



RESPONSE TO

Delta County School District 50J

*Proposal for
Legal Services*

AUGUST 27, 2026

COVER LETTER

August 27, 2026

Laura Esplin (Via email: laura.esplin@deltaschools.com)

Delta County School District 50J

145 West 4th Street

Delta, CO 81416

Re: Request for Proposal for General Counsel Legal Services

Dear Ms. Esplin:

I am writing to submit our firm's proposal to provide legal services to Delta County School District 50J. Speaking on behalf of our whole team, we truly appreciate our longstanding relationship with the District and would welcome the opportunity to provide more comprehensive legal services.

With over 50 years of dedicated service to educational institutions, our firm has established itself as a trusted partner to school districts across Colorado, particularly those serving smaller, more rural communities. Our education law practice group consists of ten attorneys who dedicate their practice exclusively to representing school districts. We understand the unique challenges faced by more rural districts like Delta County School District 50J, from ensuring compliance with state and federal regulations to managing limited resources effectively. Our experience spans all legal areas regularly encountered by Colorado school districts, including general counsel services, employment law, special education, litigation, student matters, contract review, and policy development and compliance.

What sets our firm apart is our commitment to providing not just legal expertise, but also practical, cost-effective solutions that consider the unique context of each school community and their goals for serving their students. We recognize that districts require attorneys who understand their specific needs and constraints. Our approach emphasizes:

- Proactive guidance to prevent legal issues before they arise
- Responsive communication and 24/7 availability for urgent matters
- Regular training and updates for board members, administrators, and staff
- Cost-effective service delivery through efficient resource allocation
- Deep understanding of the political and practical realities of school district operations and the challenges faced by Colorado school districts

Our commitment to education law is demonstrated through our established presence in communities of all sizes across Colorado. We pride ourselves on building lasting partnerships with our school district clients, many spanning multiple decades. These relationships have given us invaluable insight into the evolving landscape of education law and the importance of providing accessible, efficient legal support that respects both the district's mission and its budget constraints.

The attached proposal provides detailed information about our qualifications, approach, and fee structure. We are confident in our ability to continue to serve as trusted counsel to Delta County School District 50J and support your mission of ensuring that all students have a safe and academically challenging environment in which to learn, while fostering partnerships between home, school and the community.

Thank you for considering our proposal. I would welcome the opportunity to meet with you and the Board by phone, virtual meeting or in person to discuss how our firm can continue to support the district's legal needs.



Sincerely,

A handwritten signature in blue ink that reads "Richard E. Bump". The signature is fluid and cursive.

Richard E. Bump

Attorney Member, Education Law Practice

QUALIFICATIONS

Caplan and Earnest, LLC was founded in 1969 on the principles of respect for clients, well researched legal solutions, a team approach to problem solving, and fair pricing. Those principles remain a driving force in our firm today, where we offer a full range of legal services in the areas of education, healthcare, immigration, estate planning, litigation and insurance defense, family law, and more. Additional information about our firm is available at our website, www.celaw.com.

Education Law Section and Areas of Expertise

From the outset, education law has been a cornerstone of our firm's practice. We have a national reputation for excellence and represent more than half of the school districts throughout Colorado. Our clients include small, medium, and large districts located on the Eastern Plains, the Western Slope, Southern Colorado, the San Luis Valley, and the Front Range. Our diverse client base allows us to pool information and resources so that legal services are provided in an efficient and cost-effective manner.

Ten of our attorneys devote all or substantially all of their practice to the representation of school districts. In addition to myself, members who devote a substantial share of their practice to school law are Melissa Barber, Kristin Edgar, Coulter Bump, Beth Friel, and Elliott Hood. Our Associates who practice in the field of school law are Hope Griffin, Sam Jones-Rogers, Tori Whitelaw, and Nate Fall. Detailed biographies of our attorneys are available on the Education Law section of our website: <https://celaw.com/practice-areas/education-law/>.

We provide a variety of legal services to our school district clients, depending on their needs. We frequently serve as general counsel, advising boards, superintendents, and administrators on issues that arise in day-to-day operations. We also advise our school district clients on specialized matters in which we have extensive experience, including:

- Board governance and the Colorado Open Meetings Law
- Labor and employment
- Special education
- Student discipline
- ADA/Section 504 compliance
- Elections and the Fair Campaign Practices Act
- Real estate sales and acquisitions
- School development and construction
- Construction defects
- Lease-purchase financing
- School safety
- Civil rights compliance
- Charter schools
- Risk management

Other attorneys in our firm are available to support our school district clients on an as needed basis, including our Litigation section supporting school districts as insurance defense counsel.



PROFESSIONAL REFERENCES

Will Pierce
Superintendent
 27J Schools
 303-635-2900
wpierce@sd27J.net

Dr. Mathew Neal
Superintendent
 Moffat County School District
 719-517-9350
mathew.neal@moffatsd.org

Dr. David Blackburn
Superintendent
 Salida School District
 719-530-5203
dblackburn@salidaschools.org

Dr. David MacKenzie
Superintendent
 Gilpin County School District RE-1
 303-582-3444
dmackenzie@gilpin.k12.co.us

Amber Whetstine
Superintendent
 Lewis-Palmer School District 38
 719-481-9546
awhetstine@lewispalmer.org

VALUE-ADDED SERVICES

We recognize that the solution to a problem often involves more than accurate and timely legal analysis. It also requires knowledge and understanding of community dynamics and effective communication with stakeholders. Therefore, in addition to being legal experts in education law, we are available to serve as communication strategists, skilled in implementing resolutions that meet legal requirements within the practical realities of each unique school community.

We are proactive in monitoring legal developments in areas that impact school districts and provide e-lerts, proposed policies, and other updates to ensure our clients are aware of changes in the law. Each year, we monitor federal and state legislative sessions to best prepare our clients for changes.

Finally, we offer a variety of legal trainings for board members, administrators, teachers, and other members of the school community that are intended to educate participants to help avoid costly litigation in the future. Examples of some of our recent trainings and other proactive, legal guidance and programming are available on the Education Law section of our website: <https://celaw.com/practice-areas/education-law/>.



SCOPE OF SERVICES AND APPROACH

For school districts who do not have in-house counsel, which include the majority of our rural school district clients, we adhere to a staffing method whereby we assign primary and secondary attorneys to each client. This method ensures that clients can always reach an attorney when advice is needed. Our primary and secondary contacts work with our colleagues to staff assignments with longer lead times, for example, contract reviews and strategic projects, requiring evaluation and development of new systems. Through this approach, district representatives do not waste valuable time and resources trying to find an available attorney. If we are selected as a result of this proposal, the District's primary point of contact would be Richard Bump, with Sam Jones-Rogers, Hope Griffin, and Nate Fall serving as the secondary points of contact.

Our attorneys endeavor to acknowledge receipt of emails and texts within twenty-four hours and identify and confirm turnaround times that meet client needs. The primary contact is generally available to District staff 24/7 via email and phone. Litigation attorneys ensure regular and timely updates to and check-ins with clients and insurance carriers that are aligned with litigation deadlines and insurance carrier requirements.

To ensure cohesiveness and a well-balanced workload, our Education Law and Litigation Sections each meet regularly to discuss individual workloads and capacities, pending issues, and developing areas of law, thereby enabling each attorney to be informed regarding current legal issues and be responsive to clients. To facilitate an efficient and timely response for our clients, requests for services are delegated to the attorney with established expertise in the subject area of the request. We have found this team approach to be very successful in providing the highest quality services to our clients in the most efficient manner possible.

Relationship with Boards of Education

As attorneys for the school district, our professional responsibility is ultimately to the board of education, although our work is often directed by and through the superintendent and the administrative leadership team. The relationship that we have with the board and superintendent varies depending upon the individual needs and wishes of the board. In a few school districts, we attend every board meeting, either in person or virtually. In others, we are present at board meetings on an as-needed basis. With more than 50 years' experience representing school districts, our firm has worked with literally hundreds of different boards, has participated in countless board meetings, and faced an extraordinary number of issues related to board governance. Throughout this time, we have remained committed to providing independent legal advice regarding the policies under consideration by the board rather than becoming involved in the policy-making decisions that are properly reserved for elected officials.

In addition to serving as general counsel to school districts, we also have experience serving with other legal counsel as a team under arrangements where we primarily work with the superintendent and the district administrative staff while other counsel may provide advice more closely with the board. Our goal is always to ensure that in whatever capacity we are asked to serve, we will do so with skill and professionalism, always promoting the client's best interests.

FEE STRUCTURE

The cost for direct consultation with our attorneys (whether in person, over the phone, virtually, or by e-mail) is typically billed in one-tenth hour (six-minute) increments. Recognizing that school districts are taxpayer-funded entities, we offer discounted rates to our school district clients. Our hourly rates for our educational law attorneys range from \$275-\$325 depending on the nature of the work and the attorney involved. The rate for our paralegals is \$175. We are also willing to consider alternative rate structures (e.g., flat rates) for certain kinds of work to give our clients budget certainty. To ensure financial accountability, we provide our clients with monthly statements that specify the services performed and the associated fee.

We also offer virtual webinars and other specialized programming. See our website for our currently offered programming: <https://celaw.com/practice-areas/education-law/>.

Direct costs for out-of-pocket expenses that we incur in performing legal services on behalf of our clients are billed monthly. The costs that we typically incur are for reproduction of large quantities of documents and courier and express mail services. All costs are itemized on our monthly statements.

CONFLICTS AND INSURANCE

We are not aware of any actual or potential conflicts of interest that might impact our ability to represent Delta County School District 50J. The firm maintains professional liability insurance.





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celaw.com

August 23, 2026

Board of Education
Delta County School District 50J
c/o Ms. Laura Esplin
145 W. 4th Street
Delta, CO 81416

via e-mail: laura.esplin@deltaschools.com

RE: Proposal for General Counsel Services

Dear Board Members:

I am glad for the opportunity to submit a proposal regarding the possibility of my firm serving as the General Counsel to Delta County School District 50J ("DCSD"). Every lawyer in my firm practices school and education law; it is simply our lives' work. Our long-term school district clients span this great State and include many in rural and mountain areas. After reviewing information about DCSD, I firmly believe we're a great match. Please consider this correspondence responsive to DCSD's request for proposals for General Counsel Legal Services.

1. Firm Overview.

Semple, Farrington, Everall & Case, P.C. (the "Firm") was formed in 1998 by a merger of leading education law firms established in the early 1980s. Our partners each have substantial experience in a wide variety of practice areas and are particularly skilled in the areas of education/school law and labor and employment. Our long-term school district clients span this great State and include many in urban, rural, and mountain areas. Besides school districts, the Firm's client pool includes cities, special districts, credit unions, and non-profits. Our commitment to providing excellent legal services has afforded us the opportunity to form long-term relationships with our clients, many of which have been with the Firm since its inception.

Every lawyer at my Firm practices school and education law; it is simply our lives' work. We have experience in nearly every practice area school districts encounter, including:

Employment Discipline and Discharge

Our Firm is a statewide leader in public sector labor and employment law. Members of the Firm have advised and represented school districts on employee dismissals, nonrenewals, suspensions, involuntary transfers, reprimands and directives, policy development (including recent alterations to policy due to the adoption of SB-191), litigation (including teacher dismissal hearings pursuant to TECDA and countless discrimination lawsuits arising from teacher nonrenewals and termination of other personnel), grievances, the ADA and many other issues. The Firm has intimate knowledge of SB-191 and the implications thereof; Martin Semple and Brent Case helped in the drafting and advised the Senate Sponsor of SB-191 and presented and published a paper at a national conference on the bill and its significance.

Collective Bargaining

Collective bargaining can be challenging even in the best of times, and we specialize in helping boards of education carry out their responsibility as wise stewards of taxpayer funds while simultaneously attracting and retaining the best educators possible for school district students. Our work with the board of education and the superintendent is especially critical to ensure the board's positions are thoughtfully messaged and maintained. We have extensive experience in representing school districts in arbitrations and negotiating contracts with both licensed and classified unions; Brent Case, Holly Ortiz, and Martin Semple have negotiated over 100 collective bargaining agreements and arbitrated more than 300 labor arbitration cases. This includes experience working with school districts and municipalities with employee groups who seek to have their unions recognized by the governing board.

Student Discipline Litigation

We have participated as advisors or prosecutors in countless expulsions and suspensions, successfully defended appeals of student disciplinary actions in the district and appellate courts, drafted student discipline policies, prosecuted student non-attendance cases throughout the state, advised school districts regarding a wide variety of corporal punishment issues, worked extensively on cases and issues pertaining to discipline of special education students, tried court challenges to disciplinary actions taken against student athletes, and litigated alleged illegal searches of students.

Construction

The Firm has been involved in all phases of the construction process in school districts. We have developed contracts specifically designed to protect school districts in their dealings with architects, engineers, contractors, and construction managers. These contracts include addenda to standard contracts prepared by the American Institute of Architects, as well as contracts developed entirely by our office designed for small renovation projects, new school construction, and projects in between. Similarly, we have prepared documents and policies governing all phases of the construction process from the preliminary design phase through completion of the final punch list. In those cases in which problems have developed on the project, we have negotiated favorable settlements on numerous occasions before commencing litigation and incurring significant attorney and expert fees. We have successfully litigated a wide variety of issues which arise in public sector construction, including bid issues, claims by subcontractors under the public claims statute, breach of contract claims, and negligence and warranty claims against architects, engineers, and contractors.

Special Education

Our Firm has been closely involved with all phases of special education since the special education statutes were passed in the mid-1970s. We have assisted school districts in preparing appropriate policies, responding to investigations by the Colorado Department of Education (CDE) and the Office of Civil Rights (OCR), developing individual education plans for special education students as mandated by law, and providing in-service training to regular and special education employees. We have also advised and represented school districts on special education matters and resolved major cases with the U.S. Department of Education Office of Civil Rights. We have litigated local due process hearings and appeals.

We have successfully tried cases in the Colorado courts on issues pertaining to the jurisdiction of school districts and the Department of Social Services in providing services to special education students. We have dealt extensively with the difficult issue of discipline of the disabled student, and have defended OCR and CDE complaints on these issues.

Elections

We have successfully defended many election challenges and administrative hearings alleging violations of the Fair Campaign Practices Act ("FCPA"). We have handled all phases of bond and recall elections, including court challenges, and have handled major litigation concerning director district elections arising under the federal voting rights act. In addition to litigation of election matters, we have worked closely advising school districts and special districts on an ongoing basis concerning FCPA compliance, in reviewing intergovernmental agreements for coordinated elections, and in drafting ballot questions to remove term limit and TABOR restrictions, to authorize bonded indebtedness, and to authorize additional mill levies to support the general fund.

Real Estate

The Firm has extensive experience in advising boards of education and superintendents on all aspects of real estate transactions. We have drafted and reviewed purchase and sale contracts, tried quiet title actions, tried condemnations, asserted and defended against claims of adverse possession, tried foreclosures, litigated right-of-reverter clauses in deeds, represented school districts in property disputes with other government entities, advised school officials concerning the dedication of land or cash by developers for school sites, and drafted and reviewed the several documents associated with real estate transactions, including deeds, easements, license agreements, and joint use agreements. We are also well versed in the several legal requirements applicable to school districts such as debt restrictions, exclusions from zoning and planning requirements, tax issues, prohibitions against loss of property by adverse possession, asbestos legislation, contract issues, civil rights issues and board authority.

Contracts

We are constantly reviewing and drafting contracts of all sorts for school districts. In some cases, we have developed standard agreements with certain vendors or other organizations which routinely deal with school districts. For example, we have negotiated standard language pertaining to lease purchase agreements which school districts routinely enter into to acquire equipment and facilities, and standard language concerning energy-savings contracts. Because of our long and wide experience in working with school districts, we have an extensive and rich data and resource base to draw upon in reviewing practically any contract presented to a school district. We have successfully negotiated and reviewed contracts in every area of a school district's business.

Open Meetings and Records Laws

The Firm has substantial experience dealing with the requirements of the Open Meetings Law and Open Records Act. As the vast majority of its clients are public entities over which a board of directors presides, the Firm regularly gives counsel on the preparation of meeting notices, agendas and minutes,

the conduct of meetings, and a public entity's entrance into executive session. It also regularly provides counsel to boards of education and school district administrators concerning their obligations under the Open Records Act. The Firm has also represented clients in lawsuits and appeals construing both laws. Of note, our Firm has defeated serial litigator Matt Roane in a number of OML lawsuits against school districts.

General Counsel

The Firm regularly advises its many school district clients in connection with all aspects of their duties. We deal nearly every day with board members, superintendents, school administrators, district administrators, and—with respect to larger school districts that are clients of the Firm—internal legal counsel. Martin Semple wrote a nationally published article on "*What Boards and Superintendents Should Know About School Attorneys*." Topics upon which our clients seek and obtain advice include nearly every area of school law imaginable.

Policy and Compliance

We often assist school districts with implementing and updating board policies. A common task of late is giving advice on CASB-supplied policy updates in response to new law or current events and adapting them to fit the interests of the board of education. We also assist with complying with new laws and regulations (e.g., on preferred name usage and interactions with federal immigration officers) in ways that meet the needs of the local school district.

Litigation

The Firm has wide and extensive experience in virtually all areas of litigation involving school districts. For example, we are currently representing school districts in the state and federal courts in cases involving employee constitutional rights, wrongful termination of employees, dismissal of nonprobationary teachers, construction, environmental pollution, personal injury (including CGIA immunity), charter schools, teacher transfer, special education, employment discrimination, and the Americans with Disabilities Act. We have appeared many times in both the trial and appellate courts, and several of the significant decisions in Colorado governing school districts have our name attached to them.

Insurance

The Firm regularly reviews insurance matters for its clients, including whether policies provide coverage for certain matters, and the limits thereof. It is also a leading provider for insurance defense, maintaining good relationships with various insurers of Colorado school districts.

Investigations

Members of the Firm have conducted thousands of investigations for its clients. They have spanned from investigations of complaints against employees—including complicated investigations of embezzlement—to fact finding required by school district policies, including for complaints of sex and other kinds of discrimination. Brent Case regularly trains clients on best practices in conducting

investigations. We are especially familiar with the intricacies of Title IX investigations, an area in which our clients' need for assistance has exploded in recent years.

2. Assigned Attorneys.

a. *Proposed Primary Attorneys*

M. Brent Case (Partner) has practiced school law for twenty-one years in the state of Colorado. He has dealt with countless school district matters, including extensive representation of school districts in jury and bench trials involving the First Amendment, the due process clause, breach of contract, teacher dismissal, and employment discrimination issues. Brent has obtained countless positive judgments in federal and numerous state courts and has argued before the 10th Circuit Court of Appeals, the Colorado Supreme Court, and the Colorado Court of Appeals. He is among the attorneys authorized by major insurers to provide defense counsel for school districts, and supervises the defense of the vast majority of lawsuits and administrative charges filed against the Firm's clients. Brent also has substantial experience in collective bargaining and grievance arbitration pursuant to collective bargaining agreements. Brent has spoken at conferences on both the state and national levels. In addition, Brent regularly gives in-service presentations to his clients regarding school board responsibility and employment law issues. Mr. Case is a graduate of Texas A&M University (B.B.A., Honors Program, *cum laude*) and the University of Colorado School of Law (J.D., Law Review). Mr. Case holds the highest possible rating from Martindale-Hubbell (A-V) for legal ability and ethics and has been repeatedly recognized as a Colorado SuperLawyer in the fields of education and labor law.

Holly Ortiz (Partner) has practiced school law for over fifteen years in the state of Colorado. She is a former public school teacher who represents school districts throughout Colorado. Holly has been involved in various significant litigation matters, has tried several teacher dismissal cases, and has successful jury trial experience. Holly is a graduate of Benedictine College (B.A., *cum laude*) and the University of Missouri at Kansas City (J.D., Dean's Honors), and she is a certified graduate of the National Institute of Trial Advocacy (NITA) Trial Skills program. Holly has become recognized throughout the state as an expert in Title IX matters and is in substantial demand for investigating Title IX complaints and defending school districts from Title IX actions. Holly has been recognized as a SuperLawyer in the field of schools and education and employment litigation defense.

Robert Montgomery (Partner) has practiced school law for nearly ten years, having come to the Firm after an internship with the General Counsel's office at Denver Public Schools. While experienced in all areas of school law, he has become known throughout the state as the next go-to attorney for difficult special education law matters. Robert has a wealth of experience not only in the special education due process/state complaint settings, but also when those matters spill over into federal court. He is a graduate of the University of Oklahoma (B.A.) and the University of Denver Sturm College of Law (J.D.).

Jonathan P. Fero (Partner) is an experienced, client-focused school law advisor and litigator who is comfortable in any boardroom or courtroom. His practice spans more than twenty years and has encompassed all aspects of education and employment law, as well as civil litigation in state and federal trial and appellate courts, with many distinguished published cases. Jon's areas of expertise in school law include board governance, employment, civil rights, charter relations, open meetings and public records,

contracts, property, accreditation, and litigation. He is comfortable in any courtroom and is dedicated to putting the law to work for his clients. He supervises the defense of many lawsuits and administrative charges filed against the Firm's clients and works regularly with major school district insurers. After clerking for the Colorado Supreme Court, Jon specialized in appellate practice in the Colorado Attorney General's Office. He then represented elected officials, served as general counsel for History Colorado, and was the lead litigator for the Colorado Department of Education, Colorado's Community Colleges, and numerous state institutions of higher education. During that time, he successfully defended state entities in several high-profile constitutional cases. Since joining the Firm in 2016, Jon has represented school districts, municipalities, and other organizations as general counsel and in a variety of employment civil rights, and contractual matters. He is a graduate of Guilford College (B.A., *magna cum laude* and Honors) and the University of Colorado School of Law (J.D., Law Journal). During law school, Jon was a lead research assistant for Distinguished Professor Charles Wilkinson and worked with him on Native American and public lands issues. After law school, Jon completed the intensive National Institute of Trial Advocacy Trial Skills program. Jon is an adjunct professor at the University of Colorado, and he regularly presents continuing education programs and client trainings. He also serves on the board of directors of Continuing Legal Education in Colorado. Jon has been recognized as a SuperLawyer in the field of schools and education.

b. *Proposed Secondary Resources*

Martin Semple (Partner) has practiced school law and labor and employment law for over 40 years, and is recognized nationally as an expert in both areas. He has extensive collective bargaining experience and is the most experienced public sector labor lawyer in Colorado. He provides services as both labor counsel and general counsel to school districts and other clients. He was elected Chairman of the National School Boards Association Council of School Attorneys (COSA) (2000-2001), and in that position was an ex-officio member of the Board of Directors of NSBA, and served on the Board of Directors of COSA for 13 years. COSA awarded Martin its Lifetime Achievement Award. He has been a faculty member of the National Seminar of the Council of School Attorneys 12 times and has published extensively on school law and labor and employment law, and has argued major cases before the Colorado Supreme Court, Court of Appeals and U.S. Court of Appeals for the 10th Circuit on teacher dismissals, school district collective bargaining issues, charter schools and Section 1983 issues. He was involved in drafting and advising the primary sponsors on the Colorado Innovation Schools Act and SB-191. He is a graduate of St. Patrick's College, Tipperary, Ireland, and has law degrees from the University of Denver (J.D.) and the Catholic University of America (J.C.D.). He is a Fellow of the American Bar Foundation and a Master Benchers Emeritus of the Judge William Doyle Inn of Court of the American Inns of Court. Martin holds the highest possible rating from Martindale-Hubbell (A-V) and has been recognized as a Colorado SuperLawyer in the field of education law.

Darryl L. Farrington (Partner) has practiced school law for more than 30 years in the state of Colorado. He has dealt with all matters including insurance issues, construction matters, student discipline, employment, collective bargaining and other matters commonly arising with school districts and boards of cooperative services. Darryl has become known throughout the state as the leading attorney in the area of special education law. He has represented school districts and boards of cooperative services in due process hearings and appeals, OCR complaints and federal complaints covering most of the significant issues that arise in special education law. He has conducted in-service

training in the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act of 1973 (504) and the Americans with Disabilities Act (ADA) as it relates to the public school setting, and has developed compliance protocols and administrative procedures. He advises special education directors and coordinators on a regular basis and attends IEP meetings to advise teams in dealing with legally sensitive matters. Darryl has been a speaker at numerous conferences and seminars on special education topics. Darryl additionally has represented numerous special districts throughout the state, dealing with all significant issues that arise in local government law. Darryl is a graduate of Colorado State University (B.A., with distinction) and the University of Colorado School of Law (J.D.). Mr. Farrington holds the highest possible professional rating from Martindale-Hubbell (A-V).

Johnathan Kounce (Senior Counsel) is in his tenth year of practice, with nearly half of that in school law. He maintains a diverse litigation practice in the area of labor and employment and civil litigation. He represents employers, school districts and municipalities in federal, state, and administrative courts. Johnathan's client representation has involved allegations of discrimination, retaliation, and wage claims arising under Title VII, FLSA, ADEA, ADA, Section 1983, and state employment statutes, among other federal and state laws. He is a graduate of Colorado State University (B.A.) and the University of Kansas School of Law (J.D.).

Max Spiegel (Associate) graduated from the University of Denver Sturm College of Law in 2024 and joined the Colorado bar the same year. Max grew up going to public school in Colorado and is the son of a proud educator. His lived experiences provide a strong foundation for his practice today, representing school districts and boards in complex legal matters. Max's previous experiences demonstrate a steadfast commitment to public educational institutions and what they represent. Prior to joining the Firm, Max worked as a law clerk for both the University of Colorado and the Cherry Creek School District. He is committed to being a zealous advocate and providing diligent representation to everyone he has the pleasure of working with.

Dan Miller (Associate) worked as a teacher in both Japan and New York City, and now in practice he continues to serve his community through offering services such as special education law, litigation, employment law, and regulatory compliance to districts throughout Colorado. He is a graduate of Dequesne University (B.A.), Columbia University (M.A.), and the University of Colorado School of Law (J.D.).

Megan Brooks (Associate) maintains a practice in the areas of education and employment law. She represents school districts and municipalities in matters involving Title VII of the Civil Rights Act, the Americans with Disabilities Act, the Individuals with Disabilities in Education Act, Section 504 of the Rehabilitation Act, and Title IX, among other state discrimination and accessibility statutes. After earning her law degree, Megan worked in Washington, DC. Among other fields, she practiced special education law. Prior to joining the Firm, Megan worked in-house in a Denver metro-area school district where she served as the District's Title IX/Nondiscrimination Coordinator and Staff Attorney.

3. Approach to Services.

We serve boards of education (the true "client" when it comes to representation of school districts) in every part of the state, be it mountain, rural, or urban. Our success stems from ensuring that

our work—regardless of whether it is directly with the board or through the district management team—always meets the interests of the board of education. This is true with respect to not only the board's legal positions, but also to the message to its constituents and the general public its positions send.

We strive for perfection in not only our work product—typically completed or reviewed and approved by a listed primary resource—but in delivering our services so that our clients are 100% satisfied.

As for communication, we believe we have the best in the business: promptly returning emails and phone calls and keeping our clients apprised in whatever manner they prefer. We pride ourselves on being available for urgent matters. A primary strength of our Firm is that we all practice school law. If a primary contact is not immediately available when an emergency arises, call our main line and ask to speak to an attorney. We'll get you the help you need immediately.

Finally, we recognize that dollars spent on legal fees are dollars that are not available for educating students. We keep this in mind on every project, completing only those tasks we believe necessary to resolve the matter at hand. This is not to say, however, that we scrimp on taking those steps necessary to do the job right. Each month we find ourselves writing off hours spent by attorneys in our office which were necessary to provide first-rate legal advice, but which we cannot in good conscience pass on to our clients in light of the issues at stake. Simply put, we do not let our own financial self-interest prevail over the client's needs and resources. We value the long-term relationships we have established with our clients and believe that fair billing practices are essential in maintaining these relationships. We are always interested in exploring with our clients ways to increase the value of our services to them.

4. Fee Structure.

The Firm bills its clients on an hourly basis for actual time worked, at increments of a tenth of an hour. We do not charge a retainer to school district clients.

As of July 1, 2026, the hourly rates for our representation of school districts are as follows: Partners/Counsel: \$303; Associates: \$258; and Law Clerks/Paralegals: \$126. Increases to these rates will be tied to the year-over-year percentage increases to the Consumer Price Index for all Urban Consumers for the Denver-Aurora-Lakewood area annually published by the U.S. Bureau of Labor Statistics in February or March (the "CPI-U DAL"). Effective July 1, 2027, and every July 1 thereafter, these rates will be increased by the most recent CPI-U DAL, rounded down to the nearest dollar. For example, if the CPI-U DAL for 2026 is 2.5%, the Partner rate effective July 1, 2027 will be \$310 ($\$303 * 1.025 = \310.58 , rounded down to the nearest dollar).

School districts are only charged for actual time devoted to work for them, including drafting correspondence, attending meetings and conferences, reviewing and drafting court documents, performing legal research, court appearances, and all necessary travel time. We also charge for necessary expenses, such as for electronic legal research, copies, mileage, and courier services. Monthly statements are sent to our clients—typically via e-mail, unless other arrangements are made—and we request payment within thirty days. Ten years following the closure of a physical file, we reserve the right to destroy it without further notice.

5. References.

I am confident that all our clients would speak highly of our services. Among them, I am the primary contact for the following school districts similar to DCSD in one or more ways:

Roaring Fork School District (Carbondale)
Supt. Anna Cole (940-384-6000; acole@rfschools.com)

Garfield County School District RE-2 (Rifle)
Supt. Kirk Banghart (970-665-7600; kbanghart@garfieldre2.net)

Garfield County School District 16 (Parachute)
Supt. Jennifer Baugh (970-285-5701; jbaugh@garfield16.org)

Manitou Springs School District 14 (Manitou Springs)
Supt. Sean Dorsey (719-685-2024; sdorsey@mssd14.org)

Clear Creek School District (Idaho Springs)
Supt. Wesley Paxton (303-567-3850; wesley.paxton@ccsdre1.org)

East Grand School District (Granby)
Supt. Courtney Lincoln (970-379-3344; courtney.lincoln@egsd.org)

If the Board is interested in additional references, we can easily supply them.

6. Insurance & Compliance.

All the attorneys referenced in this letter are actively licensed to practice law in Colorado. Proof of the Firm's professional liability insurance is enclosed.

I sincerely hope our proposal receives favorable review. Please feel free to contact me directly with any questions.

Sincerely,

SEMPLE, FARRINGTON, EVERALL & CASE,
P.C.

A handwritten signature in black ink that reads "M. Brent Case". The signature is written in a cursive, flowing style.

M. Brent Case

cc: Supt. Amber Clark



Gregory K. Hoskin
Terrance L. Farina
Gregg K. Kampf
David A. Younger
David M. Scanga
Michael J. Russell
John T. Howe
Andrew H. Teske
Nicholas H. Gower
Kelianne Chamberlain
John T. Pryzgoda
David A. Price
Karoline M. Henning
Heather R. Buller
Leah R. Gates
Drew R. Kraniak
Lacie M. Lochard
Jacob D. Johnston
Carter A. Fox
Caitlin M. Whaley

August 28, 2026

Delta County School District
Board of Education
145 W 4th Street
Delta, CO 81416

Re: Delta County School District Legal Services Proposal

Dear Board of Education:

We appreciate this opportunity to be considered by Board of Education of Delta County School District 50J (the "District") to provide professional legal services within the scope of services the Board has specified. By way of introduction, Hoskin Farina & Kampf, P.C., is a law firm based out of Grand Junction that employs twenty attorneys, six paralegals/legal assistants, and an experienced support staff. We trace our history to one of the first law partnerships established in Western Colorado more than ninety years ago. We have a broad civil practice, with an emphasis on civil litigation, education law, real estate, water law, local government and special district law, construction and finance law, employment law, healthcare law, business entity formation, and business transactions. Our principal goal is to provide increased value to our clients through high quality, efficient, and timely legal services that are responsive to our clients' needs and challenges.

We currently serve as general counsel to Plateau Valley School District No. 50, De Beque School District 49-JT, and Moffat County School District RE-1, as well as other local governmental entities. We are also often engaged by other Colorado school districts, on-line schools and charter schools to handle specific matters. One of our core principles as a firm, and one that stems from long relationships with clients, is that in order to understand and advise our clients, we must fully understand their current needs and operations, both where the client is, and where the client wants to go in the future.

We believe the legal talent, experience and expertise available at our firm compares favorably to the Front Range firms that specialize in the school law area. Our attorneys have decades of combined experience in education law and its many facets. We handle the full spectrum of school district legal needs, from experienced guidance on statutory and regulatory compliance to effective advocacy before state and federal courts and administrative tribunals.

L. Richard Bratton
(1932-2025)

Importantly, we are the only experienced education law firm that offers the District the proximity and availability of a Western Slope firm. Although we often meet with school clients by telephone or other electronic means to save costs, when the board of education or administrators would like legal counsel present for a consultation, Board meeting or other important matter, our location in Grand Junction will usually allow us to attend in person in Delta County on fairly short notice, without expensive air travel or overnight stays.

The firm's attorneys have extensive experience in school law matters, including, but not limited to, board governance and elections, audits and school finance, collective bargaining, student discipline, capital construction and public finance, athletic programs, civil rights, contracts and leases, insurance and liability issues, privacy and public records, public/press relations, truancy, child abuse and charter schools. We also offer in-service training sessions and seminars on education law topics to educate board members and/or staff on relevant legal topics. While the firm's guidance is often provided with the aim of avoiding litigation where possible, we recognize that a robust litigation practice is a necessary component of providing comprehensive legal representation. Our firm's attorneys also have significant experience in defending school districts in a wide variety of matters, both at the trial court and appellate level.

For labor and employment matters, the firm has attorneys with expertise in all aspects of public employment, including the Teacher Employment, Compensation and Dismissal Act, and our school clients frequently utilize that expertise to assure that their approach to recruitment and hiring, dismissal, discipline, transfers, and reductions in force is legally defensible and in compliance with state and federal laws and regulations. In addition to defense of employment claims in state and federal courts, the firm's employment lawyers also investigate and defend employment-related claims filed with the Colorado Civil Rights Division and EEOC as well as other federal and state administrative agencies.

We recognize that comprehensive representation of school districts often involves the ability to advise on a variety of issues that face other local governments. Due to the breadth of our local government practice, our attorneys have extensive experience advising clients not only concerning election law, real estate and contracts, but on a broad range of other legal issues that may arise, including, but not limited to, issues involving governmental relations and intergovernmental agreements, the Taxpayers Bill of Rights ("TABOR"), the Colorado Open Records Act ("CORA"), the Open Meetings Law, response to subpoenas and court orders for production of information and records, public bidding and construction, and public finance (budget, mill levy, bond issues, public financing, etc.), liability and conflicts of interest.

Providing opinions and counsel regarding legal issues and policy development goes to the heart of what we do. We also regularly draft or review contracts, grants, leases, resolutions, policies, regulations and other official documents for our governmental clients, and provide timely counsel to boards and administrators regarding their rights and obligations under statutes, regulations, contracts and other legal authorities.

Biographies of attorneys who are anticipated to provide services to the District are attached. Attorneys Drew R. Kraniak and David A. Price would be the District's principal contacts for general counsel services. However, the District would have access to the full range of legal expertise available at our firm to address specific issues as needed.

Current hourly billing rates for the attorneys reasonably anticipated to serve the needs of DCSD are as follows:

Drew R. Kraniak	\$350
David A. Price	\$400
John T. Howe	\$400
David M. Scanga	\$475
Karoline M. Henning	\$350

Other attorneys in our firm will assist the above attorneys as appropriate at hourly rates ranging from \$240-\$500. In addition, we frequently use paralegals and legal assistants in performing our work and charge their time at \$165 per hour.

In our experience, some school districts prefer to engage attorneys on a monthly retainer basis. The retainer covers our time and availability for unlimited telephone calls regarding routine or minor non-litigation matters not requiring outside research, follow-up, drafting or investigation. As brief consultations of this nature are not "on the clock," school administrators are more apt to involve us when legal issues or problems are first presented, rather than after a crisis has developed or a claim has been made. In the long run, this "preventative" approach reduces the District's legal expenses and places the District in a better position to avoid or defend lawsuits. The retainer also covers our travel to and participation in an informal roundtable discussion with board members that we schedule annually at the discretion of the Board of Education. The roundtable gives us an opportunity to orient new school board members regarding school law basics, and to provide timely legal updates on a variety of issues to veteran board members and key administrative staff.

The amount of the retainer should normally be set based on review of available data regarding your District's past utilization of legal services. The retainer can then be adjusted up or down based on our actual experience after some utilization data is acquired. For matters

outside the scope of the retainer, the fee for the above-listed attorneys' time and expertise is normally billed at their regular hourly rates, but for clients placing us on a monthly retainer we would offer an hourly rate of \$250, a discount of more than twenty-five percent (25%). To the extent using other attorneys or paralegals in our office is necessary or appropriate for specific matters, their time would be billed at their normal hourly rates. Of course, we would be happy to discuss other alternative fee arrangements which you believe may better meet the District's legal needs.

No apparent conflicts of interest would arise from our firm's representation of the District. The firm maintains a primary professional liability insurance policy with Ascot Specialty Insurance Company and workers' compensation coverage is provided by Pinnacol Assurance.

In short, we are a full-service law firm with a commitment to the long-term health and prosperity of the Western Slope and are fully prepared to represent the District as legal counsel. Our firm would expect to provide legal advice and counsel that is aligned with and responsive to the District's needs and challenges and understand that our role would be as legal advisor, not policymaker.

Thank you for your consideration. We look forward to hearing from the Board of Education and answering any of its questions. We would be privileged to serve as legal counsel for the District.

Sincerely,

HOSKIN FARINA & KAMPF
Professional Corporation

s/David A. Price

David A. Price

DRK:
Enclosures

HOSKIN FARINA & KAMPF

PROFESSIONAL CORPORATION

200 Grand Avenue, Suite 400
Post Office Box 40
Grand Junction, Colorado 81502
Telephone: 970.986.3400
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<http://www.hfak.com>

General Civil Practice. Corporation and Business Organizations, Banking, Creditors' Rights, Commercial, Insurance, Labor and Employment, Workers' Compensation Defense, Education Law, Real Estate, Construction Law, Estate Planning, Probate and Trust Administration, Guardianship and Conservatorship, Water Rights, Environmental, Natural Resources, Mining, Oil and Gas, Trials, Appeals, Civil Rights, Administrative, Health Care, Public Entity, Products Liability, Premises Liability, Personal Injury Defense, Family Law, Adoptions, Domestic Relations, Agricultural Law, Arbitration and Mediation, Tribal and Rural Electric Cooperative Law.

Firm Profile: *The firm of Hoskin Farina & Kampf has been awarded Martindale-Hubbell's highest award for legal ability and ethical standards.*

GREGORY K. HOSKIN, born Portland, Oregon, 1939; admitted to bar, 1965, Colorado. *Education:* Stanford University (B.A., 1962); University of Colorado (J.D., 1965). Phi Alpha Delta; Order of the Coif. Leading Articles Editor, University of Colorado Law Review (1964-1965). *Member:* Mesa County (President, 1974-1975), and Colorado (Member, Board of Governors, 1980-1982) Bar Associations; Fellow: Colorado Bar Foundation, American Bar Foundation; Colorado State Board of Law Examiners (1977-1989; Chairman, 1984-1989); Colorado River Water Conservation Board (1989-1995; Vice President, 1992); Colorado Water Conservation Board (2001-2004). **PRACTICE AREAS:** Natural Resources Law; Health Care Law; Litigation; Commercial Law. **E-MAIL:** ghoskin@hfak.com

TERRANCE FARINA, born Oceanside, Long Island, New York, 1938; admitted to bar, 1963, California; 1964, Colorado. *Education:* Amherst College (B.A., cum laude, 1960); Stanford University Law School (J.D., 1963). Recipient "Outstanding Young Lawyer of the Year," Colorado Bar Association (1975). *Member:* Mesa County (President, 1973-1974), and Colorado (Member, Board of Governors, 1976-1978) Bar Associations; District Attorney, 21 Judicial District of Colorado (1973-1985); First National Bank (President, Chairman, CEO, 1985-1990); St. Mary's Hospital (Member of Board, President, 1989-1995); Colorado Commission on Higher Education (Member, 1999-2006; Chair, 2005-2006); Alpine Bank Board of Directors (Member, 1998-present). **PRACTICE AREAS:** Commercial Law; Litigation; Estate Planning Law; Business Organization Law. **E-MAIL:** tfarina@hfak.com

GREGG K. KAMPF, born Memphis, Tennessee, 1948; admitted to bar, 1974, Colorado. *Education:* University of Colorado (B.S., cum laude, 1970; J.D., 1974). Beta Gamma Sigma; Alpha Epsilon Delta; Order of the Coif. Casenote Editor, University of Colorado Law Review (1973-1974); Law Clerk to Chief Justice Edward E. Pringle, Colorado Supreme Court (1974-1975). Fellow:

American College of Trust and Estate Counsel. *Member:* Mesa County, Colorado, and American Bar Associations; Professionalism Award, Colorado Bar Association (1995). **PRACTICE AREAS:** Estate Planning Law; Probate Law; Real Estate Law; Commercial Law; Electric Cooperative Law. **E-MAIL:** gkampf@hfak.com

DAVID A. YOUNGER, born Madison, Wisconsin, 1956; admitted to bar, 1983, Colorado. *Education:* University of Denver (B.S., summa cum laude, 1978); Vanderbilt University (J.D., 1983). Certified Public Accountant, Colorado (1979). *Member:* Mesa County, and Colorado Bar Associations; Christian Legal Society. **PRACTICE AREAS:** Civil Litigation; Commercial Law; Real Estate; Business Organization(s); Adoptions; Estate Planning; Probate; Guardianship; Arbitration and Mediation. **E-MAIL:** dyounger@hfak.com

DAVID M. SCANGA, born Salida, Colorado, 1957; admitted to bar, 1983, Colorado. *Education:* Adams State College (B.A., summa cum laude, 1979); University of Nebraska (M.A., 1982; J.D., high distinction, 1983). Order of the Coif. Lead Articles Editor and Executive Editor, Nebraska Law Review, 1981-1983. *Member:* Mesa County (President, 2008-2009), Colorado (Vice President, 2010-2011), and American Bar Associations; American Health Lawyers Association. **PRACTICE AREAS:** Health Care Law; Employment Law; Commercial Law. **E-MAIL:** dscanga@hfak.com

MICHAEL J. RUSSELL, born Brainerd, Minnesota, 1954; admitted to bar, 1986, Colorado. *Education:* University of Northern Colorado (B.A., 1977); Gonzaga University (J.D., magna cum laude, 1986). Business Editor, Canadian-American Law Journal. *Member:* Mesa County (President, 2001-2002), and Colorado Bar Associations. **PRACTICE AREAS:** Complex Commercial Litigation and Transactions; Construction and Real Property Law; Creditors' Rights; Corporate Counsel. **E-MAIL:** mrussell@hfak.com

ANDREW H. TESKE, born Denver, Colorado, 1980; admitted to bar, 2005, Colorado; 2005, U.S. District Court, District of Colorado. *Education:* Westmont College (B.A., summa cum laude, 2002); University of Colorado School of Law (J.D., 2005). Editor, University of Colorado School of Law Journal of Telecommunications and High Technology Law (2004-2005). *Member:* Mesa County, Colorado, and American Bar Associations. **PRACTICE AREAS:** Civil Litigation; Personal Injury Defense; Commercial Law; Family Law; Real Estate Law; Water Law. **E-MAIL:** ateske@hfak.com

NICHOLAS H. GOWER, born Cedar City, Utah, 1984; admitted to bar, 2010, Colorado; 2011, U.S. District Court, District of Colorado. *Education:* Southern Utah University (B.S., summa cum laude, 2007); University of Colorado School of Law (J.D., 2010). *Member:* Mesa County and Colorado Bar Associations. **PRACTICE AREAS:** Civil Litigation; Real Estate and Construction Law; Business Law; Business Transactions and Contracts. **E-MAIL:** ngower@hfak.com

KELIANNE CHAMBERLAIN, born Afton, Wyoming, 1984; admitted to bar, 2014, Wyoming; 2015, Colorado. *Education:* University of Nebraska Lincoln (B.A., high distinction, 2008); University of Wyoming (J.D., Order of the Coif, 2014). Staff, Wyoming Law Review. Judge Clarence A. Brimmer Scholar, Joe Rudd Scholar. *Member:* Wyoming, Mesa County and Colorado, and American Bar Associations. **PRACTICE AREAS:** Estate Planning Law, Commercial Transactions, Real Estate Law, Business Organization. **E-MAIL:** kchamberlain@hfak.com

JOHN T. PRYZGODA, born Greeley, Colorado, 1993; admitted to bar, 2019, Colorado. *Education:* University of Northern Colorado (B.S., 2016); University of Wyoming College of Law (J.D.,

with honor, 2019). Staff Member, Wyoming Law Review. *Member:* Mesa County and Colorado Bar Associations. ***PRACTICE AREAS:*** Civil Litigation; Business Law; Commercial Transactions; Real Property Law; Water Law. ***E-MAIL:*** jpryzgoda@hfak.com

– ASSOCIATE ATTORNEYS –

LACIE M. LOCHARD, born Fort Collins, Colorado, 1997; admitted to bar, 2023, Colorado. *Education:* University of Colorado at Boulder (B.A., *With Honors*, 2020); George Washington University Law School (J.D., 2023). *Member:* Mesa County and Colorado Bar Associations. ***PRACTICE AREAS:*** Civil Litigation; Business Law; Commercial Law, Real Estate; Estate Planning. ***E-MAIL:*** llochard@hfak.com

JACOB D. JOHNSTON, born Grand Junction, Colorado, 1998; admitted to bar, 2024, Colorado; admitted to bar, 2025, Utah. *Education:* Utah State University (B.S., magna cum laude, 2020); J. Reuben Clark Law School (J.D., cum laude, 2024). *Member:* Colorado Bar Association. ***PRACTICE AREAS:*** Civil Litigation; Estate Planning; Business Law; Real Estate Law. ***E-MAIL:*** jjohnston@hfak.com

CARTER A. FOX, born Tulsa, Oklahoma, 1995; admitted to bar, 2021, Oklahoma; admitted to bar, 2024, Colorado. *Education:* University of Arkansas (B.A., 2018); University of Tulsa College of Law (J.D., with highest honors, 2021). *Member:* Mesa County Bar Association, Colorado Bar Association, Oklahoma Bar Association. ***PRACTICE AREAS:*** Litigation and Appeals; Business and Commercial; Construction Law; Property and Real Estate. ***E-MAIL:*** cfox@hfak.com

CAITLIN M. WHALEY, born St. Paul, Minnesota, 1988; admitted to bar, 2025, Colorado. *Education:* University of Denver (B.A., 2010); University of Denver, Sturm College of Law (J.D., 2025). *Member:* Mesa County Bar Association, Colorado Bar Association, American Bar Association. ***PRACTICE AREAS:*** Trust and Estate Planning, Probate Law, Real Estate Law, and Business Transactions. ***E-MAIL:*** cwhaley@hfak.com

– OF/SPECIAL COUNSEL –

DAVID A. PRICE, born Lemmon, South Dakota, 1959; admitted to bar, 1984, Colorado. *Education:* University of Colorado (B.A., with distinction, 1981); University of Colorado School of Law (J.D., 1984). Phi Beta Kappa. Casenote and Comment Editor, University of Colorado Law Review (1983-1984). *Member:* Mesa County and Colorado Bar Associations; Colorado Supreme Court Board of Continuing Legal and Judicial Education; Colorado Council of School Board Attorneys (President, 2000-2001); National School Boards Association Council of School Attorneys; Colorado West Health Care Systems d/b/a Community Hospital (Board of Trustees, 2006–2012; Chairman, 2007-2012); Recipient, *Modern Healthcare* 2012 Trustee of the Year Award. ***PRACTICE AREAS:*** Education Law, Civil Rights, Public Finance, Special Education Law, Contracts, Local Government, Public Employment; Civil Litigation; Business Transactions; Health Care Law; Employment Law; Arbitration and Mediation. ***E-MAIL:*** dprice@hfak.com

JOHN T. HOWE, born Los Angeles, California, 1961; admitted to bar, 1989, Colorado. *Education:* Colorado School of Mines (B.S., 1983); University of Colorado School of Law (J.D., 1989). Order of the Coif. Law Clerk to Justice William H. Erickson, Colorado Supreme Court (1989-1990).

Member: Mesa County, Colorado, and American Bar Associations. ***PRACTICE AREAS:*** Litigation; Health Care Law; Real Estate Law; Water Law. ***E-MAIL:*** jhowe@hfak.com

KAROLINE M. HENNING, born Gunnison, Colorado, 1989; admitted to bar, 2015, Colorado. *Education:* Regis University (B.S., *summa cum laude*, 2012); University of Colorado Law School (J.D., Order of the Coif, 2015). *Member:* Mesa County and Colorado Bar Associations. ***PRACTICE AREAS:*** Water Law; Natural Resources Law; Real Property Law; Civil Litigation. ***E-MAIL:*** khenning@hfak.com

HEATHER R. BULLER, born Excelsior Springs, Missouri, 1985; admitted to bar, 2011, Colorado. *Education:* Metropolitan State University of Denver (B.A., *summa cum laude*, 2007); University of Denver Sturm College of Law (J.D., Order of St. Ives, 2011). General Editor, Denver University Law Review. *Member:* Mesa County and Colorado Bar Associations. ***PRACTICE AREAS:*** Estate Planning Law, Probate Law, Real Estate Law, Commercial Transactions, Business Organization. ***E-MAIL:*** hbuller@hfak.com.

LEAH R. GATES, born Denver, Colorado, 1973; admitted to bar, 2002, Colorado. *Education:* Colorado State University College of Business (B.S. of B.A., *Cum Laude*, 1995); University of Tulsa College of Law (J.D., *with Honors*, 2001). *Member:* Colorado Bar Association. ***PRACTICE AREAS:*** Business Law, Commercial Law, Health Care, Trusts and Estates, Real Estate. ***E MAIL:*** lgates@hfak.com

DREW R. KRANIAK, born Detroit, Michigan 1987; admitted to bar, 2015, Colorado; 2015, U.S. District Court, District of Colorado. *Education:* College of William and Mary (B.A., 2009), University of Colorado Law School (J.D., 2015). *Member:* Mesa County and Colorado Bar Associations. ***PRACTICE AREAS:*** Civil Litigation; Business Law; Estate Planning. ***E-MAIL:*** dkraniak@hfak.com



Hoskin Farina & Kampf, Professional Corporation, is one of the largest law firms in western Colorado, employing twenty attorneys, six legal assistants, and an experienced support staff. We proudly trace our history back over 90 years to one of the first law partnerships established in western Colorado. Our principal goal is and always has been to provide value to our clients through high-quality and timely legal services responsive to our clients' needs.

Attorneys in our Education Law Practice Group provide legal services to school districts across western Colorado. We handle the full spectrum of school district legal needs, from experienced guidance on statutory and regulatory compliance to effective advocacy before state and federal courts and administrative tribunals. We also offer in-service training sessions and seminars on education law topics to educate board members and staff. Our attorneys can also provide special counsel or co-counsel services for specific matters or cases requiring additional legal support or outside counsel. The matters we handle include:

- Athletic programs
- Audits/Public Finance
- Board Governance
- Charter Schools
- Child abuse
- Civil rights
- Contracts and leases
- Construction matters
- Elections
- Employment
- Government relations
- Insurance and liability matters
- Labor negotiations
- Policy development
- Public records
- Public relations/media
- Real estate transactions
- Special education
- Student discipline
- Transportation issues
- Truancy



David A. Price



Drew R. Kraniak



John T. Howe



David M. Scanga



Karoline M. Henning

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Education Law Practice

David Price is of counsel in our Grand Junction headquarters. David rejoined our firm in 2008 after a tour of duty with the Colorado Association of School Boards, where he established a statewide legal services program for public school districts and served as the program's first director and lead counsel. David has experience in a wide range of public entity legal matters, including trials and appeals in state and federal courts, public education and local government law, health law, business transactions and contracts, employment and labor law, election law, public records and meetings, civil rights and constitutional law. He has represented school districts and other educational institutions across the state, and has served as special counsel to numerous other governmental entities and boards. David is a frequently-requested speaker and presenter on public entity law topics across the state. In addition to his education law practice, David has many years' experience representing hospitals and physician organizations in the Grand Junction area. From 2006 to 2012, David served on the Board of Trustees of Community Hospital in Grand Junction, and in 2012 Modern Healthcare Magazine honored him as its "Small Hospital Trustee of the Year" for his work as Chairman of that Board. David is a member and past Chairman of the Colorado Council of School Board Attorneys, a member of the National School Board Association's Council of School Attorneys, and a member of Mesa County and Colorado Bar Associations. He served on the Colorado Supreme Court's Board of Continuing Legal and Judicial Education for many years and currently chairs the Board of Trustees of the Art Center of Western Colorado.

Drew R. Kraniak is of counsel and joined the firm in 2023. Drew's primary area of practice is civil litigation, employment law, education and special district law. He has represented his clients in a range of legal matters, both transactional and in litigation. He has significant experience in various aspects of education law, including the Colorado Open Meetings Laws and the Open Records Act, intergovernmental agreements, land acquisition and eminent domain, district election law, Title IX complaints and investigations, and matters concerning retention and dismissal of staff. Drew has successfully defended school districts both at the trial court and appellate court level. Prior to joining the firm, Drew was a shareholder

with another law firm in town for several years. He was awarded the Top 40 under 40 honor in the State of Colorado by the National Trial Lawyers Association. Drew received his undergraduate degree from The College of William and Mary, and his J.D. from the University of Colorado School of Law.

John T. Howe is special counsel and has been with the firm since 1991. A significant portion of John's practice involves health law, including representation of managed care entities, employers and health care providers. In particular, he has extensive experience in member contracting, mandated benefits and regulatory compliance, employer health care benefits, and self-funded health benefits. John received his B.S. from the Colorado School of Mines, his J.D. from the University of Colorado School of Law, and is a member of the Order of the Coif. Following law school, he served as a law clerk to the Honorable William H. Erickson of the Colorado Supreme Court. John is a member of the Health Law Section of the American and Colorado Bar Associations.

Dave Scanga is the former managing shareholder of our firm and practices out of our Grand Junction headquarters. Dave has been with the firm since 1983. His main area of practice is health care law where he works with issues facing health care entities, health care providers, employers and third party administrators. He has worked in this area of law since beginning practice with the firm and served for many years as general counsel for Rocky Mountain Health Plans and its related entities. Dave has represented clients before regulatory bodies and courts in the health law area. He also represents numerous businesses throughout western Colorado with business related legal issues in a general counsel type of capacity. He frequently is a presenter to groups on health law and employment issues. Dave received his undergraduate degree, summa cum laude, from Adams State College and a master in economics degree from the University of Nebraska. He received his J.D. degree with high distinction from the University of Nebraska College of Law, and is a member of the Order of the Coif. He is a member of the Health Law Section of the American and Colorado Bar Associations and the American Health Lawyers Association, and the Labor and Employment Law Section of the American Bar Association. Dave has served as President of the Mesa County Bar Association and as a Vice President of the Colorado Bar Association. He has been awarded an AV® Peer Review Rating by LexisNexis Martindale-Hubbell.

Karoline M. Henning is an of counsel with our firm practicing out of the Grand Junction office. Kari has been with the firm since August 2015. Kari grew up in Gunnison where she developed an appreciation for the economic and social impacts that land, water, and other natural resources have on rural communities. Her practice includes include water, natural resources, real estate, civil litigation, and education law. Kari received her undergraduate degree, with honors, from Regis University in Denver and her law degree, with honors, from University of Colorado Law School. In law school, she participated in the Getches-Wilkinson Natural Resources and Environmental Law Clinic, as well as the Acequia Assistance Project wherein she helped farmers and ranchers in the San Luis Valley adjudicate their

water rights. Prior to joining our firm as an associate, Kari worked with us as a law clerk for two summers in between law school semesters. She is a member of the Colorado and Mesa County Bar Associations.

David A. Price
Post Office Box 123
Mesa, CO 81643
Email: dprice@hfak.com
Cell: (970) 683-0611

Legal

Experience:

- Engaged in general civil practice in Grand Junction, Colorado, including litigation in state and federal courts, education law, constitutional law, employment law and civil rights, governmental and administrative law, general business and real estate, health care law, arbitration and mediation. Over 40 years' experience in the representation of public school districts and other educational institutions.

Education:

UNIVERSITY OF COLORADO SCHOOL OF LAW

- Juris Doctor
- Casenote/Comment Editor, University of Colorado Law Review
- Recipient, John A. Cross Memorial Scholarship

UNIVERSITY OF COLORADO

- Bachelor of Arts with Distinction in Political Science
- Phi Beta Kappa
- Regent Scholar
- Legislative Aide, Colorado State Senate

Employment:

- Of counsel, HOSKIN FARINA & KAMPF, P.C. 2008-PRESENT
- Director and Lead Counsel, COLORADO ASSOCIATION OF SCHOOL BOARDS LEGAL SERVICES, 2005-08.
- Shareholder, GROVES & PRICE, P.C., 1993-2005
- Solo Practice, DAVID A. PRICE, ATTORNEY AT LAW, 1990-92
- Shareholder, NELSON, HOSKIN, GROVES & PRINSTER, P.C., 1984-1990

Teaching

Experience:

Guest lecturer, COLORADO MESA UNIVERSITY (Grand Junction, CO) 2005-2019
Education law for master's degree candidates in educational leadership

Adjunct faculty, ADAMS STATE COLLEGE (Alamosa, CO), 2000

Developed and taught a six-week course in education law for master's degree candidates in educational leadership

Legal Standing:

ADMITTED TO PRACTICE BEFORE THE:

- Colorado Supreme Court
- United States District Court for the District of Colorado
- United States Court of Appeals (Tenth Circuit)
- Colorado Division of Administrative Courts

Professional Memberships and Activities:

Member and Past Chairman, Colorado Council of School Board Attorneys

Member, Colorado Supreme Court Board of Continuing Legal and Judicial Education, 2002-2016

Member, National School Boards Association Council of School Attorneys

Member, Mesa County and Colorado Bar Associations

Recent Education Law Presentations:

“Legal Basics for Effective Boardsmanship,” Moffat County School District RE-1 (2024)

“Parent Rights in Public Education,” RE-2 Community Partners, Newcastle, CO (2022)

Presenter and/or Panelist, Various Education Law Topics at

Colorado Association of School Boards Conventions

Colorado Association of School Executives Conventions

Lorman Educational Seminars

Colorado Council of School Attorneys' Seminars

School Law Decisions:

- *Moffat County Education Association v. Moffat County School District RE-1*, 2025 WL 1465347 (Colo. App. 2025)
- *Booz v. Mesa County Valley School Dist. 51*, 2018 WL 6075250 (Colo. App. 2018), *cert. denied en banc*, 2019 WL 1530018 (Colo. 2019)
- *Hock v. Mesa County Valley School Dist. 51*, 2019 WL 2085354 (D. Colo. 2019)
- *Heutzenroeder v. Mesa County Valley School Dist. No. 51*, 391 Fed. Appx. 688, 2010 WL 3010352, 262 Ed. Law Rep. 418 (10th Cir. 2010)
- *Chase v. Mesa County Valley School Dist. No. 51*, 2009 WL 3013752 (D. Colo. 2009)
- *Wieker v. Mesa County Valley School Dist. No. 51*, 2007 WL 595629 (D. Colo. 2007)
- *Mesa County Valley School Dist. No. 51 v. Kelsey*, 8 P.3d 1200 (Colo. 2000)
- *Shell Western E&P, Inc. v. Dolores County Bd. of Comm'rs*, 948 P.2d 1002 (Colo. 1997)

Community Service:

- President, Board of Trustees, Western Colorado Center for the Arts (2020-present)
- Member and General Counsel, Board of Directors, Colorado State Shooting Association (2024-present)
- Chair, Board of Trustees, Colorado West Health Care Systems d/b/a Community Hospital, (2006-2012). Named 2012 Small Hospital “Trustee of the Year” by *Modern Healthcare* magazine for service as Chairman of the Board.
- USSF-licensed soccer coach, Grand Mesa Youth Soccer Association (U-10 Boys, 2003-05); Assistant coach, Fruita Monument High School Varsity Boys' Soccer Team (2004-06)

REFERENCES

Andrea Haitz
Board of Education
Mesa County Valley School District No. 51
Email: andrea.haitz@d51schools.org
Cell: 970-812-3225

Trevor Long
Superintendent
Plateau Valley School District No. 50
Email: tlong@pvsd50.org
Mobile: 970-673-5194

Dustin Sandidge
Former Board Member and Immediate Past President
Board of Education
De Beque School District 49-JT
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DREW KRANIAK, Esq.

Hoskin, Farina & Kampf, P.C.
200 Grand Ave., Suite 400
Grand Junction, Colorado 81501
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dkraniak@hfak.com

WORK EXPERIENCE

Of Counsel, Hoskin, Farina & Kampf, P.C., Grand Junction, Colorado; November 2023 to present

General Civil Practice with focus on Education Law, Local Government Law, Employment Law, and Civil Litigation

- Serves as lead general counsel to three Western Slope school districts, consisting of advising, investigating, negotiating, litigating, and appellate briefing and arguing on behalf of Western Slope school districts and charter schools, including:
 - General legal analysis and advice regarding student, staff, administrative, property, facility, eminent domain, policy, election, grant and other funding, contract, open records and open meetings, special education, and other issues facing school districts
 - Litigation and briefing in district court, appellate court, and in administrative settings defending school districts and individual school board members. Specific experience includes:
 - Successful defense at trial and on appeal of union lawsuit over Colorado Open Records Act compliance; *Moffat Cnty. Educ. Ass'n v. Moffat Cnty. Sch. Dist. RE-I*, No. 24CA1225, 2025 WL 1465347 (Colo. App. May 22, 2025)
 - Successful defense of Open Meetings Law complaint filed against Western Slope school district in district court;
 - Successful petition for immediate possession in eminent domain proceeding on behalf of Western Slope school district
 - Transactional experience advising, negotiating, and drafting intergovernmental agreements, teacher nonrenewal and separation agreements, lease agreements, settlement, and other contracts
 - Independent investigations for school districts regarding legal issues facing school districts. Specific experience includes conducting investigations and drafting reports concerning alleged student and district violations of school district policies, including:
 - alleged Title IX violations by district students and staff;
 - allegations of bullying by district students and staff;
 - allegations of discriminatory and unfair employment practices

Shareholder, Attorney at Killian, Davis, Richter & Kraniak, P.C., Grand Junction, Colorado;
August 2015 to November 2023

- Workers' Compensation Attorney, August 2015 to November 2023: Represented clients at administrative hearings and appeals
- Minority Shareholder, February 2021 to November 2023: Participated in decision-making and management of business, including areas of Human Resources, hiring/termination, finances and allocation of resources

Teach for America, Rosebud Indian Reservation, South Dakota

Spanish, Language Arts, and Geography teacher Todd County High School, 2009-12

- Established foreign language department for the school district, chaired Student Assistance Team, instructed Independent Study classes for advanced learners before and after school

EDUCATION

University of Colorado Law School, Boulder, Colorado 2012-2015

Juris Doctor May 2015

Colorado Environmental Law Review, University of Colorado

Lead Note Editor, Board Member, August 2013-May 2015

- Article *Conserving Endangered Species in Indian Country* selected for publication in 2015 issue
- Article subsequently cited by various books and publications, including by Yorok Tribe in proposal to EPA to revise federal water quality standards, as well as by the Bureau of Indian Affairs website regarding Endangered Species and Tribal Land (<https://www.bia.gov/guide/endangered-species-act-documents>)

Other Practical Experience at CU Law: Research Assistant to Director of American Indian Law Program, Intern at Department of Interior, Solicitor's Office in Washington DC and Lakewood, CO, Intern at Sustainable Development Strategies Group, Gunnison CO, Intern at Colorado Secretary of State, Elections Division

The College of William & Mary, Williamsburg, Virginia 2005-2009

Bachelor of Arts in International Relations and Hispanic Studies (Double Major), May 2009

OTHER SKILLS, INTERESTS, AND ACTIVITIES

- Member of Colorado Bar Association, Colorado Council of School Board Attorneys, National School Boards Association, Colorado Municipal Attorneys
- Member of Board of Directors, Western Slope Native American Resource Center
- Proficient in Spanish