

**TOOELE COUNTY LEGAL DEFENDER
CONFLICTS AGREEMENT**

THIS AGREEMENT entered into this 15th day of March 2016, is by and between **TOOELE COUNTY**, a political subdivision of the State of Utah, 47 South Main, Tooele, Utah 84074 (hereinafter "County"), and **DAVID C. CUNDICK**, 483 Windy Garden Lane, Salt Lake City, Utah 84107 (hereinafter "Attorney").

WHEREAS, County regularly contracts with independent legal defenders to provide legal services for certain persons, but such legal defenders on occasion have conflicts of interest which prevent them from performing their duties as legal counsel; and

WHEREAS, Attorney is willing to provide legal representation for County when such conflicts arise.

NOW, THEREFORE, County and Attorney hereby enter into the following agreement:

1. **APPOINTMENT OF LEGAL DEFENDER:** David C. Cundick is an attorney at law, duly licensed by the Utah State Bar to practice before the State and Federal courts of the State of Utah. County hereby contracts with Attorney to serve as a legal defender, subject to the court's appointment of Attorney to so act in such cases. Attorney hereby accepts such appointment as an independent contractor and not as an employee of County.

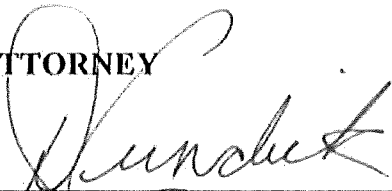
2. **COMPENSATION:** In consideration of such representation, County agrees to pay Attorney the sum of Seventy-Five dollars (\$75.00) per hour. Attorney shall not be entitled to any additional compensation for his services from County, other than as provided for by this agreement.

3. **OTHER COMPENSATION:** It is specifically understood that Attorney will accept no other payment for the work provided herein other than that received from County pursuant to


this agreement. In the event the court orders recoupment of attorney fees from defendants, all of such recoupment shall belong to County.

4. **NON-ASSIGNABILITY:** This agreement is in the nature of a contract for personal services and is not assignable by any party without the prior written consent of the other party hereto.

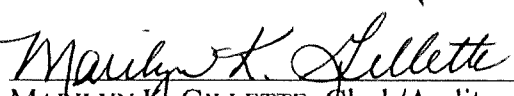
5. **NON-DISCRIMINATION:** Attorney shall not discriminate against any person he represents pursuant to this agreement on the basis of race, creed, sex, religion, national origin, or age.

ATTORNEY


DAVID E. CUNDICK

TOOELE COUNTY


WADE B. BITNER, Chairman

ATTEST:


MARILYN K. GILLETTE, Clerk/Auditor

