

**Cacie Langley**

Inv# 111919 \$ 1,512.50  
DELANEY, DAVID G  
11/19/2019 # Pages 10 FP10 DOC65514844

**From:** Vicki McConnell  
**Sent:** Tuesday, November 19, 2019 10:14 AM  
**To:** Cacie Langley  
**Subject:** FW: Invoice for legal services; response to your Nov. 8 email inquiry  
**Attachments:** IRSW9 Form for Chatham County.pdf

Cacie,

$$5.5 \times 275/\text{hr} = \$1,512.50$$

We need to get this guy paid. See Dan's calculation below.

1101410-932 010

**From:** Dan LaMontagne  
**Sent:** Tuesday, November 19, 2019 9:55 AM  
**To:** Vicki McConnell <vicki.mcconnell@chathamnc.org>  
**Subject:** FW: Invoice for legal services; response to your Nov. 8 email inquiry

V# 1996

Can you help get this paid please?

This Instrument has been pre-audited in the manner required  
by the Local Government Budget and Fiscal Control Act.

Dan J. LaMontagne, P.E.  
County Manager  
Chatham County  
919-545-8531

Vicki McConnell  
Vicki S. McConnell, Finance Officer

In keeping with the NC Public Records Law, e-mails, including attachments, may be released to others upon request for inspection and copying.

**From:** David Delaney [mailto:delaneylawnc@gmail.com]  
**Sent:** Tuesday, November 19, 2019 9:54 AM  
**To:** Dan LaMontagne <dan.lamontagne@chathamnc.org>  
**Cc:** Mike Dasher <mike.dasher@chathamnc.org>  
**Subject:** Re: Invoice for legal services; response to your Nov. 8 email inquiry

Good morning, Dan and Mike.

That calculation is fine. I have attached a digitally signed W9 as requested.

I caught a bit of last week's hearing and am delighted that my research and discussions helped secure a favorable decision for the County.

I look forward to staying in touch and helping advance the County's goals through legal, volunteer, or other services.

All the best,  
David

David G. Delaney, Esq.  
JD, MA in Law and Diplomacy

## **Dan Lamontagne**

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**To:** Vicki McConnell  
**Subject:** FW: Invoice for legal services; response to your Nov. 8 email inquiry  
**Attachments:** IRSW9 Form for Chatham County.pdf

Can you help get this paid please?

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County Manager  
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919-545-8531

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All the best,  
David

David G. Delaney, Esq.  
JD, MA in Law and Diplomacy  
Certified Information Privacy Professional, U.S.

919-545-4910

On Mon, Nov 18, 2019 at 10:43 AM Dan LaMontagne <[dan.lamontagne@chathamnc.org](mailto:dan.lamontagne@chathamnc.org)> wrote:

David,

As I see it, you were not engaged by the Board or County until Monday night (11/4/2019). If you can send a W-9. We will issue payment for 5.5 hours of work at Jep's rate of \$275/hr.

Dan J. LaMontagne, P.E.  
County Manager  
Chatham County  
919-545-8531

In keeping with the NC Public Records Law, e-mails, including attachments, may be released to others upon request for inspection and copying.

**From:** David Delaney [<mailto:delaneylawnc@gmail.com>]

**Sent:** Tuesday, November 12, 2019 1:02 PM

**To:** Dan LaMontagne <[dan.lamontagne@chathamnc.org](mailto:dan.lamontagne@chathamnc.org)>

**Subject:** Invoice for legal services; response to your Nov. 8 email inquiry

Dan,

In response to your last email, please see the Nov. 1 email below (especially bolded text) describing the time and manner of my legal services to the County in support of the current litigation.

Mike first called me Oct. 29 to ask about joining as co-counsel, and during a Nov. 1 follow-up call he asked me to contact Nick directly by email to present my input for initial consideration. Nick requested discussion, so I called him Sunday, Nov. 3 to elaborate on the email and get his agreement that he would support me joining the legal effort. His response was unequivocal: we both had the County's interests in mind and he would be ok working together. Mike invited me to attend the commissioner's closed session to discuss legal matters, and both he and Nick requested further discussion and analysis. Mike had my letter for signature that night, and I Nick told me that night he didn't do the paperwork himself but would talk to Jep and his office. The next day Nick urged the County to sign what I had given Mike with two slight adjustments.

I hope this clarifies my invoice for 6.5 hours of legal services following the Nov. 1 email payable at Jep's hourly rate:

11/3/2019	Monument Litigation	1 hr.	Review of a May 2019 Poyner Spruill legal memorandum following email request of Poyner Spruill attorney Nick Ellis that included Chair Mike Dasher. Phone call with N. Ellis to: discuss the flaws in the memorandum's legal analysis regarding the First Amendment; articulate a preferred approach to the First Amendment that gives the County a stronger legal opportunity to prevail; answer N. Ellis question about ownership of the Monument and explain why I view it as secondary to the constitutional issues; propose that the Fourteenth Amendment is also an important issue for the County to prepare to argue since N. Ellis was notified that intervenors would seek to do so.
11/4/2019	Monument Litigation	1 hr.	Attend Board of Commissioners meeting at invitation of Chair Mike Dasher (and with N. Ellis acquiescence) to participate in closed session to discuss legal matters with co-counsel and Board members. Following the meeting, respond to legal and strategy questions presented by N. Ellis relating to the Fourteenth Amendment, the constitutionality of the NC monument law, and removing the case to federal court to have a better chance to prevail. Hand-deliver engagement letter to M. Dasher to ensure that terms of engagement are clear following Nov. 1 email regarding same. Discuss with N. Ellis his preference for my engagement to occur through Poyner or independently with the Board (as the engagement letter had been prepared).
11/5/2019	Monument Litigation	3.5 hr.	At email request of Poyner Spruill attorney Nick Ellis to meet a noon Nov. 6 deadline, prepare legal arguments relating to the First Amendment, Fourteenth Amendment, NC Constitution and NC GS 100-2.1.
11/6/2019	Monument Litigation	1 hr.	Continue drafting legal arguments following new deadline guidance from Nick Ellis.

Please remit payment by check payable to the "Law Office of David G. Delaney, PLLC" mailed to PO Box 631, Pittsboro, NC 27312. Thanks, Dan.