

2017 APTA Legal Affairs Seminar

Speakers Bio's

February 26 – 28, 2017

Savannah, Georgia

Scott K. Beaver Assistant Attorney General North Carolina Department of Justice

Scott K. Beaver is an Assistant Attorney General with the North Carolina Department of Justice ("NCDOJ"), where he began work in 2001. Since 2001, he has represented the North Carolina Department of Transportation's (NCDOT's) Rail, Aviation, and Public Transportation Divisions, as well as providing representation to NCDOT's Division of Highways on matters involving non-highway modes of transportation. Prior to joining NCDOJ, Mr. Beaver was in private practice for twelve years in his home state of North Carolina. He has an A.B. degree from Davidson College and a J.D. degree from the University of North Carolina School of Law. He is admitted to practice in the state and federal district courts of North Carolina, the United States Courts of Appeals for the Fourth and District of Columbia Circuits, and the Supreme Court of the United States.

Stephanie Stuart Bethune Deputy City Attorney, San Francisco City Attorney's Office

Stephanie Stuart Bethune has been with the office since 2008. As a member of the Transportation Team, she advises the San Francisco Municipal Transportation Agency on a variety of issues, including regulatory compliance, taxis, real estate and public records. Prior to joining the San Francisco City Attorney's Office, Stephanie was an associate Meyers, Nave, Riback, Silver and Wilson where she practiced general municipal law. Stephanie is a graduate of UCLA and UC Hastings College of the Law.

Tyler Burges

U.S. Department of Justice – Trail Attorney

Tyler Burgess is a Trial Attorney in the Natural Resources Section of the U.S. Department of Justice. Ms. Burgess represents federal agencies, including the Department of Transportation, in challenges to government actions under a wide range of environmental laws. Ms. Burgess is the lead attorney representing the Federal Transit Administration in multiple challenges to light rail and bus rapid transit projects under NEPA, Section 4(f), and the National Historic Preservation Act. Before coming to DOJ, Ms. Burgess worked as an environmental consultant conducting field investigations for wetlands and endangered species and drafting NEPA documents for public infrastructure projects across the country.



Dorval R. Carter, Jr.
President
Chicago Transit Authority

Dorval R. Carter, Jr. is President of the Chicago Transit Authority, the nation's second-largest transit agency, providing approximately 500 million rides annually and serving the City of Chicago and 35 surrounding suburbs. Overseeing approximately 10,000 employees, President Carter helps to carry out CTA's mission of delivering quality, affordable transit services that link people, jobs and communities.

Providing 83 percent of the region's public transit trips, CTA runs about 1,880 buses over 130 routes for a total of about 160,000 mile traveled per day.

With elevated rail service to two major airports, O'Hare International Airport and Midway Airport, CTA's rail system covers eight routes and 224 miles of track with more than 1,490 rail cars.

Initially created in 1947 by state legislation, the CTA is currently in the midst of renovating a number of its stations, upgrading infrastructure, purchasing new vehicles, and building new amenities to provide customers with a better experience. Across the CTA system, since 2011 the Mayor and CTA have completed, started work on, or begun planning for more than \$8 billion in projects, from new stations to new rail cars and buses. During this time, 40 CTA stations have received major rehabs or reconstructions—nearly 30 percent of the entire rail system.

Prior to becoming CTA President in 2015, Carter served as the U.S. Department of Transportation Acting Chief of Staff to Secretary Anthony Foxx. Carter helped manage a Department with more than 55,000 employees and a \$70 billion budget that oversees air, maritime and surface transportation while working to ensure that America maintains the safest, most efficient transportation system in the world.

Carter previously served as Acting Deputy Administrator for the Federal Transit Administration (FTA), leading a staff of more than 500 in the Washington D.C. headquarters office and 10 regional offices throughout the United States, and implementing an annual budget approximating \$10 billion. Before that, Carter served as the FTA's Chief Counsel, where he advised the FTA Administrator and his Executive team on a broad range of legal issues including appropriations, emergency operations, procurement, grants, ethics, personal and real property, labor protection, innovative finance, personnel, legislation, regulations, and litigation. He also provided support to the Department of Transportation's General Counsel on legal matters concerning the federal transit program. During his time as a political appointee Mr. Carter also served on the President's U.S. Interagency Council on Homelessness and the Interagency Task Force for Support of Military Families.

Before rejoining FTA as its Chief Counsel, he served for nine years as the Executive Vice President and Chief Administrative Officer of the CTA, including serving as its Acting President. From 1998 to 2000 he was FTA's Assistant Chief Counsel for Legislation and Regulations, and from 1991 to 1998 he was FTA's Regional Counsel in Region 5-Chicago. He began his legal career with the CTA, where he held various positions including staff attorney, legal assistant to the General Attorney, Acting General Attorney, and Deputy General Attorney for Corporate Law.

Carter is a member of the Transportation Research Board's National Research Council. He is a member of the Board of Directors and Executive Committee of the American Public Transportation Association (APTA). He is also a Senior Fellow from the Council for Excellence in Government Fellows Program and Vice Chairman of the Board of Directors for Saint Anthony Hospital in Chicago, Illinois. A graduate of Carroll University in Waukesha, Wisconsin, where he is Vice Chairman of the Board of Trustees, he also holds a Juris Doctor degree from Howard University School of Law and is a member of the Illinois and Federal Bars.



Madeline Chun Partner

Madeline represents public agencies as general and special counsel. Her particular areas of expertise include federal and state regulations pertaining to public transportation, public contracts and procurement, public works and infrastructure, civil rights, real property, and government ethics.

Madeline chairs the American Public Transportation Association Legal Affairs Committee and leads the annual conference of transit attorneys. She is nationally recognized for her extensive experience in federal public transportation law, including Americans with Disabilities Act, Buy America, charter rules, Disadvantaged Business Enterprises, environmental regulations, and procurement.

Madeline serves as general and special counsel to major regional public transportation agencies in the San Francisco Bay Area, including Golden Gate Bridge Highway and Transportation District, Central Contra Costa Transit Authority, San Mateo County Transit District, and Caltrain.

Representative Work

Developed procurement policies, standards and manuals in public contracts.

Advised on legal issues associated with major infrastructure improvements to the Golden Gate Bridge, such as the conversion to all electronic toll collection, design and installation of the movable median barrier, multiple phases of the seismic retrofit of the bridge, and development of the suicide deterrent system.

Drafted interagency agreement for the Clipper® interoperable regional transit fare collection system, involving 22 transit systems.

Negotiated comprehensive transit service agreements for fixed route and paratransit service.

Negotiated the acquisition of 150 miles of railroad right of way from Marin to Mendocino and assisted with the development of the governance structure for the Sonoma Marin Area Rail Transit District (SMART).

Publications

San Francisco

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Practices/Industries

Government
Government Ethics
Environmental & Natural Resources
Infrastructure
Public Transit & Transportation
Real Estate
Technology



Madeline Chun

Partner



"Ninth Circuit Upholds Environmental Review of Downtown LA 'Regional Connector' Subway Project," co-author, Public Transit & Transportation Alert (December 2016)

"Ruling is an important lesson for CalPERS employers," co-author, Daily Journal (July 2016)

"Transit Agency Not Liable for ADA Violations When It Complies with DOT ADA Regulations," *Public Agency Advisory* (August 2009)

Presentations

"Hot Topics in Procurement," moderator, 2014 APTA Legal Affairs Seminar (February 2014)

"Keeping Abreast of Civil Rights Developments Affecting Public Transit Agencies," moderator, Legal Affairs Seminar of the American Public Transportation Association (February 2010)

"Strategies for Limiting and Funding Your OPEB (Other Post-Employment Benefits) Liability," Northern California County Counsels Association (July 2009)

"The Magic Bus is Here!" American Public Transportation Bus and Paratransit Conference (May 2009)

"Successful Procurement of Toll Systems and Services," International Bridge, Tunnel and Turnpike Association (April 2009)

"Procurement Workshop on Recent Developments in Transit Procurement Law and Practice," American Public Transportation Association (February 2009)

"Avoiding the Bridge to Nowhere: Top 10 (Legal) Tips for Improving Your Public Works Projects," Contra Costa County City Attorneys Association (October 2008)

Press

"APTA Member Profile: Meet Madeline Chun!" APTA Passenger Transport (October 2015)

Community Involvement

Legal Aid Society-Employment Law Center, Board of Directors

San Francisco Planning and Urban Research Association, Board of Directors

Equal Rights Advocates, former Board member

Professional Affiliations

Chair, American Public Transportation Association, Legal Affairs Committee

Bar Association of San Francisco

Madeline Chun

Partner



Asian American Bar Association

Senator Dianne Feinstein's Judicial Advisory Committee for Northern California, past member

Education

J.D., University of California, Berkeley Boalt Hall School of Law (1979)

B.A., magna cum laude, Yale University (1976)

Admissions and Courts

California

Languages

Mandarin Chinese

Spanish



Nathaniel P. Ford Sr.

Chief Executive Officer Jacksonville Transportation Authority

Nathaniel P. Ford Sr. is the consummate transportation professional. His distinguished career spans more than three decades, including a combined 14 years as CEO of the Jacksonville Transportation Authority (JTA), the San Francisco Municipal Transportation Agency (SFMTA), and the Metropolitan Atlanta Rapid Transit Authority (MARTA).

Mr. Ford has built a legacy on organizational leadership, fiscal acumen, and innovation. He is a champion of multimodal transportation, walkable neighborhoods, public-private partnerships, and transit-oriented development.

He is an expert on industry best practices and has gained insight on international transportation issues by participating in trade/study missions to Australia, China, France, New Zealand, Russia, Cuba and Portugal.

Ford is the Vice Chair of the American Public Transportation Association (APTA). He is a member of the Executive Committee of the Transportation Research Board and serves as Chair of the Transportation and Expressway Authority Membership of Florida (TEAMFL). In addition, he is a member of the Board of Directors of the Jacksonville Chamber of Commerce, Goodwill Industries and United Way of Northeast Florida and a 2015 graduate of Leadership Florida.

He has received numerous awards for his ambitious programs and initiatives over the span of his career, with the latest being the "White House Champions of Change" from the U.S. Department of Transportation Secretary, Anthony Foxx. He was also named "Ultimate CEO" from the Jacksonville Business Journal and received the Clanzel T. Brown Award for diversity programs. Under Ford's leadership, the JTA received two prestigious awards, the 2016 APTA Outstanding Public Transportation System Achievement Award and the 2016 Florida Public Transportation Association System of the Year Award.

His educational training includes a Bachelor of Applied Science Degree in Organizational Leadership from Mercer University. He is a graduate of the Executive Development Consortium Program at Emory University and the John F. Kennedy school of Government at Harvard University.



Jay Fox
Regional Counsel for the Federal Transit Administration

Mr. Fox works in FTA's Region III office in Philadelphia, which oversees Federal transit grants for five States and the District of Columbia. Prior to his service at the FTA, Mr. Fox was Agency Counsel for the Federal Aviation Administration at the William J. Hughes Technical Center near Atlantic City. Before his government service, he was in private practice for eleven years with the law firm of Fox, Fox, & Associates in Philadelphia. Mr. Fox is a graduate of Rutgers-Camden Law School, and received a bachelor's degree in Environmental

Economics from Cook College, Rutgers University.



Allison I. Fultz
Partner
Kaplan Kirsch & Rockwell LLP

Allison Fultz focuses her practice on transactional and regulatory matters relating to transportation and infrastructure projects. She represents public transportation bodies, state and municipal governments, and private entities in connection with the use and regulation of unmanned aerial vehicles, and stands before numerous federal agencies, state, and federal courts in connection with the acquisition and abandonment of railroad rights-of-way, rails-to-trails

proposals, fixed-guideway transit project development, airport development, environmental reporting, and agency rulemaking. Allison's expertise includes negotiations with freight railroads for the acquisition and shared use of rail corridors and the drafting and negotiation of contracts for railroad operations and maintenance services.

Allison advises clients on coordinated land use and multi-modal transportation planning and development, historic preservation issues, and construction-related matters, including drafting and negotiating contracts for architectural and engineering consulting services, project management, construction, demolition and materials management, and large-scale redevelopment. She has extensive experience with federal procurement programs managed or funded by the Federal Transit Administration, Federal Railroad Administration, Federal Highway Administration, and Federal Aviation Administration, including compliance with Buy America and Buy American requirements. Allison regularly counsels clients on compliance with other federal requirements, including the Americans with Disabilities Act.

She also is a licensed architect and has practiced in both the United States and Canada. Allison has directed feasibility studies, master plans, and building projects for institutional, government, and educational clients from the project programming stage through construction.



David A. Genova
Regional Transportation District (RTD) - General Manager and CEO

Dave is a 21-year veteran of the Regional Transportation District where he most recently served as GM/CEO-select and prior to that as the Assistant General Manager of Safety, Security and Facilities.

Dave is committed to meeting our vision of delivering world class, efficient transit services and delivering RTD's capital programs on time and within budget.

Some of his current accomplishments include providing safety certification for the light rail openings that includes the Denver Union Station, and overseeing our Transit Watch smart phone application, a customer facing interface which is a recent recipient of the American Public Transportation Association Gold Award Winner for the 2015 APTA Bus Safety and Security Excellence Awards.

Dave is the current chair of the APTA Rail Safety Committee and serves on numerous other professional Boards. One of the strengths that Dave demonstrated to the Board is his leadership ability not only in an operational environment but also as an agent of change.

Joel Cutler Goldberg Manager of Capital Procurement & Management San Francisco Municipal Transportation Agency (SFMTA)

Joel Cutler Goldberg is the San Francisco Municipal Transportation Agency (SFMTA) Manager of Capital Procurement & Management, a position he has held for nine years. For the SFMTA, he manages all operating and capital grants, and administers grant and bond expenditures, reprogramming of funds to other priority projects, and timely grant closeouts. Prior to his tenure with the SFMTA, Joel worked at the San Joaquin Council of Governments as an Assistant Regional Planner; SamTrans/Caltrain, as an Associate Planner; BART, as a Principal Financial Analyst; and the Sacramento Regional Transit District, as a Grants Manager.

Joel has led the Grants unit on securing a \$942 million Full Funding Grant Agreement for the Central Subway Project, a \$10 million TIGER grant for street and light rail improvements to San Francisco's Mission Bay neighborhood, and a \$75 million Small Starts grant for the Van Ness BRT project. In 2016 alone, his team secured FTA and FHWA grants worth \$600 million, supporting transit, bicycle, pedestrian, taxis, and multimodal projects.

Joel obtained a B.A in Sociology from Brandeis University in 1988, attended the Urban Design and Planning Program at Harvard University in the summer of 1988, and earned a Master of City and Regional Planning from the University of Pennsylvania in 1996.



Dana Henderson General Counsel Pierce Transit

Dana has served as Pierce Transit's General Counsel since 2013, where she advises the Board of Commissioners and the Agency's Chief Executive Officer. She handles a broad range of legal issues for the Agency, including: transit-oriented development; open government and transparency; employment; procurement and contract negotiation; ADA; and risk management. Pierce Transit recently

received a FTA Mobility on Demand Sandbox Grant and Dana is mid-negotiation on that project.

Prior to joining Pierce Transit, Dana was a partner and the Chair of the Transportation Industry Practice Group at Betts Patterson Mines, one of Seattle's oldest litigation firms, and she is a member of the Louisiana and Washington State Bar Associations. She recently completed her tenure on the Board of Compass Housing Alliance, a nonprofit providing housing, shelter, and support services to people experiencing homelessness and poverty in the Puget Sound region, and hopes to translate that experience to a fledgling Pierce Transit TOD project that is proposed for homeless veterans in Tacoma. She holds an undergraduate degree from the University of Washington and graduated with honors from Tulane Law School.



Larry Hoy
Chair, RTD Board of Directors

Director Larry Hoy was elected on November 2, 2010 and took office in January of 2011. He represents District J which is located in the northern RTD area and includes all of Federal Heights and Northglenn, nearly all of Westminster, portions of western Thornton, and portions of unincorporated Adams and Jefferson Counties.

Director Hoy received his Bachelor of Science Degree in Business Administration from the University of California. Upon graduation he worked in the transportation industry working in multiple states until his relocation to Colorado in 1980 where he served his company as President of its Colorado subsidiary. In the mid 1980's he started his own company which he later sold to an international transportation company. Director Hoy is presently a Colorado Certified Residential Real Estate Appraiser, a career which he began in the early nineties. He owns Paragon Appraisal Service located in Westminster, Colorado.

Upon moving to Colorado Director Hoy became very active in his community. He has been a member of the Adams County Economic Development Council, served on the Board of Directors of Metro North Chamber of Commerce, Bellco Credit Union, Frontier Airlines Credit Union, and the Westminster Rotary Club. He also served on the Westminster Planning Commission. Director Hoy is a graduate of Leadership Metro North, and 50 for Colorado. He has served on the Environmental Committee for the Colorado Association of Commerce and Industry, and chaired the Adams County Political Action Committee. A supporter of the Boy Scouts of America, Director Hoy participated in fundraising projects for the Scouts. Larry and his wife Kathy of 46 years have one child and three grandchildren.



Mark Hybner
Senior Legislative Representative - American Public Transportation
Association

Mark Hybner is a Senior Legislative Representative at the American Public Transportation Association, where he has been since December 2014. With APTA, Mark is a staff advisor for three subcommittees of the APTA Legislative Committee: Small Operations, Federal Procedures and Regulations, and Funding, Finance, and Tax. Before joining APTA, Mark worked for four years in the U.S. Senate for Senators Baucus and Walsh.

With Senator Baucus, Mark staffed the Transportation and Infrastructure Subcommittee of the Senate Environment and Public Works Committee. Before working in the Senate, he was a law clerk in the Criminal Division of New Jersey Superior Court in Toms River. He attended Montana State University and Temple Law School in Philadelphia.

Candace Key Attorney, Legislation and Regulations Division Federal Transit Administration

Candace Key is an attorney in the Legislation and Regulations Division within the Office of Chief Counsel at the Federal Transit Administration (FTA). Ms. Key's legal practice primarily is focused on providing counsel for all aspects of FTA's implementation of the Public Transportation Safety Program and National Transit Asset Management System, including drafting rules and assisting in the development of policies, guidance, training, and technical assistance.

Currently, Ms. Key is on detail to FTA's Office of Transit Safety and Oversight as Acting Director of the Office of System Safety. As Acting Director, Ms. Key directs the development of safety rules, standards, training, and FTA's risk-based oversight structure, and oversees the accident investigation group.

Ms. Key is a double graduate of Howard University, having received both a Bachelor of Arts and law degree from the Washington D.C. institution.

Ms. Key is a member of the Maryland Bar and the Transportation Research Board's Transit and Intermodal Law Committee.

Katie Kraft Partner Thompson Coburn LLP

Katie advises public transit agencies around the country on issues involving thirdparty procurement, Section 13(c) labor protection, Buy America compliance, and adherence to Federal statutes and regulations applicable to state and local grantees.

Clients appreciate Katie's conscientious and thoughtful manner and her ability to remain calm in stressful situations. She considers both the application of the law and the business goals of her clients when resolving an issue. Katie keeps abreast of the seemingly constant developments in transit funding, procurement, and regulation and enjoys helping clients understand how those developments affect transit operations and compliance activities.

Katie often serves as special outside counsel to public-entity clients. She advises on all aspects of the procurement process from solicitation drafting to contract management. She also is well-versed in many aspects of general litigation and regularly applies her skills in proceedings before federal courts, private arbitrators, and administrative bodies, such as the Department of Labor and the Surface Transportation Board. Katie employs her persuasive writing skills to advocate for clients in all manner of fora, from arbitration to the United States Supreme Court. She has authored Supreme Court briefs on constitutional issues affecting transportation clients and tackled complex legal issues in briefs before a variety of decision makers. She recently served as co-counsel on a team representing a state's Administrative Procedure Act challenge to the Department of Labor's decision to deny13(c) certification for federal transit grants.

JAMES P. LARUSCH



TRANSPORTATION PLANNERS AND ENGINEERS

SUMMARY OF QUALIFICATIONS

More than 30 years of legal, management, and leadership experience including military and executive branch service and management of a DC-based nonprofit association. Areas of expertise include federal rulemaking, corporate compliance, litigation, public transportation, organizational and project management, and technical research.

EXPERIENCE

RAUL V. BRAVO + ASSOCIATES, INC. RESTON, VA – USA

2016 - PRESENT

Mr. LaRusch is a subject matter expert (SME) in the areas of federal rulemaking, corporate compliance, litigation, public transportation, organizational and project management, and technical research.

AMERICAN PUBLIC TRANSPORTATION ASSOCIATION (APTA) WASHINGTON, DC

2005 - 2016

Chief Counsel and Vice President-Corporate Affairs – Served as in-house counsel and resource for more than 1,500 member transit agencies, consultants, and companies. Managed the Association's regulatory advocacy efforts, facilitating consensus across APTA's diverse membership, drafting, and promoting the collective positions on federal regulations. Provided counsel to APTA staff and members on such transit-related issues as procurement, grants management, employment, asset management, civil rights, and intellectual property. As corporate affairs vice president, managed APTA's Board of Directors, Executive Committee, and nominating process (including annual elections) and oversaw APTA's information technology and logistics support staff

U.S. DOT/FTA WASHINGTON, DC

2001 - 2005

Attorney/Advisor – In Chief Counsel's office, served as primary attorney for direct and third party contracting issues, including overall management of the Administration's third party contracting effort for more than one year in the absence of the director. Principal author of the agency's third party contracting guidance to grantees. Advised the Administration's research and development staff and managed a multi-million-dollar program in that office.

US ARMY MILITARY DISTRICT OF WASHINGTON FORT MEADE, MD $\,$

1999 - 2001

Deputy Staff Judge Advocate – Supervised, trained, and managed a 60-person legal office including 17 attorneys. Oversaw operations to accomplish a diverse legal mission encompassing military and federal criminal law enforcement, administrative law, claims, and legal assistance. Additionally, served as a Special Assistant US Attorney.

US ARMY COMBINED ARMS SUPPORT COMMAND FORT LEE, VA

1996 – 1998

Liaison Officer – Served as a combat developments officer, representing the Army Judge Advocate General's Corps. Acted as the focal point for integrating legal assets into the Army's doctrine, training, leadership, organizational, and material developments in designing the future force. Represented the Corps in Army and DoD projects. Wrote and spoke extensively on the legal and practical implications of deploying contractors on the battlefield.

TRANSPORTATION PLANNERS AND ENGINEERS

US ARMY FORCES COMMAND FORT DEVENS, MA

1994 - 1996

Chief of Litigation and Staff Judge Advocate – Initially supervised all criminal and civil litigation arising within Fort Devens, then assumed leadership of the installation legal office (staffed by seven attorneys). Conducted felony and misdemeanor trials in US District Court. Advised command and staff on all legal issues, with an emphasis on such base closure topics as environmental compliance, federal labor relations, contract law, and fiscal law. Also served as an adjunct faculty member at Western New England College, teaching in the Master of Criminal Justice program.

US ARMY TRAINING AND DOCTRINE COMMAND FORT LEONARD WOOD, MO

1991 - 1994

Administrative Law Attorney and Chief of Administrative Law, Fort Leonard Wood, MO (1991 – 1994) — Served as an administrative law attorney for one year, then appointed branch chief. Supervised a five attorney staff, advising and representing the command in contract, labor, fiscal, and environmental law matters. As a military magistrate, presided over proceedings akin to bail hearings, ruled on requests for search authorizations, and sat as a Summary Court-Martial. Also served as an adjunct faculty member at Columbia College.

EDUCATION AND CERTIFICATIONS

- LL.M, Military Law, Commandant's List. The Judge Advocate General's School, Charlottesville, VA. Served as class leader, overseeing the activities of more than 40 senior attorneys from every US military service.
- J.D., magna cum laude. Georgetown University Law Center, Washington, DC.
- B.S., Criminal Justice, summa cum laude. Buffalo State College, Buffalo, NY.

SKILLS

- Leadership and management
- Public Contracting
- Training
- Public Speaking
- Writing
- Project/Program Coordination



Marla L. Lien Kaplan Kirsch Rockwell – Partner

Marla Lien was the General Counsel for the Regional Transportation District (RTD from 2005 through 2016), having served as Associate General Counsel from 1990 through 2005 and then as General Counsel. Marla's practice focuses on project development including rail and property acquisition. Her experience encompasses the FasTracks Program including the University of Colorado A Line, U.S. 36 BRTD, and other commuter and light rail lines in Denver, as well as the Denver Union Station redevelopment, where she participated in the negotiation and drafting of funding, real estate acquisition and sales, site planning, and design build contracts with the U.S. DOT, the City and County of Denver, the Denver Union Station Project Authority, and the

master developer. She was also the lead negotiator for the Denver Union Station Historic Station building hotel project. Marla's responsibilities with these projects involved federal grant eligibility, project structure, and funding for the RTD Penta-P Project for the East and Gold Lines known as "Eagle P3." Eagle P3 is the first comprehensive public-private partnership to be undertaken by a U.S. transit agency.

Marla also has expertise with railroad negotiations, real estate development projects, elections, legislation, and project finance and funding. She has worked closely with the U.S. Department of Transportation and the Federal Transit Administration.



Partner Goodwin Procter, LLP

Kevin P. Martin

and overseas.

Kevin P. Martin is co-chair of Goodwin's Appellate Litigation Group. Mr. Martin's practice involves high stakes appeals and trials before federal and state courts and administrative agencies, with a focus on matters presenting complex constitutional and administrative law issues. He also has extensive experience representing clients in intellectual property and commercial disputes, and in internal and government investigations in the United States

Prior to joining Goodwin, Mr. Martin clerked for Justice Antonin Scalia on the United States Supreme Court and Judge Laurence Silberman on the U.S. Court of Appeals for the District of Columbia Circuit.

Mr. Sheys, who is Chambers-rated nationally in the rail field and AV Preeminent® Peer Review Rated by Martindale-Hubbell, counsels railroad industry clients on a wide range of regulatory issues. These include railroad safety compliance and waivers; hazardous materials transport compliance; federal approvals for railroad construction projects and line acquisitions; the scope of federal railroad labor, employment and retirement laws; and compliance with the wide array of laws applicable to recipients of federal funding.

Keira McNett Amalgamated Transit Union Associate General Counsel

Keira has been an Associate General Counsel with the Amalgamated Transit Union (ATU) since April 2016. She was previously an associate at Murphy Anderson PLLC, a Washington, D.C. law firm specializing in labor, employment, whistleblower and First Amendment law. Keira was most recently with the nonprofit Employment Justice Center, and also co-founded First Shift Justice Project, a nonprofit organization which assists low-income pregnant women and parents to assert their workplace rights. Keira graduated *cum laude* from Georgetown University Law Center, and received her B.A. from Wesleyan University.



Steven D. Miller Partner

Steven has a varied practice representing both public and private clients in the public arena. He is General Counsel to the San Mateo County Harbor District. He also assists public agencies throughout California operating bus, rail, and ferry service. His general areas of expertise include public contracts and procurements, regulatory compliance, intergovernmental agreements, constitutional issues, election law, and government ethics. He has particular depth of expertise in all issues relative to transit agencies and the complex statutory and regulatory framework under which they operate. Steven is the evaluator for the San Jose Ethics Commission, advising that entity regarding alleged violations of the San Jose Municipal Code in the area of election and ethics rules.

Steven has extensive experience in public sector contracting issues, including representing both public and private entities in the area of public works contracts, contract negotiations of all types, and bid protests relating to complex state and local procurements. He regularly advises private and public entities on compliance with federal Buy America requirements.

Steven also assists clients, both public and private, on a wide range of issues relating to political and election law. His constitutional law focus has led to his involvement in recent efforts to address structural reform in California, including drafting initiatives for Statewide ballots.

Steven's expertise includes advising local government, as well as manufacturers and users, regarding the developing legal landscape, and the increasing opportunities for commercial use, of unmanned aircraft systems (i.e. drones). In addition, Steven teaches legal writing and research at University of California, Hastings College of the Law.

Steven has a particular enthusiasm for, and expertise in, the developing legal landscape, and the increasing opportunities for commercial use, of unmanned aircraft systems (i.e. drones). He blogs on the topic at www.Hoverlaw.com.

Beyond the practice of law, Steven is a Grammy-award winning violinist and served for many years on the faculty of the San Francisco Conservatory of Music. He has issued more than 20 CDs and has appeared on both NPR and PBS.

Representative Work

San Francisco

Hanson Bridgett LLP 425 Market Street, 26th Floor San Francisco, CA 94105

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smiller@hansonbridgett.com

Firm Leadership

Political & Election Law Practice Group Leader

Practices/Industries

Government
Government Ethics
Infrastructure
Political & Election Law
Public Transit & Transportation
Technology



Steven D. Miller

Partner



Guides transit agencies through a number of complex procurements and resulting implementation of high-technology systems, including Positive Train Control, Computer Assisted Dispatch, and electronic toll collection systems.

Leads the legal team for a number of transit agencies in procurements of ferries, buses, railcars, and locomotives.

Advises public agencies on disputes arising under the California Subletting and Subcontracting Fair Practices Act.

Helps resolve and mitigate organizational conflicts of interest arising under federal regulations.

Serves as an evaluator for the San Jose Elections Commission.

Advises companies on Buy America compliance relative to agreements with various state and local agencies.

Frequently represents large, private entities in bid protests of government contracts.

Publications

"The Wild West of Commercial Drones—Why 2015 Could Be a Pivotal Year in California," co-author, *Public Law Journal* (May 2015)

"Regulating the 'Initiative Industrial Complex:' Is SB 168's proposed prohibition of per-signature payment an unconstitutional restriction on core political speech?" *Public Law Journal* (Spring 2011)

"Getting to a Citizens' Constitutional Convention: Legal Questions (Without Answers) Concerning the People's Ability to Reform California's Government Through a Constitutional Convention," *Loyola of Los Angeles Law Review* (Winter 2011)

"Local Regulation of Commercial Drones: The Next Frontier," author, Public Agency Law Alert (April 2014)

Presentations

"Drone Law: Flying into Troubled Skies in 2016," co-speaker, The Knowledge Group webinar (June 2016)

"Municipal Regulation of Drones," Strafford Webinar (January 2016)

Press

"California struggles to lead the way on drone regulation," Los Angeles Times (August 2016)

"Model Airplane Hobbyists Skeptical Of Proposed Drone Registry," Popular Science (November 2015)

Academic Distinctions

Hastings Law Journal, Articles Editor

Order of the Coif & Thurston Society

Steven D. Miller

Partner



Education

J.D., magna cum laude, University of California, Hastings College of the Law (2004)

Artist Certificate, San Francisco Conservatory of Music (1992)

B.M., Indiana University (1986)

Admissions and Courts

California



Samuel S. Olens
President
Kennesaw State University

Sam Olens became Kennesaw State University's fourth president on Nov. 1, 2016.

Olens was elected Georgia's 53rd attorney general in 2010 and re-elected in 2014. In his role, Olens worked with the governor and legislature to strengthen the penalties for sex trafficking and protect the victims. He also guided a

comprehensive revision of Georgia's sunshine laws and led the effort to stem the epidemic of prescription drug abuse. Additionally, in cooperation with the Georgia Food Bank Association and Young Lawyers Division of the State Bar of Georgia, Olens established the Georgia Legal Food Frenzy, which has collected the equivalent of over 5 million pounds of food for Georgia's youth.

Prior to being elected attorney general, Olens was chairman of the Cobb County Board of Commissioners, serving from August 2002 through March 2010. He previously served as a county commissioner from 1999 through June 2002. He also served as chair of the Atlanta Regional Commission from December 2004 through 2009, and as vice-chair of the Metropolitan North Georgia Water District from 2005 through March 2010.

Olens is the recipient of numerous awards and honors for leadership and service. In 2016, Georgia Trend magazine named him the Georgian of the Year, and he has been listed among the publication's "100 Most Influential Georgians" for 12 consecutive years. In 2015, Olens received the Charles L. Weltner Freedom of Information Award, and in 2013, he received the Distinguished Alumni Award from the Emory University School of Law. Additionally, in 2011, the Cobb Chamber of Commerce honored Olens for his dedication to community and philanthropic service by naming its annual community service award the "Sam Olens Business Community Service Award."

He recently served as vice president of the National Association of Attorneys General, having previously served as chair of the 13-state Southern Region both in 2013 and 2015. Olens is a registered mediator/arbitrator with the Georgia Office of Dispute Resolution and has been admitted to practice law in Georgia and the District of Columbia.

Olens received his juris doctorate from Emory University School of Law, and holds a bachelor's and master's degree from American University in international politics.

He and his wife Lisa have two children, Lauren and Jonathan.

Robin M. Reitzes Deputy City Attorney City & County of San Francisco

After graduating from the University of California at Santa Cruz and the University of San Francisco School of Law, Robin joined the San Francisco City Attorney's Office in 1981. In her 36 years in the Office, she has worked in such diverse areas as code enforcement, property tax, and public utilities.

Beginning in 1984, she served on the Public Utilities Team, advising the San Francisco Municipal Railway, the San Francisco Water Department and Hetch Hetchy Water & Power on procurements and other transactions, building and construction issues, federal regulations, financing, and real estate matters. She also litigated cases in Superior Court and on appeal involving property tax matters, drug testing, the City's Transit Impact Development Fee, cable car line noise, real estate, corrosion, and construction claims.

Since July 1994, as a member of the Public Transportation Team, she has advised the San Francisco Municipal Transportation Agency on vehicle procurements and other transactional matters, construction issues, public records, legislation, and federal regulations, including New Starts and relocation issues for the Central Subway project, ADA, DBE, procurement, and drug and alcohol testing requirements.

From 2006-2014, Robin was appointed Chair of TRB's Transit Cooperative Research Program Committee Project Panel J-5, "Legal Aspects of Transit and Intermodal Transportation Programs." She is also a member of TRB's Transit and Intermodal Transportation Law and Committees.

In 2010, Robin became Vice-Chair of APTA's Legal Affairs Committee, and from February 2012-2014, she served as Chair of the Committee.

Jennifer Riess Attorney Advisor Federal Transit Administration

Jennifer is currently an attorney-advisor with the Federal Transit Administration in the General Law Division. Previously, Jennifer worked in FTA's Office of Civil Rights as an Equal Opportunity Specialist where she focused primarily on the DBE program. Prior to her time at FTA, Jennifer was an attorney at a mid-size law firm in New Jersey and served as a law clerk for a New Jersey Superior Court judge. She holds a J.D. from Villanova University School of Law and a B.A. in Government and History from Connecticut College.



Gregory Rodriguez
Of Counsel
Best Best &Kreiger, LLP

Working out of Best Best &Kreiger's Washington, D.C. office, Gregory Rodriguez uses his unique experience working on Capitol Hill and as in-house counsel for a transportation planning agency to provide legal and regulatory guidance concerning federal grant and contracting requirements, and monitors, counsels and advocates for clients on federal legislation, rulemakings and funding opportunities related to transportation infrastructure.

Greg's practice includes providing information, policy insight and legal assistance on the regulation and incorporation of emerging transportation technologies into our transportation network, including autonomous vehicles and aerial drones. His practice includes advising on contracting and procurement issues involved with innovative pilot projects, including ridesharing partnerships with public agencies. Greg regularly writes and speaks on policy and legal issues involving technology and innovation, and encourages smart planning to ensure new technologies complement public transportation systems.

Greg is well versed on the various contracting options available to public agencies and takes a hands-on approach to ensure a successful project delivery on public construction projects, including large transportation infrastructure projects. Greg previously served as in-house counsel for the San Diego Association of Governments, where he worked on the Mid-Coast Corridor Transit Project.

Before attending law school at the James E. Rogers College of Law at the University of Arizona, Greg was a staff member for U.S. Sen. Dianne Feinstein in Washington, D.C., where he provided legislative support for issues related to the environment, energy and water. Greg has an undergraduate degree from Stanford University.



Jenifer Ross-Amato Deputy General Counsel Regional Transportation District (RTD), Denver

Ms. Ross-Amato leads a dynamic team of attorneys who handle most legal issues for RTD including transactions, litigation and compliance. She is an experienced trial lawyer in the areas of civil rights, labor, employment, and other complex litigation. She also negotiates and drafts agreements involving transit-oriented development, public private partnerships, procurement of technology products and services,

contracted transportation services, and other intergovernmental matters.

Ms. Ross-Amato completed RTD's Leadership Academy in 2014 and represented RTD in the 2015 Multi-Agency Exchange (MAX) program. She is a graduate of the University of Colorado School of Law and Vassar College. She is founder of Denver Mother Attorneys Mentoring Association (MAMA) and a former Chair of the Young Lawyers Division of the Colorado Bar Association. She lives in Colorado with her husband and two children.



Julie A. Sherman Partner

Julie advises local government agencies on a wide variety of legal issues. Her clients include transportation districts, water districts, and cities. She also assists public agencies throughout California operating bus, rail and ferry service.

Julie's areas of expertise within the public agency realm are expansive. She advises clients on government ethics, governance laws, legislation, constitutional issues, construction law and civil rights law compliance. Julie serves as the General Counsel of the Santa Cruz Metropolitan Transit District. Additionally, she assists clients with Federal Transit Administration, Federal Railroad Administration and Federal Highway Administration grant conditions, cooperative and funding agreements, Public Records Act and Brown Act compliance, public procurement and contracting, professional service agreements, communication site leases, and billboard leases.

Additionally, Julie has experience in public sector contracting issues, including representing public entities in the area of public works contracts, contract negotiations of all types, and bid protests relating to complex state and local procurements. She regularly advises public entities on compliance with federal Buy America requirements.

Julie is passionate about providing pro bono assistance to various organizations and serves as the Chair of the firm's Pro Bono committee.

Publications

"California Enacts Privacy Law for Local Agencies: SB 272, Disclosure of Enterprise Systems," co-author, *Public Agency Law Alert* (November 2015)

"Court of Appeal Allows Reverse California Public Records Act Lawsuit," co-author, *Public Agency Advisory* (April 2012)

"Executive Compensation and Brown Act Requirements," co-author, Public Agency Advisory (March 2012)

"Non-Capital Expenses May Not Qualify as a 'Special Benefit' Under Prop 218," co-author, *Public Agency Advisory* (July 2011)

"Ruling Affects Additional Insured Coverage for Public Entities," coauthor, *Public Agency Advisory* (March 2010)

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Firm Leadership

Pro Bono Committee, Chair

Practices/Industries

Government
Government Ethics
Infrastructure
Nonprofit Law

Public Transit & Transportation Technology

Water Law



Julie A. Sherman

Partner



Presentations

"Technology and the Public Records Act: Recent Legal Developments and Current Challenges," co-presenter, California Special Districts Association (April 2016)

"To Advertise or Not To Advertise, That is the Question," APTA Legal Affairs Conference (February 2016)

"Open Government; Private Emails: What Does Transparency Require?" co-presenter, Markkula Center For Applied Ethics (August 2015)

"Disruptive bus passengers," panelist, California Transit Association's 49th Annual Fall Conference & Expo (November 2014)

"Setting Retail Water Rates During Water Shortage Conditions," moderator, Water Shortage Seminar (April 2014)

"Effective Representation of Public Entities in Public Contracting," Strengthening Public & Private Sector Partnerships Program (March 2014)

"Hot Topics in Procurement," panelist, 2014 APTA Legal Affairs Seminar (February 2014)

"The CalTrain Experience," co-speaker, American Public Transportation Association Legal Affairs Seminar (February 2012)

Honors & Awards

Pro Bono Attorney Honor Roll, Center for Gender and Refugee Studies (2012)

American Jurisprudence Award for Real Estate Transactions II

Professional Affiliations

Leadership Council on Legal Diversity

Academic Distinctions

Judicial Extern to Magistrate Judge Maria Elena James, United States District Court for the Northern District of California

Education

J.D., University of California, Berkeley Boalt Hall School of Law (2007)

B.A., cum laude, State University of New York at Buffalo (1989)

Julie A. Sherman

Partner



Admissions and Courts

California

Professional Licenses

U.S. Green Building Council LEED® Accredited Professional

Kevin Sheys Partner Nossaman, LLP

Kevin Sheys guides railroad industry clients through regulatory and transactional challenges to help them achieve their objectives. He represents government and private sector clients on high-priority freight and passenger railroad projects and matters.

In the passenger rail sector, Mr. Sheys advises Amtrak on host railroad issues before the Surface Transportation Board and assists state sponsors of intercity passenger rail service on rail line construction, line acquisitions and related regulatory issues. He has been primary outside counsel on more than 20 commuter and light rail "New Start" projects, including related line acquisitions, shared use agreements and regulatory issues. He also represents contractors on operation and maintenance service procurements.

In the freight arena, Mr. Sheys assists oil, steel, chemical and heavy manufacturing companies to establish or expand rail-served facilities. He has represented buyers in more than 30 rail line acquisitions and advised numerous freight railroads on how to make effective use of ICCTA preemption to expedite permitting and environmental clearance of new facilities.

Mr. Sheys, who is Chambers-rated nationally in the rail field and AV Preeminent® Peer Review Rated by Martindale-Hubbell, counsels railroad industry clients on a wide range of regulatory issues. These include railroad safety compliance and waivers; hazardous materials transport compliance; federal approvals for railroad construction projects and line acquisitions; the scope of federal railroad labor, employment and retirement laws; and compliance with the wide array of laws applicable to recipients of federal funding.

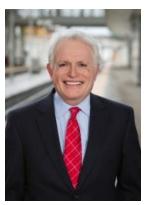


Tim Spangler
Chief Counsel
Sacramento Regional Transit District

Tim Spangler was selected as Chief Counsel for the Sacramento Regional Transit District (RT) in July 2014. As Chief Counsel, Mr. Spangler advises the Board of Directors, District officers, and employees on a wide range of legal, business, and government affairs. The Chief Counsel also manages RT's legal department, which provides litigation and transactional law services, along with Labor Relations and Risk Management.

Mr. Spangler joined RT in 1998 and served as Chief Litigator for 16 years until his appointment as Chief Counsel. In 2016, he was elected to the Sacramento Chapter of the American Board of Trial Advocates (ABOTA). Of over 225,000 attorneys in California, only 1,753 (.08%) have been invited to join ABOTA. Prior to joining RT, Mr. Spangler was in private practice in San Jose representing public agencies and he then served as a Deputy City Attorney at the San Jose City Attorney's Office, representing the City in an array of litigated matters in state and federal court.

Tim received his undergraduate degree from University of California, Davis and his law degree from Golden Gate University.



Charles A. Spitulnik
Partner
Kaplan Kirsch & Rockwell LLP

Chuck Spitulnik has spent his entire legal career representing both public and private sector clients on issues relating, in one way or another, to the rail industry. For the past 25 years, his practice has focused on representation of state and local governments in addressing issues related to the rail companies that serve their communities or to the issues that arise when those communities develop and implement plans for operation of rail transit systems, whether

commuter rail, light rail, or heavy rail systems.

Chuck regularly advises clients on issues related to negotiation of agreements with both freight railroads and Amtrak for acquisition or use of their lines; developing arrangements (including the procurement documents when required) with those railroads and with third-party operators for the operation of the rail transit systems in that right-of-way; compliance with the complex web of federal legislation and regulation of the rail industry as well as with state laws and other requirements; and understanding and addressing the unique features of the rail and transit-related labor laws and the protections available to workers in the industry.

Chuck also advises private industries regarding their relationships with rail carriers and has assisted companies in the formation of their own proprietary industry or switching carriers to enable them to have better control over their own transportation needs. Before shifting his focus to representation of the public sector, Chuck gained extensive experience representing freight carriers in the planning and submission of transactions that require governmental approval.

Additionally, Chuck has expertise in the acquisition, leasing, and financing of rail equipment and other issues related to rail equipment ownership, including the regulation of rail equipment pools. He practices regularly before the Surface Transportation Board and interacts frequently with regulators from the Federal Railroad Administration and Federal Transit Administration, assisting clients in ensuring compliance with—and, when appropriate, seeking waivers from—those agencies' rules.



David M. Springstead
Assistant General Manager of Capital Programs & Development
Metropolitan Atlanta Rapid Transit Authority (MARTA)

Dave Springstead has been with MARTA since 1997 and currently serves as the Assistant General Manager of Capital Programs & Development, responsible for providing innovative, strategic leadership and oversight of all activities related to the development, delivery and performance of the Authority's Ten-Year Capital Improvement Program.

He is responsible for five offices within the Authority, including Capital Programming, Architecture & Design, Infrastructure Engineering, Systems Engineering and Project

Management & Construction.

He has over 29 years of experience in capital project delivery, engineering and construction, and operations and maintenance. He started his career with Raytheon Engineers and Constructors, transitioned into transit, and is now in his 19th year with MARTA.

Dave holds a Bachelor of Electrical Engineering (BEE), and Minor in Business Administration from Manhattan College, NY, and a Master of Science in Management from North Carolina State University.

Springstead is recognized as an industry leader in transit asset management and systems engineering serving on numerous national committees for the FTA, APTA, TRB and the International Council of Systems Engineers (INCOSE).

He is a native of New York City, married to his wife, Sharon, and a proud father of four daughters who are attending college.



Jane Sutter Starke
Partner
Thompson Coburn, LLP

Jane serves as counsel to transit agencies across the country on a range of issues from funding to project development to procurement.

An advisor to several transit authorities around the country, she counsels clients on labor protection issues under section 13(c) of the Federal Transit Act; including claims, certification disputes before the Department of Labor and in

arbitration, and labor issues associated with the contracting of transit services; procurement issues, such as contracting for transit operating and maintenance services, and the purchase of vehicles (including innovative technologies) and equipment; compliance with requirements of the Federal Transit Administration (FTA), including Buy America, and the development of and funding associated with capital investment projects, including bus rapid transit (BRT) projects.

Finding available funding opportunities is key to the success of the Nation's mass transit systems. Having served as Counsel to the Committee on Energy and Commerce in the U.S. House of Representatives, Jane understands the congressional authorization and appropriations process and works with clients to develop effective approaches for funding and statutory changes. Jane's Hill experience enables her to effectively formulate and advocate positions on legislation, develop advocacy documents and legislative language, analyze legislation, and advise clients on the legislative process as well as the implementation of enacted legislation by the Executive Branch. Jane was closely involved in the Congress' recent passage of the Fixing America's Surface Transportation Act (FAST Act) and in its ongoing implementation by FTA.

From appropriations to ensuring compliance with Federal statutes and regulations, Jane has helped agencies navigate the FTA process and the programmatic requirements with which capital investment projects and contracting solicitations must comply.

In addition, Jane and members of the firm's litigation group have successfully represented transit clients in environmental litigation, arbitration, and challenges to contracting actions and state legislation.



Fred Wagner Partner, Venable

Fred Wagner is a partner in Venable's Environmental Group. He joined the Firm in February 2017 after working in the private sector for over 20 years, and also serving in the U.S. Department of Justice Environment Division and as Chief Counsel of the Federal Highway Administration. As Chief Counsel, Fred directed all of FHWA's programmatic and operational legal work, including compliance, ethics and business law functions pertaining to such areas as administration of FHWA grants and contracts, records management and disclosure, and personnel

management. Fred assisted U.S. Department of Transportation leadership on the highest priority legislative and regulatory issues, and partnered with the DOJ in the defense of litigation challenging transportation projects of national significance. He managed all legal matters concerning the \$40 billion Federal-Aid Highway program, including environmental and natural resources issues for highway and multi-modal transportation projects across the U.S. In addition to his tenure at FHWA, Fred also served as a Trial Attorney in the Environment Division of the DOJ and as a Special Assistant U.S. Attorney in the Misdemeanor Trial Section of the U.S. Attorney's Office for the District of Columbia.



Tiffany K. Wright Remy Moose Manley, LLP - Partner

Tiffany Wright is a partner in the law firm Remy Moose Manley, LLP. Ms. Wright represents public agencies and private applicants in a variety of land use and environmental law matters. She handles all phases of the land use entitlement and permitting processes, including administrative approvals and litigation. Her practice focuses on the California Environmental Quality Act, the National Environmental Policy Act, and related environmental laws such as Section 4(f) of the Department of Transportation Act, the California and

federal Endangered Species Acts, the federal Clean Water Act, and the California Planning and Zoning Law. Ms. Wright is the lead attorney for the Los Angeles County Metropolitan Transportation Authority in defending multiple state and federal lawsuits challenging Metro transit projects under CEQA, NEPA, and Section 4(f).



Minming Wu Morri Assistant Regional Counsel, Federal Transportation Administration Region IX

Ms. Wu advises FTA Region IX, which oversees FTA grantees in Nevada, Arizona, California, Hawaii, the Northern Mariana Islands, American Samoa, and Guam. Prior to FTA, she was an attorney for the San Francisco Bay Area Rapid Transit District (BART) for 7 years, primarily on NEPA/CEQA, real estate, civil rights, and major capital project matters. Before BART, she worked for international law firms in project finance. She has also worked for a Virginia-based real estate developer and then for a European public land banking agency. Ms. Wu is Chair of the ABA's

Green & Sustainable Transactions Committee of the Real Property Law Section and has been a member of the APTA Legal Affairs Committee. She has a J.D. from the UC Berkeley School of Law, a Masters in Urban Planning, and an L.L.M. in Administrative Law. Her B.A. is from the University of Virginia.