

RESOLUTION NO. 105-15

BRICK TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

November 23, 2015

A RESOLUTION AUTHORIZING AND APPROVING THE AUTHORITY TO BECOME THE LEAD PLAINTIFF IN THE LITIGATION FOR POTENTIAL VIOLATIONS OF ANTI-TRUST LAWS AND RETENTION OF ROBINS KAPLAN LAW FIRM TO REPRESENT THE AUTHORITY

WHEREAS, the Brick Township Municipal Utilities Authority (hereinafter referred to as the "Authority") has purchased liquid aluminum sulfate from various vendors who it is believed that violated Anti-Trust Laws; and

WHEREAS, the Authority has purchased said material from 1997 through July 2010 and it is believed that the Authority is entitled to the return of any overpayments made as a result of the violation of any Anti-Trust Laws; and

WHEREAS, the Authority is in need of legal services to pursue its claim as part of a class action against various defendants who it is believed have violated the Anti-Trust Laws; and

WHEREAS, it is suggested by proposed counsel to represent the Authority that the alleged violators of the Anti-Trust laws are General Chemical Corporation, General Chemical Performance Products, LLC, Gen Tek, Inc., Chemtrade Logistics Income Fund and others; and

WHEREAS, it is the desire of the Authority to retain the firm of Robins Kaplan to explore the potential for recoveries of monies from the alleged violators of the Anti-Trust Laws; and

NOW, THEREFORE, BE IT RESOLVED this 23rd day of November, 2015, by the Board of Commissioners of the Brick Township Municipal Utilities Authority, County of Ocean, State of New Jersey, as follows:

1. The Authority, through its Board of Commissioners does hereby authorize and confirm the execution of a Retainer Agreement with Robins Kaplan Attorneys to represent the Authority with regard to the recovery of any monies as a result of Anti-Trust Law violations. Said Retainer to be subject to the review and potential modification of said Retainer Agreement by the Authority's attorney.
2. The Authority authorizes and directs the Authority Chairman and Secretary to execute and confirm the Retainer Agreement and any other documents necessary to effectuate the terms of this Resolution subject to the review and approval by the Authority's attorney.
3. A copy of this Resolution shall be forwarded by the Administrative Secretary of the Authority to the following:
 - (a) George Cevasco, Chairman;
 - (b) James F. Lacey, CPWM, Executive Director;
 - (c) Frank Planko, Chief Financial Officer;
 - (d) Nicholas C. Montenegro, Esquire; and
 - (e) Robins Kaplan through its representative, Michael D. Fitzgerald, Esquire

CERTIFICATION

I certify that the foregoing Resolution was duly adopted by the Brick Township Municipal Utilities Authority at a meeting held on the 23rd day of November, 2015, a quorum being present and voting in the majority.

A handwritten signature in black ink, appearing to read "Thomas C. Curtis", written in a cursive style.

THOMAS C. CURTIS
Asst. Secretary/Treasurer