

**Subject:** RE: Legal Service RFQ Follow Up  
**Date:** Tuesday, June 20, 2023 at 11:41:49 AM Pacific Daylight Time  
**From:** Kevin O'Neill <koneill@stevensclay.org>  
**To:** Sarah Garcia <SMGarcia@NIC.EDU>  
**CC:** Garrett Williams <gwilliams@stevensclay.org>, Kim Reber <kreber@stevensclay.org>  
**Attachments:** Engagement Letter - North Idaho College.pdf, image003.png

Dear Ms. Garcia,

Below and attached please find our responses to the additional information that North Idaho College has requested relative to RFQ 23-4 for legal services.

1. Client references that are relevant to North Idaho College:

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Kevin O'Neill

- Shannon Hintz  
Co-Chair, Moses Lake School District Board of Directors  
[shintz@mlsd161.org](mailto:shintz@mlsd161.org)  
(509) 750-1846
- Dr. Ivan Duran  
Superintendent, Highline School District (former Superintendent, Bellevue School District)  
[ivan.duran@highlineschools.org](mailto:ivan.duran@highlineschools.org)  
(720) 480-9573

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Garrett Williams

- Brian Talbott  
Superintendent, East Valley School District  
[talbottb@evsd.org](mailto:talbottb@evsd.org)  
(509) 241-5003

-  
Jason MacKay

- Deborah Danner  
Associate Vice President of Human Resources, Eastern Washington University  
[ddanner2@ewu.edu](mailto:ddanner2@ewu.edu)  
(509) 559-9045

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Jason Brown

- Dr. Sara Thompson Tweedy  
President, Big Bend Community College  
[sarat@bigbend.edu](mailto:sarat@bigbend.edu)  
(509) 793-2001
- Dr. Kevin Brockbank  
Chancellor, Community Colleges of Spokane  
[Kevin.Brockbank@ccs.spokane.edu](mailto:Kevin.Brockbank@ccs.spokane.edu)  
(509) 434-5006

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2. An engagement letter/retainer agreement:

Attached please find our firm's engagement letter if Stevens Clay P.S. is selected to represent the College.

3. Examples of insurance coverage negotiations/risk management experience:

Attorney Kevin O'Neill has extensive experience representing educational institutions as defense counsel on insurance-related claims. Mr. O'Neill is a member of the attorney defense panel of the Washington Schools Risk Management Pool, one of the largest insurers of school districts in Washington State. During his 17 years of practice representing educational institutions, Mr. O'Neill has successfully defended educational institutions in a variety of legal actions, participated in numerous mediations, and negotiated scores of settlements.

As General Counsel for Bellevue School District, Mr. O'Neill was responsible for managing all of the district's litigation. He has effectively managed and overseen numerous lawsuits filed against educational institutions, including but not limited to actions involving personal injury and abuse claims, wrongful discharge and discrimination claims, wage violations claims, and claims involving public records disclosure laws.

Attorney Garrett Williams has extensive experience working as defense counsel on insurance-related claims and navigating disputes between carriers and insureds. Some representative examples are below:

- Defended a seven-figure claim arising out of a catastrophic injury, which resulted in a "policy limits" demand from the plaintiff; negotiated a joint resolution and payment of the demand between the carrier and the insured despite conflicting interests.
- Led multiple carrier-assigned investigations into wrongful death claims, including coordination with experts, the insured, and the carrier.
- Served as defense counsel on a large class action lawsuit regarding withheld wages, missed breaks, and missed overtime; negotiated a joint settlement involving the carrier's funds and the insured's funds.
- Served as defense counsel on a workplace discrimination (race) lawsuit; successfully defended against two summary judgment motions; negotiated a nuisance-value settlement between the carrier and the plaintiff.
- Currently serves as a workplace investigator for the Washington State Risk Management Pool.

4. Years of experience representing higher education clients (please include client name and time represented):

While practicing law at Collins Blaha PC, an education law firm based in Michigan, Kevin O'Neill was part of a legal team that represented institutions of higher education, including Mott Community College in Flint, Michigan, from November 2006 to February 2010.

Jason MacKay has 1.5 years of experience (from June 2019 through November 2020) representing institutions of higher education with the Washington State Office of the Attorney General. During that time, Jason served as General Counsel to Eastern Washington University, wherein Jason provided guidance and advice on a daily basis to the University's Board of Trustees and administration. On occasion, Jason also provided legal advice to the Community Colleges of Spokane.

Jason Brown has 4 years and 9 months of experience (from April 2017 through January 2022)

representing institutions of higher education with the Washington State Office of the Attorney General. During that time, Jason served as Lead General Counsel to Big Bend Community College from October 2017 to January 2022. Jason also served as Lead General Counsel for the Community Colleges of Spokane from April 2017 to July 2018, and from August 2020 to December 2020 on an interim basis. In these roles, Jason provided guidance and advice on a daily basis to each College's Board of Trustees and administration. In addition, Jason also provided guidance and advice to Eastern Washington University from July 2018 through January 2022, serving as interim Lead General Counsel from May 2019 to June 2019 and November 2020 to January 2021.

5. Please share if you have had any criminal or civil suits against you in the past seven years (or work with us to conduct a background check on primary counsel):

*The Stevens Clay law firm has had no criminal or civil suits filed against it in the past seven years or ever, and we are willing to work with the College to conduct a background check if needed.*

6. Share the proximity of your firm's place of business to the North Idaho College Main campus and commute time thereto (particularly in winter):

*The Stevens Clay law firm's main office is located in downtown Spokane, Washington, and is approximately a 35-minute drive to the main campus of the College. Primary attorney Kevin O'Neill's home office is located in Post Falls, Idaho, and is approximately a 20-minute drive from the College's main campus.*

We hope this information will be helpful to the College. Should you have any questions or require any further information, please do not hesitate to contact us.

Yours very sincerely,



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**From:** Sarah Garcia <[SMGarcia@NIC.EDU](mailto:SMGarcia@NIC.EDU)>  
**Sent:** Thursday, June 15, 2023 11:32 AM  
**To:** Kevin O'Neill <[koneill@stevensclay.org](mailto:koneill@stevensclay.org)>; Garrett Williams <[gwilliams@stevensclay.org](mailto:gwilliams@stevensclay.org)>  
**Subject:** Legal Service RFQ Follow Up

Good day,  
Thank you for submitting a response to North Idaho College's RFQ 23-4 for legal services. We appreciate your interest in working with the college and the efforts made to assemble your response.

The North Idaho College Board of Trustees and a group of college administrators who utilize legal counsel regularly reviewed all the proposals received. I was asked to reach back out to your firm for

some additional information before a final selection can be made. The additional requested information is as follows:

1. Client references that are relevant to North Idaho College
2. An engagement letter/retainer agreement
3. Examples of insurance coverage negotiations/risk management experience
4. Years of experience representing higher education clients (please include client name and time represented)
5. Please share if you have had any criminal or civil suits against you in the past seven years (or work with us to conduct a background check on primary counsel)
6. Share the proximity of your firm's place of business to the North Idaho College Main campus and commute time thereto (particularly in winter).

Please feel free to contact me if you have any questions. We would like this information by the middle of next week if possible.

Thank you very much.

Sarah

*Sarah Garcia*  
*Vice President for Finance*  
*And Business Affairs*  
208-769-3341