

October 19, 2015 - Outside Counsel RFQ Publication

Questions and Answers

Q: A number of required form links appear broken. Is everything available on "NJ Start" if the PDFs do not link to noted documents? If not, may we request them after the Q&A deadline?

A: All pdf references may be found on the Department of Law and Public Safety public webpage. The links are as follows:

\*5.0 Outside Counsel Guidelines:

<http://www.nj.gov/oag/law/pdf/rfqs/oag-dol-Outside-Counsel-Guidelines.pdf>

\*9.3 Firms Designated as Special Counsel:

<http://www/nj.gov/oag/law/outside-counsel.htm>

If your concern regards a link to a Treasury form in Exhibit A, all forms can be found on the Department of Treasury public website under Division of Purchase and Property. Please see the Quick Links box with the drop down menu "Vendor Forms". If you are still having difficulty with any of the forms, please provide specifics so that a form link may be provided.

Q: 6.21 and 6.2J - Must we disclose state agencies/departments from the 49 other states that we have represented other than NJ?

A: No.

Q: 6.4A In what context is "adverse determination" being used? Does this concern only court actions against the firm, a partner, or does it also include relevant losses in current or past matters?

A: It is used in the context of sanctions and/or attorney conduct. It would concern the firm or any attorney in the firm in current or past matters.

Q: 6.4C Please confirm that conflicts or matters that may appear to be a conflict of interest only include current labor related matters where our attorneys or staff are acting as opposing counsel, or past matters where our

attorneys or other staff may have had access to materials that are likely to be relevant to State of NJ Labor related cases.

A: Response to 6.4C is a listing of the identity of any client of your firm that is adverse to the State or a State agency.

Q: 6.4E Are we being asked to pay for Sanctions under Rule 11 that are ordered against the State of NJ? Are we being asked to advance costs related to Sanctions under Rule 11 against the State of NJ which will be reimbursed?

A: Decisions regarding sanctions are made on a case by case basis in consideration of the circumstances giving rise to the order of sanction.