

## Public Law

### Overview

Taft has a long history of public engagement, which is reflected in the firm's Public Law group. The firm's Public Law group is comprised of current and former elected state and local officials, experienced public administrators and other lawyers who have worked closely with all types of public entities, including state agencies, municipalities, school districts, counties and special purpose public agencies.

Together with members of Taft affiliate Focused Capitol Solutions LLC, which offers governmental relations and public policy services, the attorneys in the Public Law group offer both public and private sector clients a coordinated approach to problems that require legal, policy and/or legislative solutions.

Taft's Public Law group provides public and private clients with a comprehensive array of services involving local, state and federal governments. Attorneys in the Public Law group collectively draw upon their extensive experience in every area of governmental representation, including general governmental law, incentive financing, economic development and public-private partnerships, and municipal finance. Members of the group include the former chairman of the Ohio House of Representatives Ways and Means Committee, a former chief of staff for a United States representative, a former senior senate majority fiscal analyst in the Indiana General Assembly, a former member of the Indiana General Assembly, a former press secretary for a United States representative, city council and school board members, a former senior Air Force government contracts attorney, and law directors and special counsel for cities, counties and special districts throughout Ohio, Indiana and Kentucky.

The core strength of Taft's Public Law group rests on joining the broad experience of its members with a collaborative approach to serving client needs. Attorneys in every office of the firm are part of the Public Law group and bring to every client



**Stephen M. O'Bryan**  
Practice Contact  
(216) 706-3896  
[sobryan@taftlaw.com](mailto:sobryan@taftlaw.com)



**Kostas A. Poulakidas**  
Practice Contact  
(312) 836-4149  
[kpoulakidas@taftlaw.com](mailto:kpoulakidas@taftlaw.com)



**James D. Shanahan**  
Practice Contact  
(312) 836-4140  
[jdshanahan@taftlaw.com](mailto:jdshanahan@taftlaw.com)

matter the local knowledge and networks typically required for representing or dealing with governmental entities, plus the collective experience of all of Taft's offices gained through direct involvement in cutting-edge legal and policy issues.

Representative matters include:

- Land use and zoning issues, including annexation, eminent domain proceedings and voter initiatives and referenda.
- Public bidding, bid award and contract issues, including public sector construction contracts and contract disputes.
- Litigation in federal and state courts of claims, as well as before the GAO and various boards of contract claims.
- Labor and employment issues, including union negotiations, employee grievance and disciplinary matters, leave and benefit issues, accommodations for disabilities and employee discrimination claims.
- Drafting employee policies and handbooks.
- Joint public-private partnerships, including development agreements with private developers regarding land use and development, urban redevelopment projects and tax incentives.
- Litigation in state courts regarding constitutionality of TIF statutes.
- Governmental contracts and relationships.
- Governmental finance.
- Taxation, including valuation, tax exemptions, tax abatements and tax increment financing.
- Telecommunications, including the siting of telecommunication facilities, franchises and utilization of public rights of way.
- Counsel and advice on all types of public records and public meetings.
- Risk management, liability and insurance issues.
- Drafting and engaging in hearings on petitions for relief from government regulations.



**Lawrence J. Suffredin**  
Practice Contact  
(312) 836-4120  
[lsuffredin@aol.com](mailto:lsuffredin@aol.com)

## **Incentive Financing & Public-Private Partnerships**

It is becoming more and more common for local, state and federal governments to partner with private development to encourage economic growth, job creation and

capital investment in their communities. Often, economic development incentives are offered to spur growth in the private sector and supplement private sector financing. Incentives and private-public partnership financing can significantly reduce project costs, add to a company's bottom line, and may bring additional equity to a project. Taft attorneys advise companies that need project finance and incentive support, as well as government officials looking to expand their tax base, encourage job creation and bring companies to their communities.

Representative experience includes:

- Negotiating \$62 million in economic development tax and financing incentives for a \$240 million biodiesel facility.
- Serving as counsel to a municipality in connection with \$834 million in incentives to a major U.S. automotive manufacturer.
- Acting as bank counsel on a 100% financing for a \$30 million hotel project.
- Advising a multinational civil and defense aerospace manufacturer in negotiating \$23 million in incentives.
- Advising a municipality on a strategy for attracting a manufacturing company to relocate its headquarters using various incentives and project financing options.

Taft also has a strategic partnership with Ginovus, a Taft affiliate that provides rigorous, comprehensive analysis to ensure that projects and companies receive maximum benefit and that helps manage the negotiation, application and approval processes. This partnership and Taft's experience allow us to determine available incentives and help navigate the complex legal and approval processes that are required for success.

## **Public Finance**

Our attorneys have extensive experience and outstanding reputations in the field of municipal finance. We provide our approving opinion for hundreds of millions of dollars in aggregate principal amount of bonds each year on competitively sold bonds, negotiated bonds and privately placed bonds. Our professionals have worked on transactions for a variety of clients and have served as bond counsel for

states, counties, cities, villages, towns, libraries, schools and special taxing districts in all aspects of long-term tax-exempt and taxable financings throughout the country.

In addition to working on individual transactions, Taft attorneys are often asked to provide guidance to clients on regulatory matters. We have represented clients in front of state regulatory boards and commissions and through IRS audits and SEC investigations, and we have provided counsel in connection with SEC orders.

Representative services include:

- Bond counsel services.
- Underwriter, placement agent, purchaser and bank counsel services.
- Disclosure counsel services.
- Issuer counsel services.
- Trustee counsel services.
- Post-issuance counseling services related to continuing disclosure, arbitrage compliance, SEC investigations and Internal Revenue Service audits.
- Special public finance legal counsel as needed on matters or transactions.
- Construction and operating referendum assistance.

Taft professionals have spoken at regional, state and national conferences held by the National Association of Bond Lawyers, the Indiana Municipal Lawyers Association, Indiana ASBO, the Indiana Continuing Legal Education Forum and the Council of Development Finance Agencies, as well as at other events designed to educate politicians, developers, attorneys and investment bankers on working with political subdivisions relating to public capital projects and economic development. Taft and its public finance attorneys are members of the National Association of Bond Lawyers (“NABL”) and have been listed in The Bond Buyer’s Municipal Market Place (the “Redbook”) for over 30 years.