TOWN OF PALM BEACH

Office of the Town Clerk

MINUTES OF THE SPECIAL TOWN COUNCIL MEETING HELD ON TUESDAY, MAY 8, 2012

I. CALL TO ORDER AND ROLL CALL

The Special Town Council meeting was called to order at 11:39 a.m. on Tuesday, May 8, 2012, in the Town Council Chambers. On roll call, all of the elected officials were found to be present.

II. APPROVAL OF AGENDA

Before the Town Council were four separate cases to be heard in an Attorney/Client Closed-Door Session, for the purpose of discussing strategy related to litigation. The Town Council amended the agenda to hear all four cases, seriatim, in the following order:

1. Town of Palm Beach vs United States of America, Civil Action No. 09-64 L, in the United States Court of Federal Claims.

2. Town of Palm Beach vs 332 South County Road LLC, in the District Court of Appeal, State of Florida, Fourth District Case No. 4D 12-1410.

3. Town of Palm Beach vs Lawrence S. Rule, Jr., Laura Rule, M&I Bank, FSB; and R.J.S. Electric, Inc., d/b/a Electric Connection, in the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida Case No. 502011CA005662XXXXMBAO.

4. Town of Palm Beach vs Mortgage Electronic Registration Systems, Inc., a Delaware Corporation, Acting Solely as Nominee for Countrywide Bank, N.A.; Bank of America, N.A., f/k/a Countrywide Bank, FSB; and Bac Home Loans Servicing, L.P. f/k/a Countrywide Home Loan Servicing, L.P., in the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida Case No. 502011CA014981XXXXMBAF.

Motion was made by Council Member Diamond and seconded by Council Member Kleid, to approve the Agenda, as amended above. On roll call, the motion carried unanimously.

F.S. 286.011(8) Allows the Mayor, Town Council, and the Town Manager to Meet in a Closed-Door Attorney/Client Session for the Purpose of Discussing Strategy Related to

Litigation.

Town Council President Rosow announced the following:

a.) The Attorney/Client Closed-Door Session will include all four cases.
b.) The estimated total time is sixty minutes.

III. ATTORNEY/CLIENT CLOSED-DOOR SESSIONS

A. TOWN OF PALM BEACH VS UNITED STATES OF AMERICA, CIVIL ACTION NO. 09-64 L, IN THE UNITED STATES COURT OF FEDERAL CLAIMS

Town Council President Rosow announced that the following persons would be in attendance:

Gail L. Coniglio, Mayor
David A. Rosow, Town Council President
Robert N. Wildrick, Town Council President Pro Tem
William J. Diamond, Town Council Member
Richard M. Kleid, Town Council Member
Michael J. Pucillo, Town Council Member
Peter B. Elwell, Town Manager
Jerry Stouck, Attorney
John C. Randolph, Town Attorney
Ley and Marsaa, Court Reporters

B. TOWN OF PALM BEACH VS 332 SOUTH COUNTY ROAD LLC, IN THE DISTRICT COURT OF APPEAL, STATE OF FLORIDA, FOURTH DISTRICT CASE NO. 4D 12-1410

Town Council President Rosow announced that the following persons would be in attendance:

Gail L. Coniglio, Mayor
David A. Rosow, Town Council President
Robert N. Wildrick, Town Council President Pro Tem
William J. Diamond, Town Council Member
Richard M. Kleid, Town Council Member
Michael J. Pucillo, Town Council Member
Peter B. Elwell, Town Manager
John C. Randolph, Town Attorney
Rebecca Mercier Vargas, Attorney
Ley and Marsaa, Court Reporters

C. TOWN OF PALM BEACH VS LAWRENCE S. RULE, JR., LAURA RULE,

M&I BANK, FSB; AND R.J.S. ELECTRIC, INC., D/B/A ELECTRIC CONNECTION, IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT, IN AND FOR PALM BEACH COUNTY, FLORIDA CASE NO. 502011CA005662XXXXMBAO

Town Council President Rosow announced that the following persons would be in attendance:

Gail L. Coniglio, Mayor
David A. Rosow, Town Council President
Robert N. Wildrick, Town Council President Pro Tem
William J. Diamond, Town Council Member
Richard M. Kleid, Town Council Member
Michael J. Pucillo, Town Council Member
Peter B. Elwell, Town Manager
John C. Randolph, Town Attorney
Ley and Marsaa, Court Reporters

D. TOWN OF PALM BEACH VS MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., A DELAWARE CORPORATION, ACTING SOLELY AS NOMINEE FOR COUNTRYWIDE BANK, N.A.; BANK OF AMERICA, N.A., F/K/A COUNTRYWIDE BANK, FSB; AND BAC HOME LOANS SERVICING, L.P. F/K/A COUNTRYWIDE HOME LOAN SERVICING, L.P.

Town Council President Rosow announced that the following persons would be in attendance:

Gail L. Coniglio, Mayor
David A. Rosow, Town Council President
Robert N. Wildrick, Town Council President Pro Tem
William J. Diamond, Town Council Member
Richard M. Kleid, Town Council Member
Michael J. Pucillo, Town Council Member
Peter B. Elwell, Town Manager
John C. Randolph, Town Attorney
Ley and Marsaa, Court Reporters

At 11:42 a.m., the persons attending the meeting (listed above) relocated from the Town Hall Council Chambers to the immediately adjacent conference room.

IV. RECONVENE SPECIAL TOWN COUNCIL MEETING IN THE TOWN HALL COUNCIL CHAMBERS

A.) Call to Order

The Special Town Council meeting was reconvened at 12:58 p.m., in the Town Council

Chambers.

B.) Town Council President to Announce the Termination of the Attorney/Client Session.

Town Council President Rosow announced the termination of the Attorney/Client Session. He stated that the Town Council met with its Attorneys and received advice, with respect to the aforementioned litigation, and provided them with direction.

V. **ANY OTHER MATTERS** – None

VI. **ADJOURNMENT**

There being no further business, the Special Town Council Meeting of Tuesday, May 8, 2012, was adjourned at 12:59 p.m.

APPROVED:

David A. Rosow
Town Council President

ATTEST:

Susan A. Owens, MMC
Town Clerk

6/19/12
Date