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May 11, 2020

Sent via USPS and email to BDebraal@ircgov.com

William K. Debraal, Esq.
Deputy County Attorney
Indian River County
1801 27th Street
Vero Beach, FL 32960

Re: **Gene Perry – 45th Street Project**

Dear Bill,

I am disappointed that the Board of County Commissioners is insisting on paying this firm the statutory fee on this matter.

I can understand the Board not wanting to pay more than is reasonable, but I am surprised that the Commissioners would think that \$1,122.00 is reasonable.

We've represented Mr. Perry since the original offer *nearly four years ago*, I've visited Mr. Perry and inspected the property twice, reviewed your appraisal and plans with an appraiser and engineer, had a meeting with you, Mr. Perry and staff, and had the matter basically ready to timely settle and close but for the interest of Helen Johnson who had been a joint owner with our client. In that regard, we located and communicated with her estate's attorney in Texas, kept in communication with that attorney, and you or Monique, concerning status, and eventually were successful in prodding counsel to get the order determining heirship. After that, we followed up on getting Ms. Johnson's son involved and encouraging him to get counsel, followed up with you and tried to shepherd this to a conclusion, reviewed the updated appraisal at some point during the process, and spent time reviewing and revising substantive points (not just fees and costs) in your proposed settlement agreement; and, of course, we had stayed in touch with the client off and on throughout the years of the representation.

I don't think that \$1,122.00 is a reasonable or fair fee for the work we did and our cooperation in trying to bring this matter to a conclusion. I can't believe that you and Dylan think that it is. And, I don't

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know the Commissioners, but if they are business people and have any understanding of what was involved in the representation, I don't think they would believe that either.

If the County wants to stand behind the statutory fee, which seems mean spirited, I can't do anything about that other than argue in Court that supplemental fees should be paid and/or that the statutory fee in this case is unconstitutionally low.

At this point, the only alternative (to Court) that I can suggest is that we agree to an independent review and determination of a reasonable fee. If the County would agree to honor the determination by a mutually acceptable third party (and I'm thinking a local lawyer) of a reasonable fee for our efforts, I would agree to that approach. If we have to argue whether I'm entitled to a fee beyond the statutory percentage, I'm going to need to ask the Judge to decide that.

Please advise whether such a solution would be of interest.

Very truly yours,



Richard V. Neill, Jr.

RVNjr/lam

Cc:
Mr. Gene Perry
Dylan Reingold, Esq., County Attorney