



MEMO

To: Jim Derentis, Chairman
From: Denise Barge, Chair
Legal Subcommittee
Date: April 10, 2012
Re: Recommendations for Engagement of Legal Counsel

A. *Background*

In December 2011, Rhode Island Housing issued a Request for Proposals (RFP) inviting qualified and interested law firms to submit a proposal to serve as legal counsel for the following areas of representation:

1. General Counsel/Issuer's Counsel
2. Litigation Counsel
3. Multi Family Loan Closing Counsel
4. Foreclosure and Bankruptcy Counsel
5. Single Family Loan Closing Counsel
6. State Housing Appeals Board (SHAB) Counsel
7. NSP/Land Bank Counsel

Notice of the RFP was posted on the web site maintained by the Division of Purchasing of the Department of Administration. In addition, notice of the RFP was provided by regular mail or electronic mail to approximately 150 attorney and law firms that had previously expressed an interest in providing legal services to Rhode Island Housing. 56 firms submitted proposals in response to the RFP. Some of these firms sought to provide services in more than one area.

B. *Selection of General and Issuer's Counsel*

Four firms proposed to provide General/Issuer's Counsel services: Nixon Peabody, Partridge Snow & Hahn, Edwards Wildman and Brown Rudnick. Interviews with representatives of each of these firms were held on March 29, 2012. In attendance were the other members of the legal subcommittee: Commissioner Monteiro and Joseph Pratt, designee for Commissioner Raimondo. In addition, Richard Godfrey, Executive Director, was present, along with Michael Milito, Deputy Assistant Director for Law and Human Resources.

The subcommittee met with the following representatives of each firm: Michael Dolan, Michael Davis and Edward Pare of Brown Rudnick; Steve Richards, Andrew Prescott, and

Peter Johnson of Nixon Peabody; Ellen Corneau and Karen Grande of Edwards Wildman; and Brian Gallogly, Norm Benoit and Alexandra Pezzello of Partridge, Snow & Hahn.

The subcommittee met separately with representatives of each firm for about 45 minutes. Each firm was given an opportunity to make a brief presentation to the group and thereafter responded to questions. After these presentations, the subcommittee engaged in a vigorous discussion of the merits of each firm, taking into account the depth and breadth of the expertise of each firm, the experience of each firm in municipal finance generally and housing bonds specifically, the strength of each firm's federal affordable housing practice and the proposed fees for the work. Following this discussion, the subcommittee voted to recommend that the firm of Nixon Peabody be engaged as General Counsel/Issuers Counsel.

C. Selection of Litigation, Multi Family, Foreclosure and Bankruptcy, Single Family, SHAB and NSP/Land Bank Counsel

The legal subcommittee requested that staff present recommendations for engagement of counsel for Litigation Counsel, Multi Family Loan Closing Counsel, Foreclosure and Bankruptcy Counsel, Single Family Loan Closing Counsel, SHAB Counsel and NSP/Land Bank Counsel. Mike Milito presented the staff recommendations for each of these disciplines. In addition, Cathy Paniccia, Director of Homeownership, provided additional information as to the recommendations for Single Family Closing services, and Leslie McKnight, Director of Servicing, provided additional information regarding the recommendations for Foreclosure and Bankruptcy services. Following the presentations, and after a period of discussion, the legal subcommittee voted to recommend the engagement of the following firms for the listed services:

Single Family Closings

- Accardo Law Offices
- Brien & Brien, LLP
- George Landes, Esquire
- Glenn J. Andreoni, Esquire
- Laplante Sowa Goldman
- McGunagle & Reidy
- Michael Fitzpatrick, Esquire
- Miller, Scott & Holbrook
- Robert A. Ragosta, Ltd.
- Nancy M. Davis, Esquire
- Pilgrim Title Insurance Company
- Ronald Markoff, Esquire
- Sleprow, Sleprow & Associates
- Stephen Miller & Associates

- Thomas W. Madonna, Esquire
- Equity National Title
- Law Office John Gentile, Jr.

The subcommittee also recommends that the following attorneys be approved for engagement at such time as our new partnership with Fannie Mae increases loan production to a level that warrants additional closing services.

- Law Offices of James J. Caruolo
- Harrington & Rhodes

Litigation:

- Winograd, Shine and Zachs
- Partridge, Snow & Hahn
- Orson & Brusini
- Oliverio & Marcoccio

Multi Family Closings

- Brown Rudnick

Foreclosure and Bankruptcy

- Roberts, Carroll, Feldstein & Pierce Inc.
- Schectman, Halperin Savage, LLP
- Kiernan, Plunkett & Redihan, LLP
- Marinosci Law Group, PC
- Calenda & Iacoi, LTD

State Housing Appeals Board

- Nixon Peabody

NSP/Land Bank

- McGunagle & Reidy
- Roberts, Carroll, Feldstein & Peirce

The legal subcommittee further voted to authorize staff to negotiate with each of these firms regarding the fees to be charged and the services to be provided in order to best serve the interests of Rhode Island Housing. The subcommittee further recommends that that these engagements be for a one-year period, renewable for a second year on staff's determination that renewal is in the best interests of Rhode Island Housing.