

ORIGINAL

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Executive Office

LEGAL SERVICES CORPORATION
BOARD OF DIRECTORS MEETING
OF APRIL 27, 1992
COMMENCED AT 12:18 a.m.

The Chicago Marriott Hotel
8535 West Higgins Road
Salon C
Chicago, Illinois 60631

**RETURN TO CORPORATION
SECRETARY ARCHIVES FILE**

OPEN SESSION

Board Members Present:

George Wittgraf, Chairman
Guy Victor Molinari, Vice Chairman (by telephone)
Howard H. Dana, Jr.
William L. Kirk, Jr.
Jo Betts Love
Penny L. Pullen
Thomas D. Rath (by telephone)
Norman D. Shumway
Jeanine E. Wolbeck

Staff Present:

John P. O'Hara, President
Pat Batie, Secretary

Others Present:

Charles Fax, Esquire
Special Counsel to the Board of Directors
Olander & Shapiro, P.A.

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P R O C E E D I N G S

CHAIRMAN WITTGRAF: We now have a quorum present in person. So this time I'll ask that the Special Meeting of the Board of Directors of the Legal Services Corporation for which notice has been given, as required by law, be in order. For the record let me note that present at this time are Board members Wolbeck, Kirk, Love, Dana, Pullen, and Wittgraf. We're joined in this Open Session of the Board by the president of the Corporation, Mr. O'Hara, by the Corporation's secretary, Ms. Batie, by our special counsel, Charles Fax, and by the reporter.

M O T I O N

CHAIRMAN WITTGRAF: Notice has been given that the purpose of this meeting is to proceed to the Executive or Closed Session for the purpose of discussing pending litigation in which we are a party. That being the case, I am prepared to entertain a motion that we proceed at this time to Executive Session.

MR. DANA: So moved.

MS. LOVE: Second.

CHAIRMAN WITTGRAF: It's been moved by Mr. Dana and seconded by Ms. Love that we proceed to Executive Session.

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1 Discussion?

2 Hearing none, those who are in favor of the motion
3 will signify by saying aye.

4 (Chorus of ayes.)

5 CHAIRMAN WITTGRAF: Those who are opposed, nay.

6 (No response.)

7 CHAIRMAN WITTGRAF: They ayes appear to have it.

8 The ayes do have it. We will proceed at this time to
9 Executive Session.

10 (Whereupon, at 12:20 p.m., the meeting was
11 adjourned to Executive Session.)

12 (1:47 p.m.)

13 CHAIRMAN WITTGRAF: We will now return to Open
14 Session.

15 MR. DANA: Now we can keep that going until 5:00.

16 MR. KIRK: There's nothing on the agenda. We can't
17 talk about it.

18 CHAIRMAN WITTGRAF: I think we can act upon the --

19 MR. MOLINARI: George?

20 CHAIRMAN WITTGRAF: Yes, Mr. Molinari.

21 MR. MOLINARI: I have some pressing matters here.

22 I'd like to be able to go and cut off the rest of the

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1 meeting. Would that conflict with anything important you
2 have coming up at this point?

3 CHAIRMAN WITTGRAF: No. You're excused. We're
4 just going to come back into Open Session to add in Open
5 Session on the --

6 (Laughter)

7 CHAIRMAN WITTGRAF: As we have come out of
8 Executive Session, let the record show that when Ms. Batie
9 opened the doors of Salon C here at the O'Hare Marriott,
10 Director Shumway walked through the doors and has joined us
11 as we've come out of Executive Session and can deliberate
12 with us now in Open Session.

13 We'll just go back, Mr. Molinari, to the
14 resolutions that we adopted in the Executive Session and
15 adopt them in Open Session. There won't be any other
16 business in addition to that, I don't believe. Would you
17 like to say anything to Mr. Shumway while he's here?

18 MR. MOLINARI: Yeah, tell him that I took care of
19 everything while he was away. I'm glad that he could be
20 there to take over while I depart. What took him so long to
21 get there?

22 MR. SHUMWAY: Blame it on United Airlines.

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1 MR. RATH: I will be departing with Mr. Molinari.

2 CHAIRMAN WITTGRAF: All right, Senator.

3 MR. RATH: Thank you.

4 CHAIRMAN WITTGRAF: Thank you both.

5 MR. RATH: All right, bye.

6 MR. MOLINARI: Bye, thank's a lot.

7 CHAIRMAN WITTGRAF: He has announced that he is not
8 a candidate.

9 We have before us the five resolutions adopted in
10 Executive Session. Those resolutions you will recall pertain
11 to substitutions for the resolutions for the named defendants
12 adopted by us in our last regular Board meeting on April 6th
13 of 1992, in San Antonio, Texas. You will recall that the
14 resolution is now in five paragraphs including a
15 certification form for the chairman and for the secretary.

16 I'll entertain the adoption of those resolutions in
17 Open Session, beginning with the resolution that pertains to
18 John P. O'Hara, the president of the Corporation and one of
19 the five named defendants. Mr. Kirk.

20 M O T I O N

21 MR. KIRK: I so move.

22 CHAIRMAN WITTGRAF: Thank you.

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1 MS. WOLBECK: Second.

2 CHAIRMAN WITTGRAF: Seconded by Ms. Wolbeck.

3 Discussion?

4 (No response.)

5 CHAIRMAN WITTGRAF: Hearing none, those who are in
6 favor of adoption of the resolution as it pertains to John P.
7 O'Hara will signify by saying aye.

8 (Chorus of ayes.)

9 CHAIRMAN WITTGRAF: Those who are opposed, nay.

10 (No response.)

11 CHAIRMAN WITTGRAF: The ayes appear to have it.

12 The ayes do have it. The motion is adopted. The chairman
13 not voting.

14 Next, the same resolution as it pertains to the
15 named defendant Victor Fortuno.

16 M O T I O N

17 MR. KIRK: I so move.

18 CHAIRMAN WITTGRAF: It's been moved by Mr. Kirk,
19 once again.

20 MS. WOLBECK: Second.

21 CHAIRMAN WITTGRAF: Seconded by Ms. Wolbeck.

22 Discussion?

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1 (No response.)

2 CHAIRMAN WITTGRAF: Hearing none, those who are in
3 favor of the resolution as it pertains to Victor Fortuno will
4 signify by saying aye.

5 (Chorus of ayes.)

6 CHAIRMAN WITTGRAF: Those who are opposed, nay.

7 (No response.)

8 CHAIRMAN WITTGRAF: The ayes appear to have it.
9 The ayes do have it. The resolution is adopted, the chairman
10 not voting.

11 The third resolution pertains to named defendant
12 Emilia DiSanto.

13 M O T I O N

14 MR. KIRK: I so move.

15 MS. WOLBECK: Second.

16 CHAIRMAN WITTGRAF: The resolution is moved by Mr.
17 Kirk, seconded by Ms. Wolbeck. Discussion?

18 (No response.)

19 CHAIRMAN WITTGRAF: Hearing none, those who are in
20 favor of adoption of the resolution as it pertains to Ms.
21 DiSanto will signify by saying aye.

22 (Chorus of ayes.)

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1 CHAIRMAN WITTGRAF: Those who are opposed, nay.

2 (No response.)

3 CHAIRMAN WITTGRAF: The ayes appear to have it.

4 The ayes do have it. The resolution is adopted, the chairman
5 not voting.

6 The fourth resolution pertains to the named
7 defendant Susan Sparks.

8 M O T I O N

9 MS. WOLBECK: I move.

10 MR. KIRK: I so move.

11 (Laughter.)

12 CHAIRMAN WITTGRAF: Motioned by Ms. Wolbeck.

13 MS. LOVE: Second.

14 CHAIRMAN WITTGRAF: Seconded by Ms. Love.

15 Discussion?

16 (No response.)

17 CHAIRMAN WITTGRAF: Those who are in favor of the
18 adoption of the resolution as it pertains to Ms. Sparks will
19 signify by saying aye.

20 (Chorus of ayes.)

21 CHAIRMAN WITTGRAF: Those who are opposed, nay.

22 (No response.)

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1 CHAIRMAN WITTGRAF: The ayes appear to have it.
2 The ayes do have it. The resolution is adopted, the chairman
3 not voting.

4 Finally, the resolution as it pertains to named
5 defendant George Wittgraf.

6 M O T I O N

7 MR. KIRK: I so move.

8 MR. SHUMWAY: Second.

9 CHAIRMAN WITTGRAF: It's been moved by Mr. Kirk,
10 seconded by Mr. Shumway. Discussion?

11 (No response.)

12 CHAIRMAN WITTGRAF: Hearing none, those who are in
13 favor of the adoption of the resolution pertaining to Mr.
14 Wittgraf will signify by saying aye.

15 (Chorus of ayes.)

16 CHAIRMAN WITTGRAF: Those who are opposed, nay.

17 (No response.)

18 CHAIRMAN WITTGRAF: The ayes appear to have it.
19 The ayes do have it. The resolution is adopted, the chairman
20 not voting.

21 Further business to come before this session of the
22 Board, at least business that doesn't require any action?

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1 Ms. Batie, did you have any information regarding that NLADA
2 dinner on May 6th, you wanted to or could share with the
3 Board?

4 MS. BATIE: Only that we have provided an
5 invitation. It may have been faxed to you or a copy of it
6 may have been faxed to Board members last week; I was out of
7 the office. If not, it will get to you tomorrow.

8 The dinner is on the evening of the 6th in
9 Washington, D.C. We will be paying \$50 per person for the
10 dinner. If you're interested, the Corporation will pay on
11 your behalf. We were able to get NLADA to agree to permit
12 our two client members to come free of charge, they would
13 like them to come that much. And we will give that
14 information out to you as soon as possible, tomorrow for
15 sure.

16 CHAIRMAN WITTGRAF: Do you know when and where?

17 MS. BATIE: It is on May 6th in Washington. I'm
18 not sure if it's at the Hilton Hotel, but that information is
19 on the invitation that will be sent to you.

20 CHAIRMAN WITTGRAF: Any questions for Ms. Batie?

21 Thank you.

22 The record should reflect that Mr. Hall was unable

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1 to join us today either by telephone or in person because he
2 has been hospitalized in recent days for pneumonia and is
3 just recently out of the hospital and is recovering and is
4 not in the position to be able to join us. Mr. Uddo had
5 hoped to be able to join us in person, was not able to, nor
6 was he able to be able to join us by telephone.

7 We're glad that Mr. Shumway was able to join us at
8 the end of the meeting. If he had come just a little bit
9 sooner Mr. Kirk might have been able to leave for his 1:45
10 flight to Miami.

11 MR. SHUMWAY: I provided a very vital second to one
12 of the motions, so I made my contribution.

13 (Laughter)

14 CHAIRMAN WITTGRAF: A very important resolution and
15 a practiced member of Congress always getting himself in the
16 record so that there's no question of his presence.

17 (Laughter)

18 CHAIRMAN WITTGRAF: Further discussion? Ms.
19 Wolbeck.

20 MS. WOLBECK: I don't know if this is inordinate to
21 ask. Are we going to have any other committee meetings? Are
22 you still thinking about committee meetings? Were there a

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1 couple of them that wanted to meet before the May 17th
2 meeting?

3 CHAIRMAN WITTGRAF: I'm not sure what the status of
4 the committee meetings is. Ms. Batie may be in the best
5 position to address that question from her survey of Board
6 members. Ms. Batie.

7 MS. BATIE: I've been told by Mr. Rath that he does
8 not want to have the Ops and Regs meeting before this
9 upcoming Board meeting. And because Mr. Hall is in the
10 hospital, if he had intended to have a meeting, that didn't
11 come to fruition so we probably won't have one of those. And
12 I don't know --

13 MR. DANA: There will be.

14 MS. BATIE: There will be an Audit and
15 Appropriations Committee meeting that Mr. Dana --

16 MS. WOLBECK: Before the 17th or in conjunction
17 with the 17th?

18 MR. DANA: Not before but it would be probably --

19 MS. BATIE: The Sunday?

20 MR. DANA: Yeah.

21 MS. BATIE: So that means that all of our committee
22 meetings, it appears, will be in conjunction with the Board

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1 meeting as usual.

2 MS. WOLBECK: All right.

3 MR. KIRK: You have an OIG meeting set, don't you?

4 MS. BATIE: Yes.

5 CHAIRMAN WITTGRAF: Is that also on a Sunday, Mr.
6 Kirk?

7 MR. KIRK: Yeah.

8 CHAIRMAN WITTGRAF: You will recall that when last
9 we were meeting, the House was about to begin consideration
10 of reauthorization of legislation for the Corporation. We
11 met on Monday, and it looked like consideration was going to
12 begin on that Wednesday, April 8, I believe that was. In
13 fact, at the request of the Speaker Foley, as I understand
14 it, the House Judiciary Committee Chairman Brooks did not
15 move to consideration of the legislation that day. It's been
16 put off until after the spring recess which is just ending as
17 we speak, the Congressional spring recess.

18 To the best of my understanding at least, debate
19 will occur on the floor of the House next week at the
20 earliest, perhaps as soon as Tuesday, May 5. Mr. President,
21 do you have any other information?

22 MR. O'HARA: No.

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1 CHAIRMAN WITTGRAF: Any further business?

2 (No response.)

3 CHAIRMAN WITTGRAF: Hearing none, I'm prepared to
4 entertain a motion to adjourn.

5 M O T I O N

6 MR. SHUMWAY: I so move.

7 CHAIRMAN WITTGRAF: Mr. Shumway moves. Is there a
8 second?

9 MS. PULLEN: Second.

10 CHAIRMAN WITTGRAF: Seconded by Ms. Pullen.

11 Those who are in favor of the motion to adjourn
12 will signify by saying aye.

13 (Chorus of ayes.)

14 CHAIRMAN WITTGRAF: Those who are opposed, nay.

15 (Chorus of nay.)

16 CHAIRMAN WITTGRAF: The ayes appear to have it.

17 (Laughter)

18 CHAIRMAN WITTGRAF: The ayes do have it. The
19 motion is adopted. The meeting is adjourned.

20 (Whereupon, at 1:58 p.m., the Open Session was
21 adjourned.)

22

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