



**APPOINTMENT TO THE NEW JERSEY DEPARTMENT OF THE TREASURY - DIVISION OF INVESTMENT
ALTERNATIVE INVESTMENTS SPECIAL COUNSEL POOL**

1. Per the General Description in Section 3.1 of the RFQ, our firm has experience with [subsections] A, B, and D – but not C or E. The RFQ specifically calls (in 2.2) for experience in every area. Should we still submit a proposal?

Responding firms must meet the Minimum Qualifications set forth in Section 2 of the RFQ. It is up to the responding firm to determine whether it should ultimately submit a proposal in response to the RFQ.

2. Our firm doesn't have an office in New Jersey. Which population of lawyers do you want us to report on in the Diversity questionnaire (e.g., US or Firmwide) in Exhibit B Outside Counsel Diversity Questionnaire?

If a responding firm does not have a New Jersey office, then the responding firm should complete the Exhibit B Outside Counsel Diversity Questionnaire based on their U.S. office locations.

3. What is the protocol for requesting exceptions to the Outside Counsel Guidelines?

Please see Section III.H. of the Outside Counsel Billing Guidelines.

4. Because conflicts can rise unexpectedly or in the ordinary course of a law firm's

operations, if such conflicts do arise with outside law firms, does NJ consider reasonable request for waivers, or how are situations like these typically addressed?

The Division of Investment, as a public entity, is precluded by the New Jersey Rule of Professional Conduct from waiving conflicts of interest. Please see Section 6.3(E)(a) of the RFQ.

5. In the Guidelines, II. C. 1., it states that the Division of Law will identify those entities the Division deems to be the “client” for conflicts of interest purposes: What entities will that encompass as part of this proposed representation? The RFQ notes the work will be in connection with investment of funds by the Division of Investment – would the “client” be that entity alone, or Department of Treasury, or other subdivisions/related agencies?

The client for purposes of representation will be the Division of Investment. Please see the May 2019 Letter from Attorney General Grewal to Chief Counsel Platkin (available at https://www.nj.gov/oag/law/pdf/2019-0515_Conflicts-Letter.pdf) for more information on determining conflicts with respect to New Jersey state government entities.