

**BURLINGTON COUNTY MUNICIPAL JOINT
INSURANCE FUND**

RESOLUTION 2022-32

A RESOLUTION CONFIRMING AND ACCEPTING THE RESIGNATION OF
PARKER MCCAY, P.A. AS ASSIGNED DEFENSE COUNSEL

WHEREAS, the Burlington County Municipal Joint Insurance Fund (BURLCOJIF) has been organized pursuant to *N.J.S.A. 40A:10-36 et. seq.*; and

WHEREAS, the Fund Commissioners of the Burlington County Municipal Joint Insurance Fund have previously found that it is necessary and appropriate to obtain certain legal services to defend the claims filed against the Member Municipalities of the Burlington County Municipal Joint Insurance Fund for which the Burlington County Municipal Joint Insurance Fund is obligated to provide a legal defense on behalf of the Member Municipalities; and

WHEREAS, the BURLCOJIF, under the "Fair and Open" process, issued a Request for Qualifications (RFQ) on August 13, 2021 for three (3), one (1) year Contracts for Assigned Defense Counsel for General Liability matters, and the BURLCOJIF, after reviewing and evaluating all of the responses received to the RFQ, on January 18, 2022, awarded Contracts to five (5) firms to serve as General Liability Assigned Defense Counsel; and

WHEREAS, one of the firms that was awarded a Contract to serve as General Liability Defense Counsel was Parker McCay, P.A. with John C. Gillespie, Esquire, J. Brooks DiDonato, Esquire, Linda A. Galella, Esquire, and Michael Sullivan, Esquire serving as Assigned Defense Counsel; and

WHEREAS, by correspondence dated August 3, 2022, John C. Gillespie, Esquire, on behalf of Parker McCay, P.A., submitted the firm's resignation to serve as Assigned Defense Counsel for the BURLCOJIF, effective August 24, 2022; and

WHEREAS, through this Resolution, the BURLCOJIF shall confirm and accept the resignation of Parker McCay, P.A. effective August 24, 2022, as requested by Parker McCay, P.A.; however, the BURLCOJIF and Parker McCay, P.A. have agreed that Parker McCay, P.A., with Brooks DiDonato, Esquire as Assigned Defense Counsel, shall continue to serve as Assigned Defense Counsel for the matter entitled **Danch v. Borough of Fieldsboro**, Superior Court of Burlington County, Law Division, Docket # BUR-L-002293-18, until the conclusion of the litigation, and John C. Gillespie, Esquire, shall continue to serve as Assigned Defense Counsel for the matter entitled **Mazahreh, et al v. Township of Medford**, United States District Court for the District of New Jersey, Civil Action No. 1:20-cv-17598, until the conclusion of the only remaining issue in that matter which is Plaintiffs' attorneys' fees and costs; and

WHEREAS, it has been agreed by Parker McCay, P.A. that while the firm continues to serve as Assigned Defense Counsel in the **Danch** and **Mazahreh** matters, the firm will not handle any cases against the Borough of Fieldsboro or the Township of Medford nor will the firm engage in any litigation which involves the Borough of Fieldsboro or the Township of Medford as a party.

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Burlington County Municipal Joint Insurance Fund assembled in a public session on October 18, 2022, that effective August 24, 2022, the resignation of Parker McCay, P.A. to serve as Assigned Defense Counsel is hereby confirmed and accepted by the BURLCOJIF.

BE IT FURTHER RESOLVED that Parker McCay, P.A., with Brooks DiDonato, Esquire as Assigned Defense Counsel, shall continue to serve as Assigned Defense Counsel in the matter entitled **Danch v. Borough of Fieldsboro**, Superior Court of Burlington County, Law Division, Docket # BUR-L-002293-18 until the conclusion of the litigation.

BE IT FURTHER RESOLVED that Parker McCay, P.A. with John C. Gillespie, Esquire, as Assigned Defense Counsel shall continue to serve as Assigned Defense Counsel in the matter entitled **Mazahreh, et al v. Township of Medford**, United States District Court for the District of New Jersey, Civil Action No. 1:20-cv-17598, until the conclusion of the only remaining issue in that matter which is Plaintiffs' attorneys' fees and costs.

BE IT FURTHER RESOLVED that Parker McCay, P.A. shall not handle any cases against the Borough of Fieldsboro or the Township of Medford nor will the firm engage in any litigation which involves the Borough of Fieldsboro or the Township of Medford while the **Danch** or **Mazahreh** matters are pending.

BE IT FURTHER RESOLVED that the copies of this Resolution shall be provided to the Administrator/Executive Director, Fund Solicitor, and Claims Administrator of the Burlington County Municipal Joint Insurance Fund and Parker McCay, P.A. for their information and attention.

This Resolution was duly adopted by the Burlington County Municipal Joint Insurance Fund at a public meeting held on October 18, 2022.

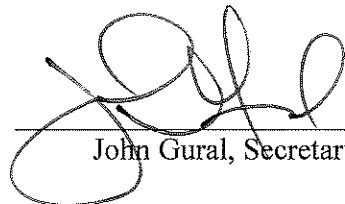
BURLINGTON COUNTY MUNICIPAL JOINT INSURANCE FUND

By:



Glenn McMahon, Chairman

Attest:



John Gural, Secretary

Dated: October 18, 2022