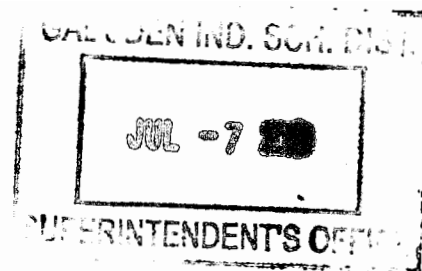


WALSH, ANDERSON,  
BROWN, GALLEGOS  
and GREEN, P.C.  
ATTORNEYS AT LAW



July 1, 2010

*VIA REGULAR MAIL*

Ms. Cynthia Nava  
Superintendent  
Gadsden ISD  
4950 McNutt Road  
Sunland Park, NM 88063

RE: Renewal of Membership in New Mexico Legal Services Retainer Program

Dear Ms. Nava:

Enclosed please find the annual billing statement for membership in our New Mexico Legal Services Retainer Program. The Walsh Anderson retainer program provides a valuable service to the District, and we look forward to the District's continued membership in the program. The cost of the program is \$1,000 per year plus applicable gross receipts tax. Benefits of the program include:

- 1. FREE TELEPHONE CONSULTATION:** The law firm provides unlimited telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director or designee pertaining to questions arising out of the general operation of the District. Last year, our member clients received an average of 9.4 free hours of telephone consultation. That is a \$1,551 value in telephone calls alone! Call us whenever the District has a question or concern about general school law matters or special education law. As a retainer client, the District has exclusive access to a toll-free telephone number for calls to the law firm. Before making decisions with legal consequences, call our office toll-free at (800) 771-6864 to speak with a Walsh Anderson attorney.
- 2. FREE SUBSCRIPTION TO FIRM PUBLICATION:** As a member of the Retainer Program, the District receives a free subscription to our newsletter "*School Law with Walsh Anderson New Mexico*", which provides timely reminders and practical suggestions about general education law issues arising throughout the school year and addresses legal issues specific to the special needs of students with disabilities.
- 3. E-MAIL UPDATES:** As another benefit of the Retainer Program, Walsh Anderson sends periodic e-mail updates to you (and to any other District personnel or trustees you designate) to help keep the District abreast of the latest developments in school law. These updates address a

Ms. Cynthia Nava  
July 1, 2010  
Page 2

broad range of timely topics and are designed to keep you informed and better prepared in your work for the District. Please review the attached list of e-mail addresses you previously provided to us and update the list if necessary.

**4. REDUCED RATES ON ALL WALSH ANDERSON INSERVICES:** Our Retainer Program members also receive reduced rates on all inservices and legal training programs. Our up-to-date training programs are presented by attorneys with firsthand experience and knowledge about the current legal issues confronting New Mexico school districts. Our retainer clients also receive priority scheduling for inservice training.

I am pleased that the District has been a member of our New Mexico Legal Services Retainer Program. I hope the District will continue with its membership. We look forward to receiving your updated e-mail list and signed contract. Please note that the enclosed New Mexico Legal Services Retainer Agreement must be signed by an authorized trustee or employee. Consult your local policies to see if they specify who is authorized to approve and sign an agreement retaining legal counsel for the District.

The law firm's retainer programs are designed to provide the District with excellent service and prompt responses to all questions. When considering decisions with legal consequences, call *any* Walsh Anderson attorney with questions and concerns regarding school law issues. As always, please call me with any questions, comments, or suggestions about how we can better serve the District. My toll-free number is (800) 771-6864.

Sincerely,



Elena M. Galleogs

EMG/nlt  
Enclosures

cc: (with contract only)  
Ms. Jennifer Viramontes  
Board President  
Gadsden ISD  
4950 McNutt Road  
Sunland Park, NM 88063

WALSH, ANDERSON,  
BROWN, GALLEGOS  
and GREEN, P.C.

ATTORNEYS AT LAW

**NEW MEXICO**  
**LEGAL SERVICES RETAINER AGREEMENT**  
**FOR**  
**GADSDEN**  
**INDEPENDENT SCHOOL DISTRICT**

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The Gadsden Independent School District (hereinafter "District"), acting by and through the authorized Trustee or Employee whose signature appears below, hereby retains the law firm of Walsh, Anderson, Brown, Gallegos & Green, P.C. (hereinafter "Law Firm"), to provide the services to the District set forth below.

1. Telephone Consultation: The Law Firm shall provide telephone consultation at no charge to the District's Board President, Superintendent, Special Education Director, or designee pertaining to questions arising out of the general operation of the District. The District shall have access to a statewide toll-free telephone number for calls to the Law Firm.
2. Additional Legal Work: The District shall be entitled to an hourly rate of \$180 for additional legal work over and above initial telephone consultations. Examples of such additional legal work are follow-up telephone calls, legal research, opinion letters, document or policy reviews, consultation with other attorneys in the firm, office visits, participation in board meetings, attendance at IEP meetings, representation in discharge or termination hearings, special education due process hearings and litigation. Expenses incurred by the Law Firm in providing such additional legal work shall also be charged.
3. Publications: The Law Firm shall provide at no charge six issues per year of the publication *School Law with Walsh Anderson New Mexico*, published by the Law Firm.
4. E-mail Updates: The Law Firm shall send periodic e-mail updates to designated District personnel and trustees relating to developments in school law. The content and publication schedule of such updates shall be determined solely by the Law Firm.
5. Retainer Term and Cost: There shall be a fee of \$1,000.00 plus applicable gross receipts taxes for this Retainer Agreement due upon execution and annually thereafter on the anniversary of the execution date below. This Retainer Agreement shall remain in effect until notice of cancellation is received.
6. Scope of Attorney-Client Relationship: This Retainer Agreement establishes a limited attorney-client relationship only between the Law Firm and the District. The relationship exists only as to the consultations and additional legal work that are

initiated by the District and accepted by the Law Firm pursuant to this Agreement. The Retainer Agreement does not impose any duty upon the Law Firm to provide advice or work to the District regarding legal matters absent a request by the District's Board President, Superintendent, Special Education Director, or designee for such advice or work on a matter. The Law Firm and the District acknowledge and represent that this Agreement does not establish an attorney-client relationship between the Law Firm and any individual Trustees or Employees of the District. If a lawsuit or other adversarial matter is brought against the District and/or any Trustee or Employee of the District, the Law Firm may require the execution of one or more separate Letters of Engagement prior to undertaking an attorney-client relationship in the matter.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

GADSDEN INDEPENDENT SCHOOL DISTRICT

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

\_\_\_\_\_  
(Title)

WALSH, ANDERSON, BROWN, GALLEGOS & GREEN, P.C.

By: \_\_\_\_\_  
Oscar G. Treviño  
Managing Shareholder