

CONTRACTUAL AGREEMENT FOR LEGAL SERVICES (FIXED FEE)

MAKE CHECKS PAYABLE TO: DALLAS POLICE RETIRED OFFICERS ASSOCIATION (DPROA) FOR \$400.00

The Dallas Police Retired Officers Association (DPROA) has agreed to contract with Feldman & Feldman, a law firm based at 3355 West Alabama Street, Suite 1220, Houston, Texas 77098, to represent the association and its contributing members and those non-members who choose to participate (collectively “participants”) in a lawsuit that has been filed against the Texas Pension Review Board (TPRB), and that may have to be re-filed against The Dallas Police and Fire Pension System (DPFP) in the event that TPRB is found to not be a proper party (collectively, “the litigation”). The purpose of the lawsuit is to seek restoration of benefits termed “Annual Adjustment” and “Benefit Supplement” by the DPFP. Such benefits were stopped and/or changed by the passage of Texas House Bill 3158 (85th Legislature), signed by the governor on May 31, 2017, with an effective date of September 1, 2017. The lawsuit is intended to seek a judicial declaration that the relevant provisions of HB 3158 are unconstitutional.

The contract fee between the DPROA and Feldman & Feldman for undertaking and pursuing this litigation through all stages of appeal is a fixed, all-inclusive fee with no additional contingency fees. Each participant will contribute \$400.00 to enable the litigation to be prosecuted, in addition to required membership fees as stipulated below for the appropriate membership category.

The DPROA Executive Board has decided to re-open a three-month period of time (January 1 – March 31, 2020) wherein eligible persons who did not become a participant during the initial joining period (ending May 31, 2019), may now elect to participate retroactively from June 1, 2019 through December 31, 2019. The joining is with the provision that retired officers and firefighters, or active-DROP officers and firefighters will retroactively pay the monthly dues for their classification for the seven-month period of June 1, 2019 through December 31, 2019. **Additionally, each new participant will be required to maintain his/her membership dues as being current throughout 2020 and for the duration of the lawsuit. Failure to do so will result in the individual being removed as a participant with no refund of any monies paid for dues or the prosecution of the litigation.** Each participant will keep the DPROA apprised of his/her current mailing address, email address, and physical address location.

Each person (“participant”) contributing to the DPROA for litigation will also make payment dated no later than March 31, 2020, with payment being received by the DPROA no later than April 7, 2020 either in person (to a board member) or at its US postal mailing address:

DPROA
PO Box 720446
Dallas, Texas 75372

A contribution fee of \$400.00 must be accompanied by this signed form, and where applicable, new members must submit a completed DPROA Application Form, available at the DPROA website: <https://www.dproa.org/> The new member Application Form must be accompanied by a separate check for membership dues.

All sums received above and beyond the contract fee will remain as permanent funds of the DPROA. All payments to Feldman & Feldman will be made by the DPROA. No person may become part of this litigation by attempting to individually contract with and/or pay directly to Feldman & Feldman. The lawsuit will be filed with DPROA as the named Plaintiff.

Participants expressly acknowledge that neither the DPROA, nor Feldman & Feldman, have made any representation or guarantees as to the successful termination or resolution of this matter.

Participants expressly acknowledge that the seven members of the DPROA Board of Directors will be the committee which works directly with Feldman & Feldman to make decisions on their behalf. Participants authorize the Board of Directors to make necessary decisions as if it were the decision of each participant. No compromise or settlement of the litigation will be made without the consent of a majority of the Board of Directors.

Each participant must be in one of the following “good standing” categories/tiers and certify himself/herself as such by **initialing** the appropriate block and by his/her signature on this application. The term “in good standing” means that the individual is current in his/her membership dues to the DPROA according to the DPROA Constitution. **Payment in full** (two checks) is required when submitting the signed Contractual Agreement. A retroactive dues check for seven months plus (a) either the January dues or (b) full annual dues will constitute one check. A separate check is required for the \$400 litigation contribution fee.

- _____ Full/Active Members of DPROA (including surviving spouses or other eligible beneficiaries) paying annual dues of \$270.00 (\$22.50 monthly or \$270.00 annually) would pay \$400.00 towards the litigation
- _____ Affiliate Members of DPROA (including surviving spouses or other eligible beneficiaries) paying annual dues of \$135.00 (\$11.25 monthly or \$135.00 annually) would pay \$400.00 towards the litigation
- _____ Active DROP Members of DPROA paying annual dues of \$120.00 (\$10.00 monthly or \$120.00 annually) would pay \$400.00 towards the litigation
- _____ Retired Police Officers or Firefighters or Active DROP officers who are eligible to join DPROA but who have not done so, will be required to join DPROA and pay the annual dues for their appropriate category of Full/Active or Affiliate or Active DROP, and then also pay \$400.00 towards the litigation
- _____ Active Police Officers or Firefighters who are not eligible to join the DPROA under Constitutional provisions, will only pay \$400.00 towards the litigation

BY:

Signature of Board Member, DPROA

Signature of Participant

Printed Name of Participant

Mailing Address (to include zip code)

Police Badge Number _____

(Police Only)

City Employee Number _____

(Police & Fire)

Telephone (area code) + xxx-xxxx

(_____)_____

Signed and dated this day by Participant

Email Address

_____, 2020