

NOV 23 1992

**STATE OF MINNESOTA  
OFFICE OF THE ATTORNEY GENERAL**

*Jan Anderson Howe*  
Secretary of State

**SPECIAL ATTORNEY APPOINTMENT**

I, HUBERT H. HUMPHREY III, Attorney General of the State of Minnesota, by virtue of the authority vested in me by statute, and upon the written request of the Department of Administration, an agency of the State of Minnesota, do hereby constitute and appoint

**ERIC L. D. HYLDEN**

***And the Law Firm of Halverson, Watters, Bye,  
Downs, Reyelts and Bateman, Ltd.***

of Duluth, Minnesota, as Special Attorneys to serve at the pleasure of the Attorney General specifically to provide legal services to the Department of Administration subject to the terms and conditions set forth:

1. **DUTIES.** The Special Attorneys, who shall not be considered state employees and shall not be eligible for any state employee leave or other benefits except those expressly provided herein, shall provide legal services to the Department of Administration relative to *Emily Myers v. State of Minnesota*. The special attorneys shall provide legal services including legal advice and representation of the Department of Administration in the named lawsuit.
2. **COMPENSATION AND EXPENSES.** As compensation for the satisfactory performance of the duties described, the Special Attorneys shall be compensated at a rate not to exceed seventy-five dollars (\$75.00) per hour for services or at the firm's hourly billable rate for the employee, whichever is less. The Special Attorneys shall be reimbursed for reasonable disbursements and travel expenses in accordance with the rules and regulations of the Minnesota Department of Employee Relations governing the travel of state officers and employees. All compensation and reimbursable expenses shall be paid by the Department of Administration.
3. **BILLING STATEMENTS.** The Special Attorneys shall submit a monthly statement to the Attorney General in care of John R. Tunheim, Chief Deputy Attorney General, 102 State Capitol, St. Paul, MN 55155, setting forth in detail the activities and charges with respect to this appointment and the compensation due therefor. The statement shall include a description of the tasks performed, hours worked, disbursements made and expenses incurred. All statements for reimbursement of disbursements or expenses advanced shall include receipts for the claimed expenses or an explanation for how the expense is calculated. Upon review and approval of the statement, a copy will be forwarded to the Department of Administration for review and payment.

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4. **AVOIDANCE OF CONFLICTS.** The Special Attorneys shall not undertake legal work for the Department of Administration outside of the scope of this appointment and shall not represent a party involved in a claim, dispute or transaction of any kind which would create a conflict of interest for the Special Attorneys or the State of Minnesota unless and until the Special Attorneys have informed the Attorney General or his delegate of the proposed representation and received his written approval to proceed. The Special Attorneys also agree to inform their clients in any case involving a potential conflict.
5. **STATE AUDITS.** All records, documents and accounting procedures and practices of the Special Attorneys relevant to this appointment shall be subject to examination by the Attorney General, the Department of Administration and the Legislative Auditor.
6. **TERM.** This appointment is effective November 12, 1992, may be terminated by either party at any time by the giving of seven (7) calendar days written notice, and shall remain in effect until so terminated.

Executed in St. Paul, Minnesota, this 19<sup>th</sup> day of Nov, 1992.

HUBERT H. HUMPHREY, III  
Attorney General

By: John R. Tunheim  
JOHN R. TUNHEIM  
Chief Deputy  
Attorney General

STATE OF MINNESOTA )  
COUNTY OF ST. LOUIS ) ss.

I, Eric L. D. Hylden, individually, and for the firm of Halverson, Watters, Bye, Downs, Reyelts & Bateman, Ltd., do swear that we will support the Constitutions of the United States and of the State of Minnesota and that we will faithfully discharge the duties of the position of Special Attorneys under the terms and conditions of this appointment to the best of our judgment and ability.

HALVERSON, WATTERS, BYE,  
DOWNS, REYELTS & BATEMAN, LTD.

By: Eric L. D. Hylden  
ERIC L. D. HYLDEN

Subscribed and sworn to before  
me this 18<sup>th</sup> day of Nov., 1992.

Jean M. Rufer  
NOTARY PUBLIC

