

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

943



FROM: County Counsel

SUBMITTAL DATE:
August 19, 2015

SUBJECT: Approval of and Authorization to Sign the Conflicts Waiver for Foley & Lardner to represent the County of Riverside in Connection with the Formation of a Clinically Integrated Network (CIN) with Loma Linda University Medical Center and San Bernardino County's Arrowhead Regional Medical Center; District: All [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the waiver of conflict of interest and authorize County Counsel to sign the waiver for the law firm Foley & Lardner, LLP to represent the County in connection with the potential formation of a clinically integrated network (CIN) with Loma Linda University Medical Center and San Bernardino County's Arrowhead Regional Medical Center.

BACKGROUND:

Summary

The County currently utilizes the law firm of Foley & Lardner, LLP, to provide counsel services on behalf of the hospital with regard to various healthcare and hospital related matters.

Continued on the next page.

GREGORY P. PRIAMOS
County Counsel

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT (per Exec. Office) |
|-----------------|----------------------|-------------------|-------------|---------------|---|
| COST | \$ | \$ | \$ | \$ | Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/> |
| NET COUNTY COST | \$ | \$ | \$ | \$ | |

SOURCE OF FUNDS:

Budget Adjustment:

For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY:

Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

Departmental Concurrence

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.:

District: ALL

Agenda Number.

3-8

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Approval of and Authorization to Sign the Conflicts Waiver for Foley & Lardner to
represent the County of Riverside in Connection with the Formation of a Clinically
Integrated Network (CIN) with Loma Linda University Medical Center and San Bernardino
County's Arrowhead Regional Medical Center; District: All [\$0]**

DATE: August 19, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

Foley & Lardner, LLP also represents San Bernardino County on health care related and other matters. San Bernardino County is represented by the law firm Hooper, Lundy, Bookman, P.C for the CIN matter. The Board of Supervisors approved and signed a waiver of conflict for this firm on the CIN matter, as they provide representation to the County of Riverside for other matters outside of the CIN project (Item 3-12 6/30/15).

County Counsel staff has reviewed the attached waiver of conflict of interest letter and do not believe an actual conflict of interest would arise in connection with the firm's representation or that the County's interests would be adversely affected by the firm's representation of San Bernardino County in other matters. At this juncture the interests of Riverside County and San Bernardino are aligned with respect to the CIN matter. Nevertheless, the representation of both parties may create a potential conflict of interest. Therefore, County Counsel recommends approval and the signing of the waiver.

The request for a conflicts waiver by Foley & Lardner, LLP. is prompted by Rule 3-310 of the California Rules of Professional Conduct, which provides, in pertinent part:

“(C) A member [of the Bar] shall not, without the informed written consent of each client:

(1) Accept representation of more than one client in a matter in which the interests of the clients potentially conflict; or

(2) Accept or continue representation of more than one client in a matter in which the interests of the clients actually conflict; or

(3) Represent a client in a matter and at the same time in a separate matter accept as a client a person or entity whose interest in the first matter is adverse to the client in the first matter.”

Impact on Citizens and Businesses

N/A

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A

ATTACHMENTS: Conflict Waiver Letter from Foley & Lardner, LLP