

ADDENDUM TO AGREEMENT BETWEEN THE CITY OF SARATOGA SPRINGS, NY
AND NIXON PEABODY LLP
Original Agreement December 22, 2014

THIS ADDENDUM is made by and between THE CITY OF SARATOGA SPRINGS, NY (hereinafter "City"), a municipal corporation with a place of business at 474 Broadway, Saratoga Springs, NY 12866, and Nixon Peabody LLP, with a place of business at 677 Broadway, Albany, NY 12206 (hereinafter "NP").

WITNESSETH:

The City and NP entered into an agreement, executed by the City on December 17, 2014 and by NP on December 22, 2014, that NP would provide the City with legal services relating to certain City municipal legal matters under the direction of the Commissioner of Public Safety specifically related to the defense of a law suit filed by McTyge, Foy and Watkins against the City, the Commissioners and others, in Saratoga County Supreme Court, Index Number 2014-3552. Fees under the original contract were established so as not to exceed Fifty Thousand Dollars (\$50,000) with a flat fee for the first phase of the litigation (as defined in the proposal) of Thirty Nine Thousand Dollars (\$39,000).

This ADDENDUM is supplemental to the original December 22, 2014 agreement. It is incorporated into and made part of those documents. All terms, conditions, and provisions of the original December 22, 2014 agreement remain in effect unless specifically modified herein.

For this ADDENDUM, the City and NP agree as follows:

The period shall commence on January 1, 2015 and end on February 28, 2015.

The scope of the representation shall be expanded to include the assistance by NP in responding to a subpoena served on the Commissioners by the Attorney General that relates to the purchase of the Union Avenue property and the sale of the Collamer Lot. NP shall provide these additional services on an hourly basis at the blended rate for partners and associates at Two Hundred and Sixty Dollars (\$260) per hour.

WHEREFORE, the City and NP have executed this ADDENDUM on the dates indicated:

NIXON PEABODY LLP:

CITY OF SARATOGA SPRINGS:

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

