



COMMONWEALTH OF PENNSYLVANIA  
GOVERNOR'S OFFICE OF GENERAL COUNSEL

May 21, 2024

Christina L. Lane, Esquire  
Maiello Brungo & Maiello, LLP  
South Side Works  
424 South 27<sup>th</sup> Street, #210  
[REDACTED]

RE: RFP OGC-2024-03  
Pennsylvania State System of Higher Education ("State System")  
Project: Title IX Counsel

Dear Ms. Lane:

After evaluation of your proposal in response to RFP #OGC-2024-03 Title IX Counsel, by the Office of General Counsel ("OGC"), I hereby appoint your firm, Maiello Brungo & Maiello, LLP, the firm ("Firm") to represent the Commonwealth of Pennsylvania and the State System, in the above-referenced matter. As per the terms of the contract, your firm will be subcontracting with McNichol Law Offices, PLLC and MNB Meridian Defense Ltd. throughout the duration of this engagement. This appointment will be governed by all terms and conditions of the Contract for Legal Services which will be routed for execution.

This letter sets forth: (1) information regarding the proposed engagement; (2) specific scope of work to be performed; and (3) compensation to be paid for these services.

1. Information regarding the proposed engagement

The purpose of this appointment is for the Firm to satisfy a need for legal counsel relating to NCAA and Title IX athletic matters.

Please review the above-described information carefully to ensure there are no conflicts of interest posed in the proposed representation of the Commonwealth of Pennsylvania in connection with providing legal services. Should you require additional information to evaluate any potential conflicts prior to your acceptance of this appointment, please contact Derek Riker, Deputy Chief of Staff at [REDACTED]

2. Scope of Services

In this appointment, the Firm will advise the State System's universities about Title IX matters, including gender equity in athletics and sexual misconduct.

The services include:

- (1) Development of an understanding of university athletics program(s), including a working knowledge of the university's relationship with affiliates, the athletic conference and other related matters.
- (2) Providing advice and counsel concerning sexual misconduct issues that arise on campus and fall within the purview of Title IX compliance.
- (3) Identification of NCAA and Title IX athletic issues under applicable federal laws, regulations, and administrative guidance.
- (4) Providing legal advice about complying with those laws, regulations, and guidance.
- (5) Ability to conduct or assist with program reviews and internal investigations concerning Title IX athletic compliance and sexual misconduct.
- (6) Representing universities and/or the State System in internal, administrative and litigation matters.

The Firm may at any time, be called upon to provide specific services to the State System based on specific need, capacity, qualification, or such other circumstances as the State System shall determine. This engagement may include other general work as designated by the Chief Counsel of the State System or the Governor's Office of General Counsel.

3. Compensation

It is agreed upon by the Firm and all parties to this agreement consistent with its proposal for this engagement that the Firm shall be paid at the following rates: Partners will be billed at a rate of \$300.00 per hour; Senior Associates will be billed at a rate of \$250.00 per hour; Associates will be billed at a rate of \$200.00 per hour; and Paralegals will be billed at a rate of \$100.00 per hour.

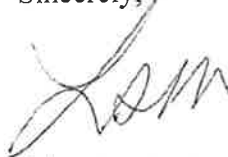
Upon your review of the proposed assignment, the scope of work, and the compensation, should the Firm be willing to accept this assignment, please execute this letter as indicated below and return the original by mail to the Pennsylvania State System of Higher Education, Office of Chief Counsel, 2300 Vartan Way, Suite 207, Harrisburg, PA, 17110, Attn: Karen Romano, Chief Counsel, along with copies via email to [ogc-outsidecounsel@pa.gov](mailto:ogc-outsidecounsel@pa.gov), and the Issuing Officer, Jordan M. Kiessling at [REDACTED]. By signature hereto, you are acknowledging that the Firm has completed a conflict-of-interest analysis and identified nothing to be reported prior to

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the acceptance of work on behalf of the Governor's Office of General Counsel. Should a conflict or potential conflict be identified at any time during the term of this engagement, the Firm is under a continuing obligation to disclose such matter, in writing, to the Governor's Office of General Counsel in accordance with OGC's Conflict Waiver Procedure. Failure to sign and return your Firm's appointment letter within thirty (30) days will result in your Firm being dropped from this engagement.

Due to the urgent need for legal services, approval has been granted for the Firm to begin work immediately. We look forward to working with you on these important matters for the Commonwealth of Pennsylvania.

Sincerely,



**LAURIE A. MALONE**

Chief of Staff to the General Counsel

Accepted on Behalf of the Firm:

By: Christina L. Lane 5/22/2024  
Date

Partner

(Title)

cc: Theron R. Perez, First Deputy General Counsel, Office of General Counsel  
Derek Riker, Deputy Chief of Staff, Office of General Counsel  
Alaina C. Koltash, Deputy General Counsel, Office of General Counsel  
Karen Romano, Chief Counsel, PA State System of Higher Education  
Danielle McNichol, Esquire, McNichol Law Offices, PLLC  
Christopher Nuneviller, Esquire, MNB Meridian Defense Ltd.  
Jordan M. Kiessling, Senior Legal Analyst, Office of General Counsel  
Alicia C. Rizzi, Legal Office Administrator, Office of General Counsel