the implementation of our strategies. When our eminent domain lawyers do litigate, however, we regularly achieve a noteworthy level of success both in state trial courts and in Courts of Appeal.

Easements (Pipelines, Utilities , Roads, Railroads, Access, Minerals, Drainage, Prescription, Temporary Construction)

Nossaman will ensure all necessary interests will be acquired – such as temporary access rights or easements for utility relocations as necessary. In addition, our frequent work with project engineers allows for the identification of potential design alternatives, such as slight alignment shifts, a reduction or elimination of temporary construction, utility line, road and other related easements or the inclusion of appropriate access, all of which will minimize acquisition costs, reduce damages claims, disputes and avoid potential delay issues or contractor change orders.

Our experience with and working on behalf of various utility providers in particular aids the knowledge we have with the potential easements that arise throughout a real property acquisition. We have represented numerous public agencies and entities in acquiring utility easements on behalf of utility providers. We have also represented several water agencies with acquiring more specific easements related to pipelines and drainage. We are also experienced with the variety of real estate disputes that can arise from any potential project, including easement disputes and access rights, and are well suited to tackle them head on.

Condemnation

We continuously set ourselves apart through (i) our focus on precondemnation activities that are critical to any public project but are often overlooked and (ii) our creative approach to cooperatively handling property acquisitions. With any property acquisition, there are always

challenges that should be considered as early as possible and, more specifically, throughout any project's design phases. To meet deadlines, it is critical to understand the timing and available options for property acquisition – and their associated costs and risks. As we have with similar clients previously, we would propose beginning work as early in any given project planning process as possible to do the following, all of which should help avoid condemnation authority challenges:

- i. Review the project plans and highlight any issues to be resolved in the design phase, minimizing avenues for litigation where possible;
- ii. Evaluate the scope of any of Webb County's potential acquisitions to see if there are less costly and less risky alternatives;
- iii. Analyze appraisals and offer packages to ensure accuracy and statutory compliance;
- iv. Negotiate voluntary acquisitions with willing property owners;
- v. Draft temporary and permanent easements to minimize damages claims, and;
- vi. Assist in preparing the documents necessary for approval.

The formula of a well-planned appraisal to a factually supported offer, then followed by timely relocation counseling, will result in voluntary acquisitions and ultimately help avoid condemnation and any associated challenges. Following this point, our standard approach to all such engagements aimed to minimize costs, challenges and disputes while also fast-tracking right-of-way certification includes:

- Spending time early in the process to draft the various acquisition documents that get agencies what they need, while striving to minimize potential damages claims. These documents can also assist the appraisers in better understanding the interests agencies are acquiring. This should result in stronger initial appraisals, increasing the likelihood of early settlements while decreasing the possibility of successful right-to-take challenges. Spending a little extra time at this stage can help avoid major problems, including unnecessary and unanticipated damages claims, along with an increased risk of project delay.
- Working closely with the engineers and designers to ensure that the stated right-of-way requirements actually fulfill the project's needs, without including unnecessary property that could increase damage claims. This crucial step, which many eminent domain attorneys and public agencies skip past, can potentially save millions of dollars in severance-damage claims.
- Expediting the project schedule by taking steps to reduce long-lead-time items. For example, many times it takes weeks or sometimes months to secure federal agency authorization to approve an appraisal or administrative settlement. We have worked with other agencies, such as LA Metro, to increase the appraisal and settlement thresholds where state or federal

oversight is required. We have also created an approach that helps to ensure that federal review occurs in a timely manner.

- Working with the appraisers to provide them with necessary legal instructions and/or guidance concerning project-specific issues involving potential access restrictions, temporary construction easement timing, or crop impairment. Additionally, we recommend being involved in providing instructions and guidance concerning the compensability of certain types of property impacts.
- Taking steps to ensure that any crucial construction-related issues are included within the contractor's contract documents. For example, by undertaking the process described above, Webb County may conclude that they want to limit the manner of construction in certain areas (e.g., restoration obligations for construction areas, providing access during business hours, phasing the temporary construction easements to minimize parking losses, etc.). It is crucial that any such decisions be clearly documented so the contractor (i) complies with the requirements and (ii) does not seek a change order with increased cost for unanticipated limitations on construction methods.
- Giving extra attention during the appraisal phase to a few key properties – those most likely to generate large claims. We strive to work with such property owners early in the process to understand their concerns and devise potential strategies to mitigate damages. Establishing trust with affected property owners allows us to help them understand what the agency can and cannot do, legally and practically, to address their concerns. This early engagement often goes a long way toward reaching amicable resolutions in what had previously appeared to be hopeless negotiations.
- Thinking about the big picture when deciding whether to accept settlements early in the process. This includes having sensitivity to how one settlement could affect negotiations on other properties, especially where (i) the property owner is likely to be in contact with many other owners in the project area, and/or (ii) the owner's attorney has other clients in the project area.

An effective pre-condemnation effort often eliminates the need for a condemnation action. Of course, as noted above, in some cases, litigation is necessary. Our proposed team of attorneys has successfully handled myriad jury trials on virtually any issue that could arise in an eminent domain case. We have an enviable record of litigation successes, including many favorable verdicts and settlements. We have successfully litigated eminent domain issues before various State Supreme Courts and have won several seminal appellate decisions. We believe these characteristics, combined with our dedication to customer service, make us the ideal choice to provide full-scale, real estate and eminent domain related legal services to Webb County.

Representative Matters

- **Austin Transit Partnership (ATP).** We are advising ATP, a CapMetro and City of Austin joint venture, on real property acquisition and related matters for Project Connect which will

expand and improve the transit network throughout Austin, including new light rail lines, four new MetroRapid lines, a subway and more services across the city.

- **Texas Department of Transportation (TxDOT).** Nossaman attorneys currently represent TxDOT in a number of eminent domain matters, specifically with respect to the reconstruction of Interstate 35 through downtown Austin, Texas.
- **City of Phoenix.** A team of Nossaman attorneys have handled and are in the process of handling dozens of light rail matters for the City of Phoenix on both the South Central Extension and the Northwest Extension II projects, as well as other acquisitions for various other purposes. In addition, we have worked on a number of condemnation cases for the City of Phoenix on the NW I light rail project, condemned the Pioneer Historic Park and represented the City of Phoenix as co-counsel on a case involving a sewer force main project across the Salt River that required the acquisition of a large sand and gravel operation.
- **Various Arizona Clients (Representative Examples).** Other representative projects handled by our attorneys in Arizona include easements for high voltage power lines and related facilities (Salt River Project); road widenings (City of Tucson; City of Phoenix); urban parkways (City of Yuma); greenfield freeways (Arizona Department of Transportation); new and reconstructed interstate traffic interchanges (Town of Marana; Arizona department of Transportation); airport expansion and clear zones (City of Glendale); sewer and water, including treatment plants (Big Park Domestic Waste Water District; City of Nogales); pipelines (City of Flagstaff); parks, wetlands and environmental mitigation (City of Yuma; Mohave County); fire stations (City of Scottsdale); flood control (Coconino County); converting private utilities to public ownership using condemnation (Bullhead City); condemning a public utility for use of another public entity (Town of Carefree); condemnation of producing mineral properties (Arizona Department of Transportation; City of Phoenix); condemnation of railroad interests (Salt River Project; Town of Marana); and defense and perfection of title to historic roads, and canals and canal banks (Mohave County; Pinal County; Salt River Project),
- **Los Angeles County Metropolitan Transportation Authority (LA Metro).** We currently assist LA Metro with acquiring property necessary for the \$2 billion LAX/Crenshaw Transit Corridor Project, an 8.5-mile light rail line with eight stations. Our work includes acquiring over 40 properties for stations and project construction. We also are currently assisting LA Metro with acquiring property for the \$6 billion Westside Subway Extension Project (Purple Line), a 9-mile light rail line with seven stations. Our work includes acquiring numerous properties for transit stations, construction staging areas and easement rights, including surface and subsurface. Both projects involve light rail lines running through dense, urban areas of Los Angeles. We are also currently representing LA Metro with its Rosecrans/Marquardt Grade Separation Project, which will remove dangerous at-grade railroad crossings at Rosecrans and Marquardt Avenues. The Rosecrans/Marquardt grade crossing is currently traversed by more than 112 freight and passenger trains, and 45,000 vehicles in a 24-hour period. We have assisted LA Metro with necessary submissions to FTA for approval, and have provided pre-acquisition planning advice for both projects. Our work for LA Metro goes back decades,

including assisting LA Metro with property acquisitions and defending inverse condemnation claims associated with the Blue Line, which resulted in several significant published Court of Appeal decisions in LA Metro's favor.

- **Port Authority of New York and New Jersey (PANYNJ).** Nossaman attorneys are currently advising and assisting PANYNJ in developing its Real Estate Acquisition Management Plan and related documents. We are also assisting with various real property and right-of-way related matters, including valuation and the acquisition of property for its various projects.
- **County of Stanislaus.** We are advising the County of Stanislaus on real property acquisition and relocation issues including eminent domain litigation for (i) the State Route 108/North County Corridor Phase I Project which involves the construction of a new four-lane expressway, a new interchange and grade separated structures; and (ii) replacement of the historic 7th Street Bridge Project.
- **County of Los Angeles.** Our attorneys are currently representing the County of Los Angeles in various real estate related matters, including quiet title actions related to the tax sale of properties.
- **City of Modesto.** We are representing the City of Modesto in myriad real estate and right-of-way matters including pre-litigation, eminent domain and inverse condemnation legal services for the State Route 132 West Freeway/Expressway Phase 1 Project involving the acquisition of dozens of commercial, farmland, orchard and residential parcels.
- **City of Bakersfield.** Nossaman attorneys have represented the City of Bakersfield with precondemnation planning and condemnation of more than 400 parcels for the Centennial Corridor Project, a freeway project resulting in the relocation of 300 residential occupants and more than 150 businesses. We have played an integral role in the acquisition of various properties, including attending Caltrans DCEM (formerly First Level) and CPRM (formerly Second Level) review meetings, advising staff at the Caltrans meetings, working with the project team to create mitigation plans to minimize impacts to properties and claims for damages, participating in the review and drafting of appearance information sheets (AIS), reviewing right of way certification documents, drafting various purchase and sale, easement, right of way and possession and use agreements, advising on and attending resolution of necessity hearings, addressing relocation issues and filing and successfully prosecuting to conclusion multiple eminent domain actions including obtaining orders for pre-judgment possession. To date, all parcels have been timely delivered to the City of Bakersfield to meet right of way certification and construction need dates.
- **Riverside County Transportation Commission (RCTC).** We worked closely with RCTC in pre-condemnation planning and the acquisition of parcels for the SR-91 CIP Project, a \$1.4 billion freeway widening project in Riverside County. Our attorneys played an integral role in the acquisition of various properties, including attending multiple weekly meetings with RCTC real estate and project staff, and coordinating efforts with right-of-way consultants, Caltrans District 8, the mitigation and the design-build team and utility teams, providing strategic pre-

condemnation planning and advice for partial and full acquisitions of various properties. Moreover, our attorneys led the litigation efforts by filing and successfully prosecuting multiple eminent domain actions including securing prejudgment possession of each and every parcel (over 80 parcels with as many as 30 parcels going to a RON hearing at once) required for timely certification and delivery to the project team.

- **California High Speed Rail Authority (CHSRA).** For more than 20 years, we have been advising CHSRA in multiple real estate, acquisition and relocation matters. We have provided advice on precondemnation planning, relocation planning and oversight, regulatory compliance, utility relocations and other complex property acquisition issues for the 80-mile Merced to Fresno segment of the project.
- **Santa Clara Valley Transportation Authority (VTA).** In 2018, a Nossaman team led in the precondemnation planning, relocation advice, and acquisition of parcels for the \$4.7 billion VTA BART Silicon Valley Phase II Extension Project, a 6-mile extension project consisting of acquisition of dozens of partial and full take parcels.
- **Capital Southeast Connector Joint Powers Authority (JPA).** Since 2018, we have been representing the JPA in the acquisition of parcels for the Capital Southeast Connector Project, a 34-mile expressway connecting Interstate 5 to Highway 50. We have provided precondemnation advisory services for parcels impacted by various conservation easements and encumbered under the Williamson Act, including through adoption of resolution of necessity and eminent domain litigation.
- **San Diego Association of Governments (SANDAG).** Nossaman has provided right-of-way acquisition services and environmental approvals on several recent and ongoing SANDAG projects, including the Airport Connectivity Project, the Bayshore Bikeway Project, the Mid-Coast Corridor Transit Project, the Sorrento Valley Double Track Project, the Inland Rail Trails Project and the South Bay BRT Project.
- **City of Los Angeles / Los Angeles Department of Water and Power (LADWP).** We are currently assisting and advising LADWP with precondemnation planning, acquisition of properties and on real property matters related to LADWP's Rosamond Switching Station, a power improvement project to help increase the use of sustainable renewable energy sources while decreasing the production of greenhouse gas and air pollution.
- **City of Los Angeles – Los Angeles World Airports (LAWA).** In 2017, Nossaman began advising LAWA on real property matters related to a \$5 billion program to ease access into and out of LAX airport. The project includes developing a consolidated rental car center, an elevated 2.5-mile automated people mover system, intermodal transportation facilities, and a joint station connecting to Los Angeles' rail system requiring acquisition of dozens of parcels. Our team routinely advises LAWA's Board in closed session, prepares Board reports, negotiates complex property acquisitions of residential, commercial and industrial properties, prepares complex easement deeds and prosecutes eminent domain actions.

- **Metro Gold Line Foothill Extension Construction Authority.** Nossaman serves as general counsel to the Construction Authority and, since 2016, has been assisting with its more than \$1 billion light rail transit line extending from Glendora to Montclair. Nossaman provides advice on precondemnation planning, relocation oversight, utility relocations and other complex property acquisition issues.

E. PERSONNEL QUALIFICATIONS

We consistently staff projects to improve efficiency and minimize ramp-up costs. To that end, we strive to maintain a consistent point of contact throughout an engagement. Because of this continuity, we perform our services in a timely and cost-effective manner. Artin Shaverdian will serve as the primary contact person for day-to-day operations and will supervise project staffing and assignments. Our core team also includes Christopher Kramer, Jordan Leavitt, Melissa Ferringer, Steve Silva and Maya Hamouie. Christine Ryan, Rebecca Hays Barho and Kyle Hamilton will be available on an as-needed basis as additional resources. Our team includes five currently licensed Texas attorneys to assist Webb County. In addition, Christopher and Jordan have applied for and are awaiting admission to the Texas Bar.

In addition to our proposed team, Nossaman has a full range of highly experienced attorneys that we can call upon to assist Webb County with specific issues that may arise. In providing services to clients, our eminent domain attorneys frequently draw upon the knowledge from colleagues in other practice groups, including infrastructure, environmental and land use, real estate, insurance and public policy, among others. With this diversity in our practice areas, not only are the firm's business functions protected, but so too are those of clients when it comes to accessible legal counsel.

Nossaman is Webb County's best choice because the County requires a team with extensive public agency experience, as well as specialty experience in real estate acquisition and eminent domain services. With more than 80 years of experience representing public agencies on some of the most significant eminent domain and real property matters in the nation, our team is uniquely qualified to provide Webb County with industry-leading legal services related to the scope of work identified in the RFQ. Nossaman's team is comprised of the largest group of skilled eminent domain attorneys in the western U.S., and we believe we are also the most technically qualified. For decades, our attorneys have achieved unparalleled results on behalf of public agency clients on some of the largest eminent domain and valuation cases, and we have been involved with many high-profile public works projects that shape infrastructure in our communities. What sets us apart is our ability to guide agencies with project site acquisition planning, including creating realistic schedules and budgets, working cooperatively with impacted property owners to avoid condemnation actions, minimizing large severance damages claims and ensuring all technical steps are followed to reduce right-to-take challenges or challenges to prejudgment possession.

Below, please find brief summaries of our team's qualifications. For more details, please find complete resumes in **Appendix A: Resumes**.

CORE TEAM



Artin Shaverdian | Partner. Artin is widely recognized as an expert in real estate and, in particular, in eminent domain and inverse condemnation matters. Artin represents public agencies as lead counsel on the acquisition of thousands of parcels of real property. He works on some of the largest public works projects shaping California's infrastructure, including roads, highways, utilities, grade separations, rail projects, schools and flood basins. Agencies regularly invite him to host seminars for their in-house counsel and real estate staff on legal issues in the right-of-way industry and to assist in streamlining their precondemnation planning including relocation. Clients also turn to him with other real property related matters, including land use matters, purchase and sale transactions, rent stabilization issues, leasing, title and escrow matters and quiet title actions.

Artin's representative public agency clients include ATP; the City of Los Angeles; PANYNJ; LA Metro; the County of Stanislaus; LADWP; the City of Modesto; the County of Los Angeles; CHSRA; VTA; Capital Southeast Connector JPA; Southern California Edison; and SANDAG, among others.

Artin received his J.D. from the Southwestern University School of Law in 2002 and B.S. from the University of Southern California.

Christopher Kramer | Partner. Chris Kramer practices eminent domain and condemnation litigation representing condemning authorities. In over 37 years in practice, he has condemned property for all manner of infrastructure. In addition to litigating and trying condemnation cases, Chris advises clients on litigation avoidance through mitigation of impacts and damages to properties affected by public projects.



Chris has presented dozens of programs on eminent domain for, among others, the Arizona Condemnation Summit (co-chair, 2009-2019, 2022-present), the State Bar of Arizona, the National and Arizona Eminent Domain Conferences (co-chair 2007-2009), National Business Institute, International Right of Way Association, International Municipal Lawyers Association, American Council of Engineering Companies, Institute of Traffic Engineers and the Transportation Research Board of the National Academies. He chairs the Eminent Domain and Land Use Committee of the Transportation Research Board (National Academies of Science, Engineering and Medicine) (2020-present). He has been recognized by the peer review publication Best Lawyers® in the areas of Eminent Domain and Condemnation Law for several years running, and as the Lawyer of the Year for Eminent Domain and Condemnation Law, 2023.

Chris received his J.D. from the Notre Dame School of Law in 1986 and his B.S. from Illinois State University in 1981.



Jordan Leavitt | Partner. Jordan Leavitt's practice focuses on representing condemning authorities in eminent domain litigation and related proceedings such as quiet title, property rights and property valuation litigation. His experience includes working on large corridor projects, such as light rail and high-voltage transmission lines as well as condemnation of individual properties. Jordan has presented programs on eminent domain for the Arizona Condemnation Summit and the Kachina Chapter of the International Right of Way Association.

Jordan received his J.D. from the Sandra Day O'Connor College of Law at Arizona State University in 2014 and his B.S. from Brigham Young University in 2011.

Melissa Ferringer | Counsel. Melissa Ferringer has 20 years of litigation experience and focuses her practice on eminent domain, real property, contract disputes and construction law matters. She has substantial experience in all aspects of civil litigation from initial intake through discovery, mediation and trial at the State Office of Administrative Hearings and State Courts across Texas. Melissa has successfully litigated and obtained verdicts for her clients, including TxDOT.

Melissa also plays an integral role in the pre-condemnation acquisition phase and has successfully represented government entities, including transportation agencies, in multimillion-dollar eminent domain and civil litigation cases. She effectively collaborates with government personnel, right-of-way project managers, independent appraisers, land planners, cost estimators and engineers in resolving complex issues. Melissa uses her extensive knowledge and experience analyzing facts and developing case strategies to assess legal risks and probable outcomes based on legal precedents to successfully protect her client's best interests.

Melissa received her J.D. from St. Mary's University School of Law in 2002 and her B.A. from Rochester Institute of Technology in 1992.



Steve Silva | Partner. Steve Silva focuses his practice on problem solving. He regularly practices in civil litigation, including eminent domain, real estate litigation and contested probate litigation, with a heavy emphasis on appellate litigation, trial practice, governmental interface and law and motion. He has a strong alternative dispute resolution focus in disputed cases. Steve also provides advice and guidance to government entities, regulated entities and businesses. Prior to entering private practice, Steve served as a Staff Attorney for the Supreme Court of the State of Nevada. He also was a Judicial Law Clerk for The Honorable Patrick Flanagan, Second Judicial District Court for the State of Nevada, Reno, Nevada.

Steve received his J.D. *cum laude* from the California Western School of Law in 2010 and his B.A. *magna cum laude* from University of Massachusetts Boston in 2007.

Maya Hamouie | Associate. Maya is an associate in Nossaman’s Austin office who resides in Houston, Texas. She focuses her practice on real estate, eminent domain, commercial litigation in both state and federal courts, representing both public and private sector clients. Along with successfully representing a variety of clients in all phases of litigation, Maya’s experience includes representing various public agencies, including LA Metro, the cities of Los Angeles, Bakersfield and Modesto and the California High Speed Rail Authority in real estate, acquisition and relocation matters in connection with a variety of projects. In addition to handling active litigation matters, Maya also provides advice to clients about legal developments and issues affecting their business operations to assist them with compliance and risk management issues.

Maya received her J.D. from the University of Houston Law Center in 2016 and B.B.A from the University of Texas, Austin in 2012.



RESOURCE TEAM



Christine Ryan | Partner. Christine, head of Nossaman’s Austin office, guides public agencies through the process of structuring, developing, financing and operating large, complex and high-profile infrastructure projects in Texas and around the nation. A 25-year veteran of Nossaman, Christine develops strategies for project development during the procurement process; drafts and negotiates public-private partnership agreements, design-build contracts and procurement documents; and advises clients regarding insurance, innovative financing and privatization issues. Her practice also includes contract administration, claims management and dispute resolution.

Christine serves as special counsel to TxDOT for its alternative delivery program and has been with the program since its inception. Her experience includes counseling on developing a delivery method strategy, state and federal approval process, risk allocation, right of way acquisition, utility agreements, surety and insurance issues and third-party agreement negotiations for TxDOT and public agencies in Texas and across the nation.

Christine received her J.D. from the University of Southern California School of Law in 1992 and B.A. from the University of California, Los Angeles in 1988.

Rebecca Hays Barho | Partner. Rebecca works on a wide range of matters throughout the state of Texas and across the U.S., and focuses her practice on natural resource law, with particular emphasis on the Endangered Species Act (ESA), National Environmental Policy Act, Migratory Bird Treaty Act, Clean Water Act and National Historic Preservation Act. She has extensive experience in assisting public and private entities, including state agencies, local governments, utilities, real estate developers and traditional and renewable energy companies with complying with the complex intersection of various federal environmental laws and permitting, and defending those approvals when projects face challenges by third parties.



Rebecca received her J.D. from the Baylor University School of Law, where she was a recipient of the Buck J. Wynne Environmental Law Award, and B.A. from Baylor University in 2003.



Kyle Hamilton | Associate. Kyle counsels clients on a wide range of procurement and transaction issues, including project structuring, document drafting, negotiation, financing, project acquisitions and regulatory matters. His experience includes large-scale projects, including the procurement and implementation of five progressive design-build and design-build-operate-maintain (DBOM) packages for the design, construction, operation, and long-term maintenance of a wastewater recycling and energy recovery facility, the procurement of a project consisting of upgrades to an existing wastewater reclamation facility and construction of a new advanced water purification plant, and the structuring and negotiation of inter-agency cooperative agreements for pumping and storage of run-off water.

Kyle received his J.D. *cum laude* from the University of Michigan in 2015 and his B.A from Brigham Young University in 2011.

F. REFERENCES AND PROJECTS

Per the RFQ, we have included our references below. Our client reference information also can be found on the attached References form under **Appendix B: Forms**.

Reference 1	
Client Name	Texas Department of Transportation (TxDOT)
Contact Person & Title	Darby F. Venza, Director of Right of Way Legal Services
Email Address	darby.venza@txdot.gov
Phone Number	512.463.8588
Structure	Public
Summary of Project	Nossaman attorneys are providing legal representation to TxDOT and the Texas Transportation Commission for various eminent domain matters.
Project Timeline	October 2023 – Present

Reference 2	
Client Name	Austin Transit Partnership
Contact Person & Title	Brandon Carr, Sr. VP of Legal Services and General Counsel
Email Address	Brandon.carr@atptx.org
Phone Number	737.230.7676
Structure	Public
Summary of Project	Since 2021, team members Artin and Steve have been leading the efforts in advising ATP, a CapMetro and City of Austin joint venture, on real property acquisition and related matters for Project Connect. The Project will expand and improve the transit network throughout Austin and includes new light rail lines, four new MetroRapid lines, a subway and more services across the city.
Project Timeline	December 2021 – Present

Reference 3	
Client Name	City of Phoenix
Contact Person & Title	Jami Schmalz, Deputy Finance Director, Real Estate Administrator

Email Address	Jami.schmalz@phoenix.gov
Phone Number	602.534.9703
Structure	Public
Summary of Project	A team of Nossaman attorneys have handled and are in the process of handling numerous light rail matters for the City of Phoenix on both the South Central Extension and the Northwest Extension II projects, as well as other acquisitions for various purposes. In addition, we have worked on a number of condemnation cases for the City of Phoenix on the NW I light rail project, condemned the Pioneer Historic Park and represented the City of Phoenix as co-counsel on a case involving a sewer main project across the Salt River. Other representative projects include high voltage power lines and related facilities; road widening; parkways, freeways, and traffic interchanges; airport expansion and clear zones; sewer and water (including treatment plants); parks, wetlands and environmental mitigation; fire stations; flood control; and condemnation of private utilities.
Project Timeline	2008 – Present

Reference 4	
Client Name	Los Angeles County Metropolitan Transportation Authority
Contact Person & Title	Craig Justesen, Director of Real Property Management & Development
Email Address	Justesenc@metro.net
Phone Number	213.922.7051
Structure	Public
Summary of Project	LA Metro has been a client since 1980, and the firm has provided much advice regarding general real estate matters. Nossaman attorneys have represented LA Metro in more than 100 eminent domain cases and defended it in several inverse condemnation actions that have resulted in favorable published appellate decisions.
Project Timeline	August 1980 – Present

Reference 5	
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Client Name	Port Authority of New York and New Jersey
Contact Person & Title	Thomas A. Segreto, Counsel
Email Address	tsegreto@panynj.gov
Phone Number	212.435.3416
Structure	Public
Summary of Scope of Services	We are advising and assisting PANYNJ in developing its Real Estate Acquisition Management Plan and associated documents, as well as advising PANYNJ on real property and right-of-way related matters. This includes valuation and acquisitions of property for PANYNJ's various projects.
Project Timeline	March 2023 – Present

Reference 6	
Client Name	County of Stanislaus
Contact Person & Title	David Leamon, Director of Public Works
Email Address	Leamond@stancounty.com
Phone Number	209.525.4130
Structure	Public
Summary of Project	We are advising the County on real property acquisitions and relocation issues including eminent domain litigation for the State Route 108/North County Corridor Phase I Project, which involves the construction of a new four-lane expressway, a new interchange and grade separated structures. We are also providing the same services for the replacement of the 7th Street Bridge Project.
Project Timeline	May 2021 – Present

G. OTHER INFORMATION

Firm Diversity Efforts

Nossaman understands the importance of a work environment that reflects the local community and offers opportunities for all. We take great pride in recruiting and retaining a diverse workforce, enhancing our ability to serve client needs and create a more dynamic workplace. Our commitment to a diverse and inclusive environment is at the core of Nossaman's values. We understand that an inclusive environment and consideration of diverse perspectives are crucial to further enhancing the solutions we provide to clients. This means that no success will be limited in any way by race, color, ethnicity, gender, sexual orientation, gender identity and expression, religion, nationality, age, disability, marital or parental status.

We make a strong effort to include underrepresented attorneys in firm leadership through Practice Group Leaders and the Executive Committee. These groups are involved in all hiring decisions of attorneys. We are pleased to report that, last year, 60% of our new colleagues were women and minorities. In addition, 44% of the partners who were elevated are women.

As part of our Diversity and Inclusion Action Plan, each practice group assesses its diversity on an annual basis and creates a plan and timetable to address any issues. Benchmarks are set for judging their progress. The Executive Committee meets periodically with each Practice Group Leader and the Chief Human Resources Officer to review and evaluate progress, including advancement of diverse attorneys.

Our Diversity and Inclusion Committee is committed to ensuring our firm adheres to our diversity initiatives and tracks how we are performing from a diversity standpoint, year over year. The Committee regularly monitors progress with regard to our advancement of women and underrepresented individuals and publishes an annual report on these efforts that is circulated throughout the firm.

We take pride in recruiting and retaining a diverse workforce, enhancing our ability to serve client needs and create a more dynamic workplace. We regularly include a diverse team of attorneys when handling litigation and transactional work. These highly qualified and respected attorneys come from diverse backgrounds and are regularly part of our client teams. In addition, 70% of our administrative management team are women or minority professionals, including our Chief Operating Officer, Interim Chief Information Technology Officer and Chief Human Resources Officer.

Our reputation for fostering a diverse workforce continues to earn recognition within the broader legal market. *Law360*, *National Law Journal*, *Vault*, *Daily Journal*, *The Recorder*, *Los Angeles Business Journal* and *Texas Lawyer* have all honored Nossaman for its inclusiveness as well as for the accomplishments of some of our diverse attorneys.

We have implemented programs designed to help our associates throughout the course of their careers. Mentors are assigned to associates when they join the firm to help guide them and

support their success. The goal is to help them to become excellent attorneys and future partners. Our Executive Committee makes a concerted effort to include diverse attorneys in leadership positions that accurately represent the overall make-up of Nossaman. This provides our diverse associates clear evidence of the value the firm places on diversity and demonstrates that there is a real path to success for everyone.

Recruitment Efforts

We seek to recruit and retain a talented, diverse workforce to serve the needs of clients and create a dynamic workplace for all of our employees. The diversity of our attorneys, policy advisors, paralegals and professional staff provides us with a rich mix of perspectives that translate into better service for clients.

When hiring, we cast a wide net to attract a diverse talent pool and invest in their long-term career development. Our Diversity and Inclusion Committee is committed to ensuring our firm adheres to our diversity initiatives. The Diversity and Inclusion Committee includes our Chief Human Resources Officer, who ensures recruitment of diverse candidates for open positions. Committee members work closely with our Attorney Recruiting and Development Director, who spearheads attorney recruiting diversity efforts and professional development. To increase the diversity of our applicant pool, we post job openings with minority organizations such as minority bar associations, and request that executive search firms present a diverse slate of qualified candidates for any open position.

Firm-Sponsored Diversity Initiatives

Amazing things grow in open and inclusive environments. One example of this is the formation and continued development of our internal affinity groups. Created by attorneys and professional staff, we support three affinity groups geared toward representing women, minority and LGBTQ+ professionals that serve as a resource for mentoring, support, networking and professional development. These committees meet at least quarterly and they host firm-wide events to promote equity and inclusion and highlight key issues affecting diverse individuals in the workplace and in our communities.

Other firm-sponsored diversity initiatives within the firm include:

- **Practice Group Representation.** We make a strong effort to include underrepresented attorneys in firm leadership as Practice Group Leaders and through membership in the Executive Committee. One or both of these groups are involved in all hiring decisions of attorneys. As part of our Firm's Diversity and Inclusion Action Plan, each practice group assesses its diversity on an annual basis and creates a plan and timetable to address any issues. Benchmarks are set for judging their progress. The Executive Committee meets periodically with each Practice Group Leader and the Chief Human Resources Officer to review and evaluate progress, including advancement of diverse attorneys.

- **Career Advancement Programs.** In addition to the associate mentoring and professional development programs mentioned above, we support a reduced-hours program. This provides partners and associates options and helps us retain individuals who need this type of flexibility without sacrificing career advancement. We regularly monitor progress with regard to our advancement of women and racially and ethnically diverse attorneys, policy advisors and other employees, and annually we publish an internal report detailing our progress. In the last few years, 68 percent of the attorneys who made partner were women. It is a testament to our commitment that women and racially and ethnically diverse attorneys comprise so much of our firm's leadership.
- **Firm Diversity Activities.** In addition to the various meetings held by our DEI Committee and affinity groups, our DEI Committee puts a spotlight on topics of interest with several "Elevating Awareness" webinars throughout the year. The Firm also hosts internal virtual sessions sponsored by the DEI Committee with topics including racism and other issues faced by Asian Americans and Pacific Islanders, the experiences of transgender individuals in the legal system, and a panel discussion on eliminating violence against women. In addition, the DEI regularly publishes articles on the Firm's intra-net describing the tradition and history behind significant celebrations, historical and cultural events and milestone anniversaries, such as Diwali, el Día de los Muertos, Rosh Hashanah, Yom Kippur, Juneteenth (now a firm-wide holiday), Filipino American History Month, LGBTQ+ Pride Month and Jewish American Heritage Month, among others.
- **Pro Bono Efforts.** Nossaman's Pro Bono Committee is responsible for circulating pro bono opportunities and providing input into policies regarding pro bono work. Committee members continue to work on building partnerships with pro bono legal services organizations located where our offices are located. In the past twelve months, we have seen an increase in pro bono hours billed and in the intake of pro bono matters as compared to prior years. A significant portion of our pro bono efforts are aimed at defending the rights of diverse people in asylum because of political and gender identity and assisting not-for-profit social works organizations.

Value Added Services

We believe that strong relationships with our clients exist when there is a true sense of partnership between Nossaman and the individuals involved in the project on the client's side. We offer a variety of services to help facilitate this relationship. In order to deliver outstanding services in a timely and cost-effective manner, we will provide a number of programs and services in addition to our legal work with Webb County. We are also open to any ideas Webb County may have for additional ways we can add value.

- **Client Satisfaction Interviews.** Our goal is to identify any areas where we may improve our services through client interviews. Nossaman's Business Development team regularly reaches out to clients for feedback regarding our services and to ensure that any

improvements are made promptly. Following client satisfaction interviews, we present an updated client service plan to address the comments and needs identified in the interviews.

- **Educational Programs.** We regularly host complimentary seminars and webinars on a variety of topics for our clients and contacts as well as smaller, more intimate training sessions on specific topics. Each year, Nossaman hosts Eminent Domain seminars where members of our Eminent Domain & Valuation Group give presentations, such as one from this past year titled “Environmental Consideration for Right of Way Acquisition”.
- **Industry Events.** Our attorneys and policy advisors are active members in the government, infrastructure, real property, transportation, energy, water and healthcare industries. They regularly participate in industry conferences and meetings. Often, we sponsor such events, host receptions in conjunction with them and/or acquire tables at local/regional events. When situations allow in-person events, we would welcome Webb County members to join us. These events enable us, along with our guests, to interact with others in these industries, learn about new developments and share lessons learned.
- **Electronic News.** We have long maintained an eAlert program through which we regularly send educational articles to clients and contacts regarding current industry issues and developments in law and policy. It is our intent that these notices help clients keep abreast with the changing legal landscape. We also host and actively contribute to a number of blogs on our firm website, including one lead by our Eminent Domain & Valuation Group where we discuss noteworthy developments and events related to eminent domain matters.

These services, initiatives and achievements supplement our outstanding legal services for clients. We are proud that Nossaman is able to offer features and services that enhance our capabilities and lead to more successful and beneficial results for clients, and we look forward to the opportunity to bring these benefits to Webb County.

APPENDIX A: RESUMES

Artin N. Shaverdian

Partner | Los Angeles

ashaverdian@nossaman.com | 213.612.7811



Artin Shaverdian is widely recognized as an expert in California in real estate, eminent domain and inverse condemnation matters. He represents public agencies, business entities and individuals in commercial and real estate related disputes, including valuation-related litigation.

Artin represents public agencies as lead counsel on the acquisition of thousands of parcels of real property. He works on some of the largest public works projects shaping California's infrastructure, including roads, highways, utilities, grade separations, rail projects, schools, flood basins and redevelopment projects. Agencies regularly invite him to host seminars for their in-house counsel and real estate staff on legal issues in the right-of-way industry and to assist in streamlining their precondemnation planning including relocation.

It is this experience and understanding of government agencies that has also resulted in unparalleled success representing property and business owners in eminent domain/inverse condemnation litigation. On their behalf, he has pursued claims against multiple governmental agencies across California recovering millions of dollars.

Clients also turn to him with other real property related matters including land use matters, purchase and sale transactions, rent stabilization issues, leasing, title and escrow matters and quiet title actions.

Artin's work with public agencies as well as business and property owners has connected him with leaders in the transportation, healthcare, cannabis, technology and hospitality sectors, among others. He has worked with these companies to identify and help remedy issues related to licensing, regulatory, corporate, contracting, construction, medical staff/healthcare and employment practices.

Representative clients Artin has counseled and continues to counsel include Virgin Hyperloop One, Adventist Health, Consulate General and Department of Foreign Affairs of Foreign Nations, along with dozens of public agencies, such as County of Stanislaus; the cities of Modesto, Bakersfield, Ventura, Ontario, Gardena, Pico Rivera, Pomona, Los Angeles and South Gate; the Bakersfield, Cathedral City and Glendale redevelopment agencies; Santa Clara Valley Transportation Authority; California High-Speed Rail Authority; the Austin Transit Partnership; Capital Southeast Connector JPA; Los Angeles County Metropolitan Transportation Authority; Southern California Edison; Riverside County Transportation Commission; Milpitas Unified School District; Los Angeles Unified School District; Oxnard Union High School District; High Desert Water District; and the Orange County Flood Control District.

EXPERIENCE

Austin Transit Partnership (ATP). Currently advising ATP, a CapMetro and City of Austin joint venture, on real property acquisition and related matters for Project Connect which will expand and improve the

transit network, including new light rail lines, four new MetroRapid lines, a subway and more services across the city.

Los Angeles County Metropolitan Transportation Authority. Currently assisting Metro with acquisition of properties for (i) the Westside Subway Extension Project, a \$6-plus billion, 9-mile subway extension in Los Angeles and (ii) the LAX/Crenshaw Transit Corridor Project, a \$2+ billion, 8.5-mile light rail line in Los Angeles and (iii) the Rosecrans/Marquardt Grade Separation Project.

City of Los Angeles / Los Angeles World Airports (LAWA). Currently assisting LAWA with acquisition of properties and advising on real property matters related to a \$5 billion program to ease access in and out of LAX airport by developing a consolidated rental car center, an elevated 2.5-mile automated people mover system, intermodal transportation facilities and a joint station connecting to Los Angeles' rail system.

County of Los Angeles. Currently representing the County of Los Angeles in various real estate related matters including quiet title actions related to tax sale of properties.

County of Stanislaus. Currently advising the County on real property acquisition and relocation issues including eminent domain litigation for (i) the State Route 108/North County Corridor Phase I Project which involves the construction of a new four-lane expressway, a new interchange and grade separated structures; and (ii) replacement of the historic 7th Street Bridge Project.

City of Modesto. Currently representing the City of Modesto in myriad real estate and right-of-way matters including pre-litigation, eminent domain and inverse condemnation legal services for the State Route 132 West Freeway/Expressway Phase 1 Project involving the acquisition of dozens of commercial, farmland, orchard and residential parcels.

City of Ventura. Currently representing the City of San Buenaventura in with property acquisitions and real estate-related issues for the Ventura Water Pure Project.

City of Bakersfield. Currently representing the City of Bakersfield with precondemnation planning and condemnation of over 400 parcels for the Centennial Corridor Improvement Project involving relocation of 300 residential occupants and over 150 businesses. Notable acquisition and relocation matters include a rehabilitation hospital, a large bank, a self-storage property including the relocation of 300+ storage units and the relocation of a complex oil and gas operation.

City of Los Angeles / Los Angeles Department of Water and Power (LADWP). Currently assisting LADWP with precondemnation planning, acquisition of properties and advising on real property matters related to LADWP's Rosamond Switching Station, a power improvement project to help increase the use of sustainable renewable energy sources while decreasing the production of greenhouse gas and air pollution.

Riverside County Transportation Commission. Represented the Riverside County Transportation Commission in the pre-litigation planning and acquisition of hundreds of parcels of full and part-take residential, commercial and industrial properties, including relocation advisory services through litigation, for the SR-91 Corridor Improvement Project, a \$1.4 billion design-build project to add regular and tolled expressed lanes and make improvements extending from the Riverside County/Orange County line to the I-15. Defended multiple right-to-take challenges and obtained timely prejudgment possession of hundreds of parcels to meet critical construction, FHWA certification and funding deadlines.

California High Speed Rail Authority. Currently advising the California High Speed Rail Authority in multiple real estate, acquisition and relocation matters. Providing the Authority advice on precondemnation planning, relocation planning and oversight, regulatory compliance, utility relocations and other complex property acquisition issues for the 80-mile Merced to Fresno segment of the project.

Santa Clara Valley Transportation Authority. Currently advising the VTA on complex right-of-way property acquisition, relocation and environmental matters for the VTA's BART Silicon Valley Phase II Project, a \$4.7 billion, 6-mile light-rail line.

City of Ontario Grade Separation. Represented the City of Ontario in the acquisition of parcels for the South Milliken Ave. and North Vineyard Ave. grade separation projects comprising partial and full acquisitions of commercial and industrial properties in partnership with SANBAG and Union Pacific Railroad and consisting of complex real property and business valuation, access and utility relocation issues.

Cities of Gardena, Pico Rivera and Pomona. Represented the various cities in multiple eminent domain and inverse condemnation matters in connection with several grade separation projects.

Glendale Redevelopment Agency. Represented the Glendale Redevelopment Agency in the acquisition of dozens of parcels of commercial and residential properties for the Americana at Brand project.

Consulate General and Department of Foreign Affairs of Foreign Nations. Represent the department of foreign affairs of a foreign nation in various real estate matters including multiple commercial lease negotiations and options.

Rancho Maria Golf Club, Inc. v. Orcutt et al. Currently representing RMGC, Inc. in real property matters involving land use, water rights and quiet title issues related to a large scale proposed residential development impacting client's property and golf course.

Sweet Flower Pasadena, LLC. Currently representing client in multiple litigation matters related to applications for CUPs to operate cannabis retail locations in Pasadena.

San Diego Association of Governments (SANDAG). Represented SANDAG with property acquisitions for the Mid-Coast Corridor Transit Project, a \$1.7 billion, 11-mile trolley line extension from downtown San Diego to University City.

Exposition Metro Line Construction Authority. Represented Expo with acquisition of multiple properties for the Expo Light Rail Transit Project, a \$2-plus billion, 15-mile light rail line connecting downtown Los Angeles with Santa Monica.

Los Angeles Unified School District (LAUSD). Acquisition of more than 200 properties by eminent domain for one of the state's largest acquisition and construction projects consisting of approximately 120 schools. Co-led teams of attorneys representing and advising the Los Angeles Unified School District, providing pre-litigation advisory services up through trial and appeal for the acquisition of residential, commercial and industrial properties involving litigation of complex contamination, easement and right to take issues.

Milpitas Unified School District. Represented the District with pre-litigation advisory services pertaining to the acquisition of a complex ground lease and valuation of a commercial/industrial R&D facility with dozens of business relocations for a school expansion project.

Southern California Edison. Represented SCE with right-of-way acquisition services for the relocation of electric transmission lines including transmission towers and subsurface utilities throughout the City of Ontario.

High Desert Water District. Represented the High Desert Water District in Yucca Valley in the planning and acquisition of subsurface sewer easements and other property interests from over 270 parcels for its Wastewater Reclamation Project.

INSIGHTS

SELECT SPEAKING ENGAGEMENTS

Speaker, "Environmental Considerations for Right of Way Acquisition," Nossaman's 2023 Southern and Northern California Eminent Domain Seminar, Costa Mesa and San Francisco, CA, 03.28.2023, 03.14.2023

Panelist, "Show Me the Money: How the Infrastructure Investment and Jobs Act Will Benefit Public Projects," Nossaman Webinar, 02.24.2022

Speaker, "Eminent Domain in 2020: A Year in Review," Nossaman Webinar, 02.11.2021

Speaker, "Navigating COVID-19 for the Right of Way Industry," Nossaman Webinar, 04.01.2020

Speaker, "The Big Move: Planning for and Funding Complex Business Relocations," CLE International's 22nd Annual Eminent Domain Conference – The Basics & Beyond, San Diego, CA, 03.05.2020

Speaker, "*City of Oroville v. Superior Court*: Is This the End of 'Strict Liability' Inverse Condemnation?" IRWA Chapter 1 September 2019 Luncheon, Monterey Park, CA, 09.17.2019

Panelist, "The Late Stages of Litigation: Project Modifications, Expert Discovery and Settlement Strategies," Nossaman's 2019 Northern and Southern California Eminent Domain Seminar, San Francisco and Los Angeles, CA, 03.26.2019, 03.19.2019

Panelist, "Large Scale Projects: Planning for Success!" 2018 Northern and Southern California Eminent Domain Seminar Hosted by Nossaman LLP and Bender Rosenthal, Inc., Sacramento and Costa Mesa, CA, 04.18.2018, 03.29.2018

HONORS & RECOGNITIONS

Recognized as Leaders of Influence: Minority Attorneys by the *Los Angeles Business Journal* Listed, *The Legal 500 United States*, Real Estate - Land Use/Zoning, 2022

Named Professional of the Year by the International Right of Way Association (IRWA) Chapter 1, 2021

Featured on the cover of *Right of Way Magazine* for the March/April issue, 2020

Named one of the Most Influential Minority Attorneys in Los Angeles by the *Los Angeles Business Journal*, 2019

Selected to the Southern California Rising Stars list, 2011, 2013-2015

COMMUNITY & PROFESSIONAL

Transportation Research Board, Eminent Domain and Land Use Committee
American Bar Association – Litigation Section

Association of Business Trial Lawyers (Los Angeles), Member
Los Angeles County Bar Association – Real Property and Litigation Section
International Right of Way Association – Chapter 1, Past-President
Construction Management Association of America, Member
Armenian Bar Association, Member
California Department of Real Estate, Registered Agent

EDUCATION

Southwestern University School of Law, J.D., 2002
University of Southern California, B.S.

ADMISSIONS

California
U.S. District Court, Central District of California

Christopher W. Kramer

Partner | Phoenix

ckramer@nossaman.com | 480.790.5910



Chris Kramer advises condemning authorities in eminent domain and condemnation litigation and consulting. He has spent more than 36 years working to ensure large infrastructure projects proceed by condemning a variety of properties on his clients' behalf. He provides counsel on litigation avoidance through mitigation of impacts and damages to properties affected by public projects. He also serves as a mediator in eminent domain, property rights and property valuation matters throughout the United States.

EXPERIENCE

City of Phoenix, NWEI, NWEII and SCE. Condemnation of property and design review for three extensions of the light rail system in Phoenix, Arizona.

City of Phoenix, CAPX. Design review for Capital Extension of light rail system in Phoenix, Arizona.

SRP, Various Projects. Condemnation of property for transmission corridors for a number of 230kV and 69kV projects in the greater Phoenix metropolitan area.

City of Tucson, Houghton Road, Broadway Boulevard, Grant Road, Silverbell Road and Downtown Links. Condemnation of property for various road widenings and for construction of a bypass through downtown Tucson. Town of Marana, Tangerine Road. Condemnation of property for a regional east-west corridor.

Arizona Department of Transportation (ADOT), SR 202 (Red Mountain), SR 179, East Flagstaff TI (IH 40), Twin Peaks TI (IH 10) (outside counsel). Project and condemnation counsel.

City of Yuma, various street widenings, military airport clear zone, water facilities and West Wetlands park. Condemnation for a variety of projects.

City of Bullhead City, Colorado River bridge, municipal water system. Condemnation of property for new bridge over Colorado River. Condemnation of operating water system.

Coconino County, East Paintbrush flood control project. Condemnation of property for flood control.

Town of Carefree, municipal water system. Condemnation of a portion of an operating utility. Condemnation of water line easements and water storage facility.

Big Park Domestic Wastewater Improvement District, treatment plant and sewer mains. Condemnation of property for sewer mains and new wastewater treatment plant.

Mohave County; Pinal County. Established title to historic undocumented highways.

Salt River Project. Established title to historic canals and canal banks.

INSIGHTS

RECENT SPEAKING ENGAGEMENTS

Presenter, “Difficult Conversations: Taming the Conflict Over Access Management”, Transportation Research Board or the National Academies, 103rd Annual Meeting, Washington, D.C., 01.07.24 – 1.11. 2024

Presenter, “Highest and Best Use within the Right of Way”, Transportation Research Board or the National Academies, 103rd Annual Meeting, Washington, D.C., 01.07.24 – 1.11. 2024

Presenter, “Homelessness within the Right of Way”, Transportation Research Board or the National Academies, 103rd Annual Meeting, Washington, D.C., 01.07.24 – 1.11. 2024

Presenter, “The Roundtable of Good Faith”, Transportation Research Board or the National Academies, 103rd Annual Meeting, Washington, D.C., 01.07.24 – 1.11. 2024

Presenter, Transportation Research Board or the National Academies, 103rd Annual Meeting, Washington, D.C., 01.07.24 – 1.11. 2024

Co-Chair, “Condemnation Summit XXX”, Nossaman and Gallagher & Kennedy Seminar, Phoenix, AZ, 10.27.2023

Presenter, "Working on the Railroad: Acquisition and Condemnation of Railroad-Owned Property," International Right of Way Association's 69th Annual International Education Conference, Denver, CO, 06.25.2023 – 06.28.2023

Presenter, "Condemnation Summit XXIX," Nossaman and Gallagher & Kennedy Seminar, Phoenix, AZ, 05.12.2023

HONORS & RECOGNITIONS

Selected, *The Best Lawyers in America*® Phoenix “Lawyer of the Year” for Eminent Domain and Condemnation Law (2023)

Included in *The Best Lawyers in America*® for Eminent Domain and Condemnation Law, 2017-2024

Included in *The Best Lawyers in America*® for Litigation - Real Estate, 2021-2024

COMMUNITY & PROFESSIONAL

Transportation Research Board, Standing Committee on Eminent Domain and Land Use (AL060), Chair (2020 – present)

International Right of Way Association, Member

American Bar Association, Municipal Law Section, Public Utilities Section, and Real Estate Section, Member

Maricopa County Bar Association, Member

Notre Dame Club of Phoenix, Board of Directors 1999-2009

EDUCATION

Notre Dame School of Law, J.D., 1986
Illinois State University, B.S., 1981

ADMISSIONS

Arizona
California
Nevada
U.S. District Court, District of Arizona
U.S. District Court, Central District of California
Texas (application pending)

Jordan T. Leavitt

Partner | Phoenix

jleavitt@nossaman.com | 480.915.4812



Jordan Leavitt's practice focuses on representing condemning authorities in eminent domain litigation and related proceedings such as quiet title, property rights and property valuation litigation. His experience includes working on large corridor projects, such as light rail and high-voltage transmission lines as well as condemnation of individual properties. Jordan has presented programs on eminent domain for the Arizona Condemnation Summit and the Kachina Chapter of the International Right of Way Association.

EXPERIENCE

South Central Extension/Downtown Hub. Represented municipality in the acquisition of properties and property interests along the 5.5-mile extension of the light rail.

Northwest Extension Phase II. Represented municipality in condemnation proceedings related to the 1.6-mile extension of the light rail.

A Municipality. Represented municipality in condemnation proceedings for road widening project, including taking the matter to trial and successfully defending the verdict on appeal.

A Utility. Represented utility in condemnation proceedings for power transmission projects. Represent municipality in condemnation proceedings related to construction of bridge.

INSIGHTS

SPEAKING ENGAGEMENTS

Presenter, "Condemnation Summit XXIX," Nossaman and Gallagher & Kennedy Seminar, Phoenix, AZ, 05.12.2023

Presenter, "The Evolution of Phoenix" 61st Annual Fall Educational Seminar, IRWA Kachina Chapter 28, Phoenix, Arizona, 12.17.2021

Presenter, "Condemnation Summit XXVI" Jennings Strouss and Gallagher & Kennedy Seminar, Phoenix, AZ, 10.29.21

EDUCATION

Sandra Day O'Connor College of Law - Arizona State University, J.D., 2014
Brigham Young University, B.S., 2011

LANGUAGES

Croatian
Serbian

ADMISSIONS

Arizona
Idaho

Melissa L. Ferringer

Counsel | Austin

mferringer@nossaman.com | 512.813.7948

Melissa Ferringer has 20 years of litigation experience and focuses her practice on eminent domain, real property, contract disputes and construction law matters. She has substantial experience in all aspects of civil litigation from initial intake through discovery, mediation and trial at the State Office of Administrative Hearings and State Courts across Texas. Melissa has successfully litigated and obtained verdicts for her clients, including the Texas Department of Transportation.

Melissa also plays an integral role in the pre-condemnation acquisition phase and has successfully represented government entities, including transportation agencies, in multimillion-dollar eminent domain and civil litigation cases. She effectively collaborates with government personnel, right-of-way project managers, independent appraisers, land planners, cost estimators and engineers in resolving complex issues. Melissa uses her extensive knowledge and experience analyzing facts and developing case strategies to assess legal risks and probable outcomes based on legal precedents to successfully protect clients' best interests.

COMMUNITY & PROFESSIONAL

Member, Travis County Women Lawyer's Association
Member, Austin Bar Association
Member, Eminent Domain Section of the Austin Bar Association

EDUCATION

St. Mary's University School of Law, J.D., 2002
Rochester Institute of Technology, B.S., 1992

ADMISSIONS

Texas
U.S. District Court, Western District of Texas

Steven M. Silva

Partner | Sacramento

ssilva@nossaman.com | 916.930.7707



Steve Silva focuses his practice on problem solving. He regularly practices in civil litigation in Nevada and California, including eminent domain and real estate litigation, with a heavy emphasis on appellate litigation, trial practice, governmental interface and law and motion. Steve has a strong alternative dispute resolution focus in disputed cases. He also provides advice and guidance to government entities, regulated entities and businesses.

Prior to entering private practice, Steve served as a Staff Attorney for the Supreme Court of the State of Nevada. He also was a Judicial Law Clerk for The Honorable Patrick Flanagan, Second Judicial District Court for the State of Nevada, Reno, Nevada. During law school, Steve was a Judicial Extern for The Honorable John A. Houston, United States District Court, Southern District of California, San Diego, California.

EXPERIENCE

- Represented public entity in mediation and arbitration over valuation of exercise of purchase option of multiple-building campus where range of value was \$167M to \$305M.
- Assisted Southern California transportation agency in acquiring right of way with disputed severance damages resulting in a favorable settlement to the agency.
- Served as outside counsel for county in determining and litigating value of numerous parcels of land for a roadway extension project.
- Served as outside counsel for municipality in numerous real estate matters, ranging from the creation of a redevelopment agency to the negotiation of an opportunity zone development agreement, to the acquisition of numerous properties, to negotiating lease and sales agreements on behalf of the city.
- First chair as trial counsel in jury trial to acquire property for public improvement project.
- Drafted successful petition for writ of mandamus to Nevada Supreme Court to determine number of properties at issues in an eminent domain action.
- Represented public entity in appellate court in action concerning public liability arising from the planning of a public improvement project.
- Represented utility company in contested transfer of abandoned facilities to underlying landowner.
- Represented national retail corporation in negotiating revisions to road design to avoid significant impact to retail operations.

- o Served as general counsel for water company.

INSIGHTS

PUBLICATIONS

Chapter Author / Assistant Editor, "*Nevada Appellate Practice Manual*," 2021

Reviewer, "*Nevada Real Property Practice Manual*," 2021

Chapter Author, "*Nevada Civil Practice Manual*," 2016-2023

Author, "No Quarter; Just Flapjacks," *Nevada Lawyer* 1.2023

Author, "Taking 5 in 2020: Eminent Domain and Takings Update," *Nevada Lawyer*, 12.2020

Author, "Closed for Business – Open for Litigation?," *Northwestern University Law Review*, Of Note, 04.29.2020

Contributing Author, "*Nevada Civil Jury Instruction*," 2018

Author, "Correcting the Cuneiform Record," *Nevada Lawyer*, 07.2018

Co- Author, "Alternate Dispute Resolution in Condemnation Cases: An Eminently Agreeable Solution," *ALI CLE's The Practical Real Estate Lawyer*, 07.2018

SPEAKING ENGAGEMENTS

Presenter, "Annual Eminent Domain & Legislation Update," International Right of Way Association's 69th Annual International Education Conference, Denver, CO, 06.25.2023 – 06.28.2023

Speaker, "Inverse Condemnation and Disaster," Nossaman's 2023 Southern California Eminent Domain Seminar, Costa Mesa, CA, 03.28.2023

Speaker, "Inverse Condemnation and Disaster," Nossaman's 2023 Northern California Eminent Domain Seminar, San Francisco, CA, 03.14.2023

Panelist, "When the SWAT Team Comes (No) Knocking: Police Power Takings," American Law Institute Continuing Legal Education's Eminent Domain and Land Valuation Litigation 2023, Austin, TX, 02.02.2023 – 02.04.2023

Speaker, "Changes in the Law – Eminent Domain and Infrastructure Update," 2022 Right of Way Consultants Council's (ROWCC) Fall Membership Meeting, Las Vegas, NV, 11.04.2022

Co-presenter, "Ch-Ch-Changes in the Law: Eminent Domain and Infrastructure Update," International Right of Way Association's 68th Annual International Education Conference, Cleveland, OH, 06.06.2022

Speaker, "Nevada Planning Law," 2021 Annual Conference of the Nevada Chapter of the American Planning Association and the Nevada Chapter of the American Society of Landscape Architects, Reno, NV, 10.19.2021

Speaker, "Planning Law and Ethics," American Planning Association, Nevada Chapter, 10.06.2021

Speaker, "Title and Easement Issues," 2021 Western States Surveyor's Conference, Reno, NV, 03.29.2021

Speaker, "The Lawyers' Ethical Duties in Condemnation: Government and Owner's Counsel Perspectives," 01.29.2021

Speaker, "Jury Trial Rights in Takings Cases: Current Practice," ALI-CLE Eminent Domain and Land Valuation Litigation 2020, Nashville, TN, 01.23.2020

Speaker, "Eminent Domain Update," Nevada Government Civil Attorneys Conference, 2020

HONORS & RECOGNITIONS

Included in *The Best Lawyers in America*® for Appellate Practice, Commercial Litigation and Litigation - Real Estate, 2023

Recognized as a Top Rank Attorney, Northern Nevada, *Nevada Business Magazine*, 2022 and 2023 Listed, *The Legal 500 United States*, Real Estate - Land Use/Zoning, 2022

Included in *The Best Lawyers in America*® for Appellate Practice, 2020-2022

Recognized as one of the San Diego Top Lawyers, Real Estate, *San Diego* magazine, 2021, 2022

Recognized as Legal Elite, Northern Nevada, *Nevada Business Magazine*, 2014-2016, 2018, 2020-2021

Selected to the Top Up-and-Coming Attorneys, Northern Nevada, *Nevada Business Magazine*, 2018

Selected to the Super Lawyers Rising Star list in Mountain West States, 2017-2021

AV Preeminent® Peer Review Rated by Martindale-Hubbell

COMMUNITY & PROFESSIONAL

State Bar of Nevada, Appellate Litigation Section Past Chair

State Bar of Nevada, Bench-Bar Committee Member

State Bar of Nevada, Member, Commission on Revisions to Nevada Rules of Appellate Procedure

Reno Municipal Court, Judge *Pro Tem*

Reno Young Business Professionals, Member

Washoe County Bar Association, Member

Clark County Bar Association, Member

Truckee Meadows Community College, ABA Paralegal Program, Instructor of Property Law and Civil Procedure

EDUCATION

California Western School of Law, J.D., 2010, cum laude; Associate Editor & Writer, California Western Law Review & California Western International Law Review

University of Massachusetts Boston, B.A., 2007, magna cum laude

ADMISSIONS

California

Nevada

U.S. District Court, Nevada

U.S. Supreme Court

Christine D. Ryan

Partner | Austin

cryan@nossaman.com | 512.651.0656



Christine Ryan, head of Nossaman’s Austin office and a member of the Firm’s executive committee, guides public agencies through the process of structuring, developing, financing and operating large, complex and high-profile infrastructure projects, as well as smaller projects delivered through alternative methods – in Texas and around the nation.

A 20-year veteran of the Firm, Christine develops strategies for project development during the procurement process; drafts and negotiates design-build contracts, public-private partnership (P3) agreements and procurement documents; and advises clients regarding insurance, right of way and utility issues, innovative financing and privatization issues. Her practice also includes contract administration, claims management and dispute resolution.

Nossaman is special counsel to the Texas Department of Transportation for its massive design-build and P3 program. Christine has been with the program since its inception – taking the lead on many projects and providing significant assistance to the agency in drafting and modifying the state’s enabling legislation, as well as standardized procurement documents for both small and large, complex design-build-warrant and design-build-maintain projects, assisting with commercially acceptable risk allocation solutions to address TxDOT’s and the AGC’s goals. Her services also include addressing utility-related issues for the projects, including assisting with programmatic relocation agreements and negotiation of agreements with both private and municipally owned utilities.

EXPERIENCE

Austin Transit Partnership (ATP). Member of the team advising ATP (a joint local government corporation formed by Capital Metropolitan Transportation Authority and the City of Austin), with respect to procurements, contracts, interlocal agreements, real property and other issues relating to development of the Project Connect program to expand and improve the City of Austin’s transit network, including new light rail lines, four new MetroRapid lines, a subway and additional services.

Texas Department of Transportation:

- **Oak Hill Parkway Project.** Key member of the legal team advises on the \$667 million design-build-warrant project to reduce congestion and improve mobility in the Austin area. The project includes the design and construction of approximately seven miles of non-tolled improvements and the reconstruction of the US 290 and SH 71 interchange under a five-year performance warranty and was awarded to Colorado River Constructors in August 2020.
- **North Tarrant Express Segments 1 & 2W.** Leader of the legal team that advised on the first phase of a \$2.05 billion piece of a managed lanes project to improve mobility in the Dallas/Fort Worth region. The segments opened ahead of schedule in October 2014. Christine advised TxDOT regarding

procurement issues, drafted the concession agreement and a pre-development agreement for additional project segments, and assisted with negotiations and commercial and financial close. She is currently advising TxDOT on ongoing contract administration issues.

- **North Tarrant Express Segments 3A & 3B.** Key member of the legal team that on the second phase of an innovative highway improvement and managed lanes public-private partnership. We assisted TxDOT in negotiating a 2013 concession agreement for the award-winning \$1.5 billion Segments 3A & 3B portion of North Tarrant Express, which rebuilds general-purpose lanes and doubles the existing roadway. Construction of both segments was completed in 2018. Christine assisted with commercial and financial close and currently advises on contract administration matters.
- **LBJ Express.** Key member of the legal team that advised on a critical project to relieve pressure on a congested 17-mile corridor in the Dallas Metropolitan area. We guided procurement of a DBFOM toll concession for the \$2.7 billion upgrade, one of the largest P3 undertakings in U.S. history. The project reached financial close ahead of schedule in 2010 and was completed in 2015. Christine assisted with procurement, negotiation and financing issues and continues to advise on ongoing contract administration.
- **U.S. 181 Harbor Bridge Replacement.** Christine is the leader of the legal team advising on replacement of the nearly 60-year-old Harbor Bridge with the longest cable-stayed bridge in North America. The \$800 million project, which is currently under construction, was procured as a DBFOM project without revenue risk. Christine is currently advising TxDOT in connection with contract administration.
- **SH 130, Segments 5 & 6.** Key member of the team who advised on the first toll concession agreement in Texas history – a \$1.36 billion 41-mile stretch of tolled lanes and frontage roads between San Antonio and Austin. The award-winning roadway, which opened ahead of schedule in late 2012, extended the SH 130 portion of the Central Texas Turnpike Project to Austin-Bergstrom International Airport. Christine assisted TxDOT with negotiations and development of follow-on agreements to the initial pre-development agreement, including a concession agreement for the project facility, as well as ongoing contract administration.
- **Grand Parkway, Segments H, I-1 and I-2.** Leader of the team that advised on a \$1 billion, 52-mile portion of the Grand Parkway (SH 99). Nossaman is outside counsel for the design-build and long-term capital maintenance contracts for Segments H, I-1 and I-2. The design-build and capital maintenance contracts were awarded in 2017. Christine's role included formulating the contracting and procurement structure, drafting the contract and procurement documents, addressing risk allocation and negotiating the contract documents. She is currently assisting with contract administration and claims management.

Dallas Area Rapid Transit – Cotton Belt Corridor. Leader of the legal team that advised DART in connection with an unsolicited proposal for the 62-mile commuter rail line through Tarrant, Dallas, Collin and Rockwall counties servicing the northeast suburbs of Dallas to southwestern Fort Worth, with a major terminal at DFW Airport. Christine helped DART draft P3 guidelines for the project, including standards for submission and evaluation of unsolicited proposals, solicitation of competing proposals and contract documents.

Alameda Corridor Transportation Authority – Mid-Corridor Project. Key member of the legal team that advised on procurement of a \$780 million design-build contract with a Tutor Saliba/Parsons/HNTB joint venture covering the critical 10-mile middle section of the Alameda Corridor rail/grade separation

project in Los Angeles. Nossaman worked on procurement strategy, design-build contract documents, claims avoidance, right-of-way acquisitions, utility agreements, finance issues and federal funding compliance. The line opened on time and under budget in 2002.

MGM Grand-Bally's Monorail LLC – Las Vegas Monorail. Key member of the legal team that advised the developer of the four-mile Las Vegas Monorail with respect to design, construction, financing, and operating the system, including vehicle procurement. In addition to the DBOM agreement, Christine drafted and negotiated station site acquisition and joint development agreements.

INSIGHTS

PUBLICATIONS

Co-Author, "Managing Enhanced Risk in the Mega Project Era," National Academies of Sciences, Engineering and Medicine, 08.01.2022

Co-Author, "It's All About Timing: PPP Payments," *Project Finance International Global Infrastructure Report*, 06.2013

Co-Author, "Financial Close of Texas DOT's I-635 Marks Monumental Achievements," *Public Works Financing*, 07.01.2010

SELECT RECENT SPEAKING ENGAGEMENTS

Moderator, "Broadband P3s – Light That Fiber!" 2023 Public-Private Partnership Conference & Expo, Dallas, TX, 03.06.2023 – 03.08.2023

Panelist, "Avoiding Disputes by Drafting Understandable and Enforceable Contracts," Transportation Research Board's 102nd Annual Meeting, Washington, D.C., 01.09.2023

Speaker, "Innovation for Expedient and Affordable P3 Projects: A Scalable Approach to Energy P3s," 2022 Public-Private Partnership Higher Education Summit, Washington, D.C., 10.03.2022 – 10.04.2022

Panelist, "Avoiding Disputes by Drafting Understandable and Enforceable Contracts," Transportation Research Board's 61st Annual Workshop on Transportation Law, Portland, OR, 07.24.2022 – 07.27.2022

Panelist, "Breaking the Bias: Conversations with Women Who Are Effecting Change," Nossaman Virtual Panel Discussion, 03.08.2022

Speaker, "Risk Assessment and Management," 2020 Transportation Research Board Annual Meeting, Washington, DC, 01.12.2020

Speaker, "Transportation for a Smart, Sustainable, and Equitable Future," Transportation Research Board's 98th Annual Meeting, Washington, DC, 01.13.2019

Panelist, "Lessons Learned from Contract Terminations and Contractor Bankruptcies," Transportation Research Board's 57th Annual Workshop on Transportation Law, Cambridge, MA, 07.17.2018

Moderator, "Establishing and Maintaining Momentum for a Sustainable P3 Program," P3C, Dallas, TX, 02.27.2018

Panelist, "Workforce Development: Planning for the Future," Irving Transportation Summit, 08.16.2017

Speaker, "The Power of P3 for Oklahoma, Design-Build Institute of America," Brown Bag Webinar, 08.03.2017

Panelist, "Lessons Learned From Procurement Protests," Transportation Research Board's 56th Annual Workshop on Transportation Law, Salt Lake City, UT, 07.31.2017

Panelist, "Why the 'F' in DBFOM," The Public-Private Partnership Airport Summit, San Diego, CA, 07.25.2017

COMMUNITY & PROFESSIONAL

American Bar Association, Environmental Section
Transportation Research Board, Standing Committee on General Law
Women's Transportation Seminar

EDUCATION

University of Southern California School of Law, J.D., 1992, Editor, Interdisciplinary Journal
University of California, Los Angeles, B.A., 1988

ADMISSIONS

Texas
California
Hawaii

Rebecca Hays Barho

Partner | Austin

rbarho@nossaman.com | 512.813.7942



Rebecca Hays Barho focuses her practice on natural resource law, with particular emphasis on the Endangered Species Act (ESA), the National Environmental Policy Act (NEPA), the Migratory Bird Treaty Act (MBTA), the Clean Water Act (CWA), the National Historic Preservation Act (NHPA), and various Texas environmental and land use laws.

Rebecca has worked on a wide range of matters throughout the Southwestern United States. She has been heavily involved in preparation and negotiation of numerous habitat conservation plans under the ESA, including several plans of programmatic scale, and represents a wide variety of clients, including local governments, utilities, real estate developers and traditional and renewable energy companies.

She has worked with several Texas counties to develop and gain approval of county-wide habitat conservation plans. Rebecca has assisted public agencies, local governments, and private entities on issues related to the impending listing of species and potential implications on project delivery and implementation. She has worked with various governmental entities in navigating the ESA permitting process – under both Section 7 and Section 10 – for major, and sometimes controversial, infrastructure projects.

Additionally, Rebecca works to assist clients with respect to various state and local environmental approvals, including, for example, compliance with the Texas Parks and Wildlife Code, Texas Natural Resource Code, and Texas Administrative Code, as well as administrative proceedings and litigation involving federal and state environmental law.

Finally, Rebecca has assisted clients in navigating processes before the Texas Public Utilities Commission in connection with Section 39.158 of the Public Utility Regulatory Act, obtaining renewable energy credits, and other approvals relating to construction and operation of renewable energy projects in the State of Texas.

EXPERIENCE

Texas Department of Transportation (TxDOT). Rebecca serves as outside counsel in connection with complex environmental matters for various highway projects and litigation involving the same. This representation has involved working with TxDOT to defend lawsuits challenging major highway improvement projects in the Austin, Texas metropolitan area, advising TxDOT on issues relating to Section 4(f) in connection with a major bridge project in South Texas, assisting TxDOT in its preparation of comments in response to Federal Highway Administration’s notice of proposed rulemaking to amend national performance management measures, advising TxDOT in connection with a controversial, multi-billion dollar highway improvement project in Southeast Texas, and providing advice in connection with significant planned improvements to Interstate Highway 35 in Austin.

Fath, et al. v. Texas Department of Transportation, et al. Rebecca assisted TxDOT and others in responding to a lawsuit over its planning and approval of several road projects in South Austin, including review and advice concerning trial briefs and other issues. Plaintiffs in the case sought a preliminary injunction that would have barred TxDOT from beginning work on one of the projects. The district court denied the request, and the U.S. Court of Appeals for the Fifth Circuit issued a per curiam decision denying plaintiffs' interlocutory appeal. Plaintiffs raised claims under NEPA, the ESA and Section 4(f) of the Transportation Act, among others.

Center for Biological Diversity, et al. v. Texas Department of Transportation, et al. Rebecca assisted TxDOT in successfully defending a lawsuit filed by several groups challenging, among other things, an informal ESA section 7 consultation in connection with construction of a project known as MoPac Intersections. The same project was one of those at issue in the *Fath* litigation.

Bar J-B Co., Inc. et al. v. Texas Department of Transportation, et al. Rebecca advised and assisted TxDOT in a lawsuit challenging the environmental review process and, ultimately construction of a highway project in Navarro County, Texas. Plaintiffs made claims under NEPA, ESA, CWA and NHPA, among others.

Williamson County Road and Highway Work. Rebecca has long served as outside environmental counsel to Williamson County, Texas in connection with the County's infrastructure needs. This has involved over \$500 million in critically needed roads and highway, many of which suffered complex environmental issues, including particularly under the ESA. A number of these projects were jointly pursued with TxDOT. Examples of Williamson County projects on which Rebecca worked include:

- **IH 35 Improvements at Inner Space Caverns.** Provided advice regarding ESA compliance in connection with this critical highway improvement project.
- **Regan Boulevard.** Provided advice regarding all phases of environmental review for this multi-phase project involving a major arterial in Williamson County.
- **SH 195 Improvements.** Provided advice regarding the complicated ESA compliance required for needed improvements to this roadway, which provides critical access to the Fort Hood military reservation.
- **O'Connor Boulevard.** Provided advice regarding all environmental reviews for this short but very significant arterial. Work included assisting the client with complicated endangered species issues.

Austin Transit Partnership (ATP). Member of the team advising ATP (a joint local government corporation formed by Capital Metropolitan Transportation Authority and the City of Austin), with respect to procurements, contracts, interlocal agreements, real property and other issues relating to development of the Project Connect program to expand and improve the City of Austin's transit network, including new light rail lines, four new MetroRapid lines, a subway and additional services.

Medina County Environmental Action Association v. Surface Transportation Board. Served as consulting counsel in the successful defense of Surface Transportation Board approval of a small railway project serving a Central Texas quarry. Litigation was brought in the U.S. Court of Appeals for the Fifth Circuit and specifically challenged the conclusions of a consultation between USFWS and Surface Transportation Board.

LCRA Transmission Services Corporation. Rebecca served as outside counsel in the development and approval of a system-wide habitat conservation plan covering activities associated with electric transmission and distribution for one of the state's largest electric companies. USFWS issued this nearly state-wide incidental take permit in 2019.

CPS Energy. Rebecca serves as outside environmental counsel for the nation's largest municipally owned energy company, assisting CPS Energy with various environmental compliance issues. In that capacity, she assisted in the development of a system-wide habitat conservation plan covering CPS Energy's electric and gas transmission and other related activities. USFWS issued this permit in 2021.

Energy and Wildlife Action Coalition. Rebecca serves on Nossaman's legal team advising a growing coalition of utility and renewable energy companies. The coalition focuses on federal wildlife laws and policies affecting construction and operation of electric power infrastructure across the United States.

Renewable Energy. Rebecca frequently is involved in assisting renewable energy clients in preparing permitting opinions and transactional support in connection with federal, state and local natural resources and environmental issues. She was also an early member of the legal team that advised the American Wind Energy Association in connection with the multi-state, multi-species Great Plains Wind Energy Habitat Conservation Plan.

Electric Utilities. Rebecca has assisted a number of clients in navigating compliance with federal environmental law in connection with construction of electric transmission lines, including the ESA section 7 and section 10 processes.

Oil and gas pipelines. Rebecca advises large U.S. oil and gas pipeline operators on a variety of issues, including, but not limited to, those relating to the ESA and NEPA, and state and local land use law.

Williamson County Conservation Foundation. For more than a decade, Rebecca has served as an advisor in connection with the Foundation's implementation of the Williamson County, Texas Regional Habitat Conservation Plan (RHCP). Rebecca was also involved in shepherding the RHCP through the application and approval processes. The RHCP has been seen as a success story for both species preservation and infrastructure planning in one of the nation's fastest growing counties.

American Stewards of Liberty v. USFWS. Represented American Stewards of Liberty in a successful challenge of USFWS's denial of a petition to list an endangered karst invertebrate species, in which a federal court held USFWS's decision to be arbitrary, capricious, and not in accordance with the law.

INSIGHTS

SELECT PUBLICATIONS

Contributor, "California Water Views - 2023 Outlook," *Nossaman Periodical*, 04.01.2023

Co-Author, "NEPA Rules Rewrite: Déjà Vu All Over Again," *Nossaman eAlert*, 10.12.2021

Author, "Ruling Shows 5th Circ. Reluctant To Second-Guess Agencies," *Law360*, 04.14.2021

Podcast Guest Speaker, "Engage the Experts: The Shifting Landscape of Renewable Energy Development," *Environmental Law Institute's People Places Planet Podcast*, 08.19.2020

Author, "NEPA Rules Rewrite: Content of NEPA Documents Under New CEQ Rules," *Nossaman eAlert*, 08.18.2020

Co-Author, "NEPA Rules Rewrite: Initiation of the Environmental Impact Statement Process," *Nossaman eAlert*, 08.06.2020

Co-Author, "Trump Executive Order: Environmental Streamlining or Political Quagmire?" *Nossaman eAlert*, 06.11.2020

Co-Author, "Federal Court Overturns Nationwide Permit 12, Throws Project Development into Flux," *Nossaman eAlert*, 04.20.2020

Co-Author, "Bat Species Status Ruling Leaves Cos. Hanging," *Law360*, 02.14.2020

Co-Author, "New Endangered Species Act Regs Could Provide Predictability for Transportation Projects," *Natural Lawyer*, 10.08.2019

Co-Author, "ESA Rule Changes Less Drastic Than Critics Claim," *Law360*, 08.29.2019

Co-Author, "A Pendulum Seldom Stops in the Middle: Shifting Views on 'Take' of Raptors and Other Migratory Birds," *Environmental Law Reporter*, 07.01.2018

Revision Author, "Chapter 25 – Endangered Species Act in the Texas Law of Water Resources," *Essentials of Texas Water Resources (2nd Edition)*, 2012

SPEAKING ENGAGEMENTS

Speaker, "Regulatory Uncertainty and Linear Infrastructure Projects: Where Are We and What's Ahead?" Nossaman Webinar, 09.01.2022

Speaker, "Environmental Compliance & Permitting for Utilities," EUCI Online Course, 01.26.2022 – 01.27.2022

Speaker, "Linear Infrastructure Redux: Adapting Your Projects to Meet the New Regulatory Climate," Nossaman Webinar, 06.15.2021

Speaker, "Navigating Wildlife and Natural Resource in the Sooner State," Environmental Federation of Oklahoma (EFO) Webinar, 03.01.2021

Speaker, "Adapting Your Linear Infrastructure Projects to Changing Regulatory Frameworks," Nossaman Webinar, 07.30.2020

Speaker, "Endangered Species and Water Supply," Changing Face of Water Law 2020, San Antonio, TX, 02.20.2020

Speaker, "Federal Natural Resource Law and Development of Linear Infrastructure," University of Texas at Austin School of Law CLE Webinar, 01.24.2020

Speaker, "Federal Natural Resource Law and the Intersection of Renewable Energy Development," University of Texas at Austin School of Law CLE Webinar, 01.24.2020

Speaker, "Endangered Species Act Reforms: Looking at the Horizon," University of Texas at Austin School of Law CLE Webinar, Webinar, 07.12.2019

Speaker, "Endangered Species Act: Overview of the Act, Regulations, and Policies," University of Texas at Austin School of Law CLE Webinar, 07.12.2019

Speaker, "Endangered Species Act Reform," Texas Water Conservation Association's 75th Annual Convention, Bastrop, TX, 03.08.2019

HONORS & RECOGNITIONS

Chosen for individual recognition for Environmental Law in Texas by *Chambers USA*, 2021-2022
Listed, *The Legal 500 United States*, Industry Focus - Energy - Renewable/Alternative Power, 2020-2022

COMMUNITY & PROFESSIONAL

American Bar Association

EDUCATION

Baylor University School of Law, J.D., 2006, recipient of the Buck J. Wynne Environmental Law Award
Baylor University, B.A., 2003

ADMISSIONS

Texas
U.S. Court of Appeals, Fifth Circuit
U.S. District Court, Northern District of Texas
U.S. District Court, Western District of Texas
U.S. District Court, District of Columbia

Maya Hamouie

Associate | Austin

mhamouie@nossaman.com | 213.612.7887



Maya Hamouie focuses her practice on real estate, construction and commercial disputes in both state and federal courts, representing both public and private sector clients. Maya has successfully represented clients in all phases of litigation, and has developed experience negotiating and litigating discovery disputes; managing large-scale electronic document reviews and productions; drafting dispositive motions; taking and defending fact and expert witness depositions; working with expert witnesses; and preparing cases for trial and arbitration hearings. Maya has helped clients achieve significant recoveries or defense verdicts in various matters.

In addition to handling active litigation matters, Maya also provides advice to clients about legal developments and issues affecting their business operations to assist them with compliance and risk management issues.

Maya maintains an active pro bono practice. She successfully litigated a quiet title action on a pro bono basis. She is also representing a minor seeking asylum after escaping dangerous conditions in her home country, Guatemala. Maya is also active in the legal community. She is a member of the Association of Business Trial Lawyers and serves on committees within the organization. Maya serves as the Young Professional Committee Chair for International Right of Way Association (IRWA) Chapter 1.

EXPERIENCE

REAL ESTATE MATTERS

Los Angeles County Metropolitan Transportation Authority. Second chaired arbitration proceeding that involved the determination of market rent on a long-term ground lease and rent owed by tenant to Metro under the parties' lease agreement. Arbitration proceeding resulted in favorable outcome for Metro.

Various Public Agencies. Assist in representing various public agencies, including the City of Los Angeles, the City of Bakersfield, the City of Modesto, the California High Speed Rail Authority and the Los Angeles County Metropolitan Transportation Authority, in real estate, acquisition and relocation matters in connection with a variety of infrastructure projects.

City of Los Angeles. Lead associate on legal team representing the City of Los Angeles in an unlawful detainer case against an equestrian center.

State of California v. Segerblom, et al. Prepared dispositive motion that resulted in a complete victory and dismissal of the County of Los Angeles in a quiet title and damages action relating to a 1968 bond

foreclosure sale of property in Malibu. Current record owner cross-complained against the County for \$20 million value of property.

Quiet Title Action. Represented a trustee of a family trust on a pro bono basis to quiet title to a family home. An estranged sibling had wrongfully transferred title to the home to herself and refused to restore title to the trust, which had numerous beneficiaries consisting of adult children of the original owners. After filing a quiet title action and examining the trustee at a default prove up hearing, Maya successfully secured a judgment in favor of her client that quieted title in a way that was consistent with the original owners' estate plan.

Lessee of Real Property Located in North Hollywood. Lead associate in dispute involving the determination of the fair market value of a long-term ground lease of land located in North Hollywood and rent owed by lessee to lessor under the parties' lease agreement.

Fortune 100 Company. Represented tenant in various disputes relating to impact of tenant's equipment on rooftop of building it was leasing and issues tenant had accessing the property where its equipment was located.

Restaurant Chain. Represented owner of restaurant chain in lease dispute relating to lease termination and waste.

Real Estate Investor. Represented owner of several residential properties in Newport Beach relating to lease termination, renewals, option exercises, assignments, subleases and waste.

OTHER MATTERS & LITIGATION

Texas Department of Transportation – U.S. 181 Harbor Bridge Replacement. Member of the legal team advising on replacement of the nearly 60-year-old Harbor Bridge spanning the Corpus Christi, Texas shipping channel with a new structure that will be the longest cable-stayed bridge in North America.

Texas Department of Transportation – Grand Parkway, Segments H, I-1 and I-2. Part of the trial team assisting with contract administration and claims management in connection with a Dispute Board process – the first of its kind in the State of Texas.

County of Los Angeles. Member of litigation team that represented the County of Los Angeles in a fraud and negligent misrepresentation case against a large accounting firm.

Los Angeles County Metropolitan Transportation Authority. Member of litigation team representing LA Metro in litigation involving a Public Records Act request concerning the Sepulveda Transit Corridor Project.

Family-Owned Vineyard. Represented a family-owned winery in Napa Valley in a major commercial dispute against its former sales and marketing agent. The dispute resulted in a successful settlement for our client.

Student Debt Document Preparation Companies. Member of litigation team that defended client in the student loan document preparation industry in federal court litigation against the Federal Trade Commission. Claims include violations of the FTC Act and Telemarketing Sales Rule compliance.

Health Insurance Agency. Member of litigation team defending client against class action involving the Telephone Consumer Protection Act in federal court.

Public Hospital District. Member of litigation team that defended multiple parties in lawsuit brought by physician who was removed from his leadership positions as chief of staff elect for violating leadership criteria. Dispute resolved in successful settlement for our client.

INSIGHTS

PUBLICATIONS

Co-Author, "Your Client Has Used Far More Space than Permitted Under a Lease for Over a Decade, Does the Continuous Accrual Doctrine Apply or is the Claim Time Barred?," *Association of Business Trial Lawyers—Los Angeles*, 04.01.2022

Podcast Co-Host, "Market Rent Adjustment Provisions in Long-Term Ground Leases," *Digging Into Land Use Law*, 06.09.2021

Co-Author, "Current Issues in Federal Class Actions," *Nossaman White Paper*, 02.01.2019

SPEAKING ENGAGEMENTS

Speaker, "Business Valuation and Damages: Assessing COVID-19's Economic Impact," International Right of Way Association's Chapter 1 Virtual Luncheon, 12.03.2020

Co-Presenter, "ABC to AB 5: Changes to Independent Contractor Status in California," Nossaman Webinar, 12.05.2019

HONORS & RECOGNITIONS

Chapter 1's Young Professional of the Year, International Right of Way Association, 2019

COMMUNITY & PROFESSIONAL

International Right of Way Association – Chapter 1, Young Professional Committee Chair
Association of Business Trial Lawyers – Los Angeles Chapter, Representative of the ABTL's Young Lawyers Division
California State Bar Association, Member

EDUCATION

University of Houston Law Center, J.D., 2016; Publications & Marketing Editor, *Houston Law Review*
University of Texas, Austin, B.B.A., 2012

ADMISSIONS

Texas
California
U.S. District Court, Central District of California
U.S. District Court, Southern District of California

Proposal to Webb County

U.S. District Court, Western District of Texas

U.S. Bankruptcy Court, Western District of Texas

Kyle Hamilton

Associate | Austin

khamilton@nossaman.com | 512.813.7943



Kyle Hamilton represents clients in a wide variety of infrastructure transactions. His practice encompasses project financing, project and corporate acquisitions, and formation of partnerships and joint ventures. He has experience with project and corporate restructuring as well as general regulatory, corporate and EPC matters.

Kyle has experience drafting, negotiating and reviewing primary project documents and related ancillary documents, for alternative delivery projects, including progressive design-build and design-build-operate-maintain agreements, construction manager at risk agreements, public private partnership agreements (P3). Kyle also has experience with credit agreements, purchase agreements, security agreements, concession agreements, joint venture agreements, EPC agreements and service and management agreements. He has worked with clients and projects in or relating to Latin America, Japan and various European countries, as well as the United States.

Kyle served as a judicial intern for the Eastern District Court of Michigan and was a member of the Michigan Innocence Clinic.

EXPERIENCE

Austin Transit Partnership (“ATP”) – Project Connect. Key member of the team advising ATP (a joint local government corporation formed by Capital Metropolitan Transportation Authority and the City of Austin), with respect to procurements, contracts, interlocal agreements, real property and other issues relating to development of the Project Connect program to expand and improve Austin’s transit network, including new light rail lines, four new MetroRapid lines, a subway and additional services.

Maryland Department of Transportation and Maryland Transit Administration – Purple Line Light Rail Renegotiation/Resolicitation. Key member of the legal team that advised MDOT/MTA on the negotiation of an amended P3 agreement and re-solicitation of a design-build contractor to complete Maryland’s first transit P3 project – a \$3.4 billion (capital cost), 16.2-mile light rail system that will significantly facilitate mobility between the Maryland suburbs and Washington, D.C. After the original design-build contractor left the project in fall of 2020, MDOT/MTA and the concessionaire negotiated amendments to the P3 agreement and resolicited a replacement design-build contractor. The amended project reached financial close in April 2022. Nossaman continues to advise MDOT/MTA in the implementation of the amended P3 agreement.

East County Advanced Water Purification (ECAWP) Joint Powers Authority (JPA) – Biogas Facility. Key member of the legal team advising the JPA on the design, construction, permitting and long-term O&M of a biogas recovery facility. The project will reduce greenhouse gas emissions, and assist with local climate action plans in the San Diego area. Services include structuring the transaction, drafting the RFP and PDBOM contract.

East County Advanced Water Purification (ECAWP) Joint Powers Authority (JPA) – East County Advanced Water Purification Project. Kyle is a key member of the legal team advising the JPA in the development of four progressive design-build (PDB) packages which will provide East San Diego County with a new, safe, sustainable and drought-proof water supply using state-of-the-art technology and potable reuse. Once online, the ECAWP Project is anticipated to treat the combined 2025 wastewater flow of approximately 15 million gallons per day and produce up to 12,880 acre-feet per year or 11.5 MGD, of new, safe, reliable, and locally controlled potable water supply. This represents approximately 30% of East County's water demand. Kyle is advising on all aspects of the procurement including structuring the transaction, drafting the RFQ, RFP and PDB contracts.

City of Ventura – Ventura Pure Water. Key member of the legal team acting as infrastructure and procurement counsel with respect to the VenturaWaterPure local water supply infrastructure project, which consists of upgrades to its existing Ventura Wastewater Reclamation Facility (VWRF), construction of a new Advanced Water Purification Plant that will produce purified water for potable reuse, as well as related conveyance pipelines, a new ocean outfall, groundwater injection and extraction wells, natural treatment wetlands and other indirect and direct potable reuse system infrastructure. Services include structuring the transaction, drafting the RFP and drafting project contracts, including the construction manager at risk agreement.

Sites Reservoir Joint Powers Authority. Key member of the team advising the Sites Project Authority for the inter-agency agreements on the proposed \$5.2 billion Sites Reservoir Project anticipated to pump 470,000 to 640,000 acre-feet (580,000,000 to 790,000,000 m³) per year of the winter run-off from the Sacramento River, through existing canals to a 1.5 million acre-foot off-stream surface storage reservoir located in the Sacramento Valley. The proposed reservoir's conveyance facilities will include the use of existing Tehama Colusa Canal and Glenn-Nossaman is advising on and negotiating all interagency agreements including with respect to use of existing facilities, investor funding and participation and other related agreements.

Transurban – Virginia Express Lanes Projects. Key member of the team that represented Transurban, one of the world's largest toll-road operators, on its US\$2.1 billion sale of a 50 percent interest in certain assets. The transaction included the 95 Express Lanes, 495 Express Lanes and 395 Express Lanes in Virginia. Further advised on financing and project documents with various express lanes expansion and construction projects, including the Fredericksburg Extension, the 495 Northern Extension and Elizabeth River Tunnel.

Infrastructure Bond Insurer. Assisted in representing a bond insurer for the private activity bonds issued to finance in part the Michigan I-75 project and the LAX Automated People Mover project.

Broadband Public-Private Partnership. Assisted in representing a consortium on a broadband P3 project with the Pennsylvania Turnpike Commission.

Project Service LLC – Connecticut Service Plazas. Key member of the team that represented an international consortium in connection with its US\$229 million acquisition of JLIF Holdings U.S., Inc. and its subsidiary, Project Service LLC. The acquired entities operate 23 on-highway services plazas located in Connecticut between New York and Boston under a concession agreement with the Connecticut Department of Transportation. Drafted and advised on the acquisition, financing and project documents. Further advised on the private placement of US\$138.5 million of privately placed amortizing senior secured notes for the refinancing of the company's acquisition debt.

Service Plazas Acquisition. Key member of the team that advised an international operator of service stations on the acquisition of 60 on-highway service plazas along 13 highways within eight states in the U.S. Northeast and Midwest regions. Advised on acquisition, financing and project documents.

Assured Guaranty – Latin American Infrastructure Social Bond. Key member of the team that advised Assured Guaranty Municipal Corporation as insurer and U.S. sponsor in a successful 760 billion Colombian pesos (c. US\$209 million) social bond issuance. This was the first social bond linked to an infrastructure project in Latin America and the first bond guaranteed by the US International Development Finance Corporation. The proceeds were used to refinance and complete the funding of the Puerta de Hierro Toll Road project to connect the Colombian port cities of Barranquilla and Cartagena with interior departments near the Caribbean coast, and further south to Medellín and Bogotá.

INSIGHTS

PUBLICATIONS

Contributor, "California Water Views - 2023 Outlook," *Nossaman Periodical*, 04.01.2023

EDUCATION

University of Michigan Law School, J.D., 2015, *cum laude*; Associate Editor, *Michigan Journal of International Law*

Brigham Young University, B.A., 2011

LANGUAGES

French

Spanish

ADMISSIONS

Texas

North Carolina

APPENDIX B: FORMS

THIS FORM MUST BE INCLUDED WITH RFQ PACKAGE; PLEASE CHECK OFF EACH ITEM INCLUDED WITH RFQ PACKAGE AND SIGN BELOW TO COMPLETE SUBMITTAL OF EACH REQUIRED ITEM.

“Real Estate Legal Services for Webb County”

- Statement of Qualifications

- References Form

- Conflict of Interest Form (CIQ)

- Certification regarding Debarment (Form H2048)

- Certification regarding Federal lobbying (Form 2049)

- Purchasing Code of Ethics Affidavit

- House Bill 89 Form

- Senate Bill 252 Form

- Proof of No Delinquent Tax Owed to Webb County



Signature of Person Completing this Package

February 1, 2024
Date

References Form

Please list at minimum five (5) local governmental entities where similar scope of services were provided.

THIS FORM MUST BE RETURNED WITH YOUR OFFER.

REFERENCE ONE

Government/Company Name: Texas Department of Transportation (TxDOT)

Address: 125 E 11th St, Austin, TX 78701

Contact Person and Title: Darby F. Venza, Director of Right of Way Legal Services

Phone: 512.463.8588 Fax: 512.416.2085

Email Address: darby.venza@txdot.gov Contract Period: October 2023 - Present

Description of Professional Services Provided: Nossaman attorneys are providing legal representation to TxDOT and the Texas Transportation Commission for various eminent domain matters.

REFERENCE TWO

Government/Company Name: Austin Transit Partnership (ATP)

Address: 203 Colorado St, Austin, TX 78701

Contact Person and Title: Brandon Carr, Senior VP of Legal Services and General Counsel

Phone: 737.230.7676 Fax: N/A

Email Address: brandon.carr@atptx.org Contract Period: December 2021 - Present

Description of Professional Services Provided: Since 2021, we have been leading the efforts in advising ATP, a CapMetro and City of Austin joint venture, on real property acquisition and related matters for Project Connect. The Project will expand and improve the transit network throughout Austin and includes new light rail lines, four new MetroRapid lines, a subway and more services across the city.

REFERENCE THREE

Government/Company Name: City of Phoenix

Address: Phoenix City Hall, 200 W Washington St, 12th Floor, Phoenix, AZ 85003

Contact Person and Title: Jami Schmalz, Deputy Finance Director, Real Estate Administrator

Phone: 602.534.9703 Fax: 602.495.2432

Email Address: jami.schmalz@phoenix.gov Contract Period: 2008 - Present

Description of Professional Services Provided: Nossaman attorneys have handled and are in the process of handling many light rail matters for the City on both the South Central Extension and the NE Extension II projects, as well as other acquisitions for various purposes. We have also worked on condemnation cases for the NW I light rail project, condemned the Pioneer Historic Park and represented the City as co-counsel on a case involving a sewer main project across the Salt River. Other projects include high voltage power lines & related facilities; road widening; parkways, freeways & traffic interchanges; airport expansion & clear zones; sewer & water (including treatment plants); parks, wetlands & environmental mitigation; fire stations; flood control; & condemnation of private utilities.

REFERENCE Four

Government/Company Name: Los Angeles County Metropolitan Transportation Authority (LA Metro)

Address: 1 Gateway Plaza, Los Angeles, CA 90012

Contact Person and Title: Craig Justesen, Director of Real Property Management & Development

Phone: 213.922.7051 Fax: 213.922.6988

Email Address: justesenc@metro.net Contract Period: August 1980 - Present

Description of Professional Services Provided: LA Metro has been a firm client since 1980.

The firm has provided much advice regarding general real estate matters. Nossaman attorneys have represented LA Metro in more than 100 eminent domain cases and defended it in several inverse condemnation actions that have resulted in favorable published appellate decisions.

REFERENCE Five

Government/Company Name: Port Authority of New York and New Jersey (PANYNJ)

Address: 150 Greenwich St, New York, NY 10007

Contact Person and Title: Thomas A. Segreto, Counsel

Phone: 212.435.3416 Fax: 212.435,6838

Email Address: tsegreto@panynj.gov Contract Period: March 2023 - Present

Description of Professional Services Provided: We are advising and assisting PANYNJ in developing its Real Estate Acquisition Management Plan and associated documents, as well as advising PANYNJ on real property and right-of-way related matters. This includes valuation and acquisitions of property for PANYNJ's various projects.

- ****Additional pages are permitted if more space is required****

Space intentionally left Blank

REFERENCE SIX

Government/Company Name: County of Stanislaus

Address: 1010 10th St Modesto, CA 95354

Contact Person and Title: David Leamon, Director of Public Works

Phone: 209.525.4130 Fax: 209.558.2189

Email Address: leamond@stancounty.com Contract Period: May 2021 - Present

Description of Professional Services Provided: We are advising the County on real property acquisitions and relocation issues including eminent domain litigation for the State Route 108/North County Corridor Phase I Project, which involves the construction of a new four-lane expressway, a new interchange and grade separated structures. We are also providing the same services for the replacement of the 7th Street Bridge Project.

CONFLICT OF INTEREST QUESTIONNAIRE

FORM CIQ

For vendor doing business with local governmental entity

OFFICE USE ONLY

Date Received

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

1 Name of vendor who has a business relationship with local governmental entity.

N/A: No relationships or conflicts of interest.

2 **Check this box if you are filing an update to a previously filed questionnaire.** (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

3 Name of local government officer about whom the information is being disclosed.

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

Yes No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

Yes No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

6 Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7 _____
Signature of vendor doing business with the governmental entity

February 1, 2024
Date

CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

A complete copy of Chapter 176 of the Local Government Code may be found at <http://www.statutes.legis.state.tx.us/Docs/LG/htm/LG.176.htm>. For easy reference, below are some of the sections cited on this form.

Local Government Code § 176.001(1-a): "Business relationship" means a connection between two or more parties based on commercial activity of one of the parties. The term does not include a connection based on:

- (A) a transaction that is subject to rate or fee regulation by a federal, state, or local governmental entity or an agency of a federal, state, or local governmental entity;
- (B) a transaction conducted at a price and subject to terms available to the public; or
- (C) a purchase or lease of goods or services from a person that is chartered by a state or federal agency and that is subject to regular examination by, and reporting to, that agency.

Local Government Code § 176.003(a)(2)(A) and (B):

(a) A local government officer shall file a conflicts disclosure statement with respect to a vendor if:

(2) the vendor:

(A) has an employment or other business relationship with the local government officer or a family member of the officer that results in the officer or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the officer becomes aware that

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor;

(B) has given to the local government officer or a family member of the officer one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the officer becomes aware that:

- (i) a contract between the local governmental entity and vendor has been executed; or
- (ii) the local governmental entity is considering entering into a contract with the vendor.

Local Government Code § 176.006(a) and (a-1)

(a) A vendor shall file a completed conflict of interest questionnaire if the vendor has a business relationship with a local governmental entity and:

- (1) has an employment or other business relationship with a local government officer of that local governmental entity, or a family member of the officer, described by Section 176.003(a)(2)(A);
- (2) has given a local government officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value specified by Section 176.003(a)(2)(B), excluding any gift described by Section 176.003(a-1); or
- (3) has a family relationship with a local government officer of that local governmental entity.

(a-1) The completed conflict of interest questionnaire must be filed with the appropriate records administrator not later than the seventh business day after the later of:

(1) the date that the vendor:

- (A) begins discussions or negotiations to enter into a contract with the local governmental entity; or
- (B) submits to the local governmental entity an application, response to a request for proposals or bids, correspondence, or another writing related to a potential contract with the local governmental entity; or

(2) the date the vendor becomes aware:

- (A) of an employment or other business relationship with a local government officer, or a family member of the officer, described by Subsection (a);
- (B) that the vendor has given one or more gifts described by Subsection (a); or
- (C) of a family relationship with a local government officer.

CERTIFICATION
REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY
EXCLUSION FOR COVERED CONTRACTS

PART A.

Federal Executive Orders 12549 and 12689 require the Texas Department of Agriculture (TDA) to screen each covered potential contractor to determine whether each has a right to obtain a contract in accordance with federal regulations on debarment, suspension, ineligibility, and voluntary exclusion. Each covered contractor must also screen each of its covered subcontractors.

In this certification "contractor" refers to both contractor and subcontractor; "contract" refers to both contract and subcontract.

By signing and submitting this certification the potential contractor accepts the following terms:

1. The certification herein below is a material representation of fact upon which reliance was placed when this contract was entered into. If it is later determined that the potential contractor knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Department of Health and Human Services, United States Department of Agriculture or other federal department or agency, or the TDA may pursue available remedies, including suspension and/or debarment.
2. The potential contractor will provide immediate written notice to the person to which this certification is submitted if at any time the potential contractor learns that the certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
3. The words "covered contract", "debarred", "suspended", "ineligible", "participant", "person", "principal", "proposal", and "voluntarily excluded", as used in this certification have meanings based upon materials in the Definitions and Coverage sections of federal rules implementing Executive Order 12549. Usage is as defined in the attachment.
4. The potential contractor agrees by submitting this certification that, should the proposed covered contract be entered into, it will not knowingly enter into any subcontract with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Department of Health and Human Services, United States Department of Agriculture or other federal department or agency, and/or the TDA, as applicable.

Do you have or do you anticipate having subcontractors under this proposed contract?

Yes

No

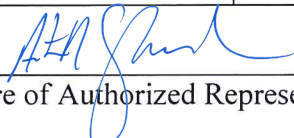
5. The potential contractor further agrees by submitting this certification that it will include this certification titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion for Covered Contracts" without modification, in all covered subcontracts and in solicitations for all covered subcontracts.
6. A contractor may rely upon a certification of a potential subcontractor that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered contract, unless it knows that the certification is erroneous. A contractor must, at a minimum, obtain certifications from its covered subcontractors upon each subcontract's initiation and upon each renewal.
7. Nothing contained in all the foregoing will be construed to require establishment of a system of records in order to render in good faith the certification required by this certification document. The knowledge and information of a contractor is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
8. Except for contracts authorized under paragraph 4 of these terms, if a contractor in a covered contract knowingly enters into a covered subcontract with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, Department of Health and Human Services, United States Department of Agriculture, or other federal department or agency, as applicable, and/or the TDA may pursue available remedies, including suspension and/or debarment.

PART B. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION FOR COVERED CONTRACTS

Indicate in the appropriate box which statement applies to the covered potential contractor:

- The potential contractor certifies, by submission of this certification, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this contract by any federal department or agency or by the State of Texas.
- The potential contractor is unable to certify to one or more of the terms in this certification. In this instance, the potential contractor must attach an explanation for each of the above terms to which he is unable to make certification. Attach the explanation(s) to this certification.

Name of Contractor	Vendor ID No. or Social Security No.	Program No.
Nossaman LLP	95-2219542	RFQ 2024-008



Signature of Authorized Representative

February 1, 2024

Date

Artin Shaverdian

Printed/Typed Name and Title of Authorized Representative

CERTIFICATION REGARDING FEDERAL LOBBYING
(Certification for Contracts, Grants, Loans, and Cooperative Agreements)

PART A. PREAMBLE

Federal legislation, Section 319 of Public Law 101-121 generally prohibits entities from using federally appropriated funds to lobby the executive or legislative branches of the federal government. Section 319 specifically requires disclosure of certain lobbying activities. A federal government-wide rule, "New Restrictions on Lobbying", published in the Federal Register, February 26, 1990, requires certification and disclosure in specific instances.

PART B. CERTIFICATION

This certification applies only to the instant federal action for which the certification is being obtained and is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$100,000 for each such failure.

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
2. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with these federally funded contract, subcontract, subgrant, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions. (If needed, contact the Texas Department of Agriculture to obtain a copy of Standard Form-LLL.)

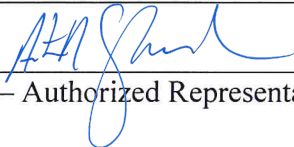
3. The undersigned shall require that the language of this certification be included in the award documents for all covered subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all covered subrecipients will certify and disclose accordingly.

Do you have or do you anticipate having covered subawards under this transaction?

- Yes
- No

Name of Contractor/Potential Contractor	Vendor ID No. or Social Security No.	Program No.
Nossaman LLP	95-2219542	RFQ 2024-008

Name of Authorized Representative	Title
Artin Shaverdian	Partner



Signature – Authorized Representative

February 1, 2024

Date

**WEBB COUNTY PURCHASING DEPT.
QUALIFIED PARTICIPATING VENDOR CODE OF ETHICS
AFFIDAVIT FORM**

STATE OF TEXAS *

KNOW ALL MEN BY THESE PRESENTS:

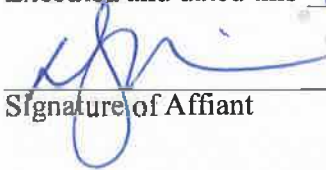
COUNTY OF WEBB *

BEFORE ME the undersigned Notary Public, appeared Artin Shaverdian, the herein-named "Affiant", who is a resident of _____ County, State of _____, and upon his/her respective oath, either individually and/or behalf of their respective company/entity, do hereby state that I have personal knowledge of the following facts, statements, matters, and/or other matters set forth herein are true and correct to the best of my knowledge.

I personally, and/or in my respective authority/capacity on behalf of my company/entity do hereby confirm that I have reviewed and agree to fully comply with all the terms, duties, ethical policy obligations and/or conditions as required to be a qualified participating vendor with Webb County, Texas as set forth in the Webb County Purchasing Code of Ethics Policy posted at the following address: <http://www.webbcountytexas.gov/PurchasingAgent/PurchasingEthicsPolicy.pdf>

I personally, and/or in my respective authority/capacity on behalf of my company/entity do hereby further acknowledge, agree and understand that as a participating vendor with Webb County, Texas on any active solicitation/proposal/qualification that I and/or my company/entity failure to comply with the Code of Ethics policy may result in my and/or my company/entity disqualification, debarment or make void my contract awarded to me, my company/entity by Webb County. I agree to communicate with the Purchasing Agent or his designees should I have questions or concerns regarding this policy to ensure full compliance by contacting the Webb County Purchasing Dept. via telephone at (956) 523-4125 or e-mail to the Webb County Purchasing Agent to joel@webbcountytexas.gov.

Executed and dated this 18th day of January, 2024.



Signature of Affiant

Artin Shaverdian
Printed Name of Affiant/Company/Entity

SWORN to and subscribed before me, this _____ day _____, 2024

NOTARY PUBLIC, STATE OF TEXAS

"See Attached Notarial Certificate"

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Los Angeles

On January 18, 2024 before me, Brian E. Bates, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Artin Shaverdich
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature B. Bates
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: webb county purchasing Dept / Affidavit

Document Date: 1/18/24 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____

Partner – Limited General Partner – Limited General

Individual Attorney in Fact Individual Attorney in Fact

Trustee Guardian or Conservator Trustee Guardian or Conservator

Other: _____ Other: _____

Signer is Representing: _____ Signer is Representing: _____

Offeror: Complete & Return this Form with Response Submission.

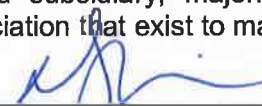
House Bill 89 Verification

I, Artin Shaverdian, the undersigned representative of (company or business name) Nossaman LLP
(heretofore referred to as company) being an adult over the age of eighteen (18) years of age, after being duly sworn by the undersigned notary, do hereby depose and verify under oath that the company named above, under the provisions of Subtitle F, Title 10, Government Code Chapter 2270:

- 1. Does not boycott Israel currently; and
- 2. Will not boycott Israel during the term of the contract.

Pursuant to Section 2270.001, Texas Government Code:

- 1. "Boycott Israel" means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made ordinary business purposes; and
- 2. "Company" means a for-profit sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, or an limited liability company, including a wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of those entities or business association that exist to make a profit.



Signature of Company Representative

January 18, 2024

Date

On this _____ day of _____, 20____, personally appeared

_____, the above named person, who after by me being duly sworn, did swear and confirm that the above is true and correct.

Notary Seal

Notary Signature

Date

"See Attached Notarial Certificate"

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Los Angeles

On January 18, 2024 before me, Brian E. Bates, Notary Public
Date Here Insert Name and Title of the Officer

personally appeared Artin Shaverdian
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature B. Bates
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: House Bill 89 Verification

Document Date: 1/18/24 Number of Pages: 1

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

Corporate Officer – Title(s): _____ Corporate Officer – Title(s): _____

Partner – Limited General Partner – Limited General

Individual Attorney in Fact Individual Attorney in Fact

Trustee Guardian or Conservator Trustee Guardian or Conservator


Other: _____ Other: _____

Signer is Representing: _____ Signer is Representing: _____

**Offeror: Complete & Return this Form with Response Submission.
Senate Bill 252 Certification**

SB 252 CHAPTER 2252 CERTIFICATION I, Artin Shaverdian, the undersigned representative of Nossaman LLP (Company or business name) being an adult over the age of eighteen (18) years of age, pursuant to Texas Government Code, Chapter 2252, Section 2252.152 and Section 2252.153, certify that the company named above is not listed on the website of the Comptroller of the State of Texas concerning the listing of companies that are identified under Section 806.051, Section 807.051 or Section 2253.153. I further certify that should the above-named company enter into a contract that is on said listing of companies on the website of the Comptroller of the State of Texas which do business with Iran, Sudan or any Foreign Terrorist Organization, I will immediately notify Mr. Jose Angel Lopez III, Webb County Purchasing Agent at (956) 523-4125 or via email at joel@webbcountytx.gov

Artin Shaverdian Name of Company Representative (Print)

 Signature of Company Representative

February 1, 2024 Date

PROOF OF NO DELINQUENT TAXES OWED TO WEBB COUNTY

Name Nossaman LLP owes no delinquent property taxes to Webb County.

Nossaman LLP owes no property taxes as a business in Webb County.
(Business Name)

Nossaman LLP owes no property taxes as a resident of Webb County.
(Business Owner)

Margaret Inglis

Margaret Inglis, Controller

Person who can attest to the above information

*** SIGNED NOTORIZED DOCUMENT AND PROOF OF NO DELINQUENT TAXES TO WEBB COUNTY.**

The State of ~~Texas~~ ^{CA}
County of ~~Webb~~ ^{LOS ANGELES}

Before me, a Notary Public, on this day personally appeared MARGARET INGILIS, known to me (or proved to me on the oath of DRIVERS LICENSE) to be the person whose name is subscribed to the forgoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

Given under my hand and seal of office this 17th day of JANUARY 2024.

Notary Public, State of ~~Texas~~ ^{CA}

Annette P Aryanpour Kachani

(Print name of Notary Public here)

My commission expires the 05 day of 12 2027.

Annette P Aryanpour Kachani
Notary Public

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.



ADDENDUM No. 1 TO THE RFQ DOCUMENTS

Addendum Date: January 22, 2024

RFQ DOCUMENT NUMBER RFQ 2024-008

“Real Estate Legal Services for Webb County”

A. This Addendum shall be considered part of the RFQ documents for the above-mentioned project as though it had been issued at the same time and shall be incorporated integrally therewith. Where provisions of the following supplementary data differ from those of the original bid documents, this Addendum shall govern and take precedence. **RESPONDENTS MUST SIGN THE ADDENDUM AND SUBMIT IT WITH THEIR BIDS/PROPOSALS.**

B. Respondent are hereby notified that they shall make any necessary adjustments in their estimates as a result of this Addendum. It will be construed that each bidder's proposal is submitted with full knowledge of all modifications and supplemental data specified herein.

Except as described below, the original RFQ document remains unchanged. The RFQ documents are modified and/or clarified, as follows:

- **The following is a modification to Section 7.2 SOQ Evaluation Committee.**

The following Webb County employees are involved in the evaluation process for this procurement:

- Leroy Medford, Executive Administrator to Commissioners Court
- Lalo Uribe, Executive Administrator to the County Judge
- Nathan R. Bratton, General Counsel, Civil Legal Division

RESPONDENT MUST ACKNOWLEDGE THIS ADDENDUM BY SIGNING BELOW AND ATTACHING THE SIGNED ADDENDUM TO THE PROPOSAL FORM(S):

Company Name

Nossaman LLP

Contact Person

Artin Shaverdian

Signature



Date

January 22, 2024

THIS CONCLUDES ADDENDUM NO. 1 IN ITS ENTIRETY.

This Addendum is being transmitted electronically via our E-Bid site @ <https://webbcountyebid.ionwave.net/Login.aspx>. If you have any questions, please direct them to; Juan Guerrero Jr. (956) 523-4149 or email at juguerrero@webbcountytx.gov.

ADDENDUM No. 2 TO THE RFQ DOCUMENTS

Addendum Date: January 26, 2024

RFQ DOCUMENT NUMBER RFQ 2024-008

“Real Estate Legal Services for Webb County”

A. This Addendum shall be considered part of the RFQ documents for the above-mentioned project as though it had been issued at the same time and shall be incorporated integrally therewith. Where provisions of the following supplementary data differ from those of the original bid documents, this Addendum shall govern and take precedence. **RESPONDENTS MUST SIGN THE ADDENDUM AND SUBMIT IT WITH THEIR BIDS/PROPOSALS.**

B. Respondent are hereby notified that they shall make any necessary adjustments in their estimates as a result of this Addendum. It will be construed that each bidder's proposal is submitted with full knowledge of all modifications and supplemental data specified herein.

Except as described below, the original RFQ document remains unchanged. The RFQ documents are modified and/or clarified, as follows:

- **The deadline for submittals has been extended from Monday January 29 to Friday February 2, 2024 at or before 4 pm.**
- **Section 1, 1.19, 3.2 & 7.3: Any reference to “Architectural Services” should be disregarded.**
- **Section 3.8: Any reference to “Construction Projects” should be disregarded.**
- **Section 7.3 Personnel Qualifications should include both the team member names and resumes of individual(s) that would be assigned to Webb County if awarded requested services.**

RESPONDENT MUST ACKNOWLEDGE THIS ADDENDUM BY SIGNING BELOW AND ATTACHING THE SIGNED ADDENDUM TO THE PROPOSAL FORM(S):

Company Name

Nossaman LLP

Contact Person

Artin Shaverdian

Signature



Date

January 26, 2024

THIS CONCLUDES ADDENDUM NO. 2 IN ITS ENTIRETY.

This Addendum is being transmitted electronically via our E-Bid site @ <https://webbcountybid.ionwave.net/Login.aspx> . If you have any questions, please direct them to; Juan Guerrero Jr. (956) 523-4149 or email at juguerrero@webbcountytx.gov .