

IMPORTANT INFORMATION FOR EMPLOYEES OF LAW FIRM MEMBERS OF
THE NETWORK OF TRIAL LAW FIRMS, INC.
AFFECTED BY ONE OR MORE 2005 HURRICANES

**2005 HURRICANE RELIEF PROGRAM
OF TRIAL.COM FOUNDATION, INC.**

HISTORY and BACKGROUND:

Substantial parts of Louisiana, Mississippi, Alabama, and Florida have been declared disaster areas as a result of Hurricanes Katrina and Rita of 2005. Hurricane Wilma also caused substantial damage.

The Network of Trial Law Firms, Inc. (the "Network") is a not-for-profit association of 26 member law firms producing continuing legal education. The Network is organized pursuant to the law of the State of New York and is qualified as a 503(c)(6) business league under the Internal Revenue Code (the "Code"). The Network, however, is not a charity within the meaning of the Code.

Following Hurricane Katrina the Network's executive committee began discussing the responses of individuals, member law firms and other legal organizations to the catastrophe. We were struck by the enormity of the disaster and the plight of those affected by it. We considered what more could be done to help. Our concerns deepened with hurricanes Rita and Wilma which also affected large portions of southeastern states.

In response to a poll, we confirmed that Network member firms have been very generous, making and continuing to make substantial contributions to various relief organizations. Many Network member firms also matched contributions made by their employees. The response of the public and of corporations appears to be similarly positive, with the Red Cross, Salvation Army and others appearing to do well in terms of contributions, at least in the short term. We estimated that Network member firms have already donated more than a half million dollars, not counting individual contributions separately made.

However, Katrina, and then Hurricane Rita hit so many people on so many fronts that despite substantial contributions from the public, many persons are still in trouble and will be so for a long time. Hurricane Wilma added to the number of persons affected by these natural disasters.

Our thoughts turned to concern about the ability of our affected member law firms to meet the needs of all of their employees. Our thinking went to support personnel in particular, file clerks, runners, secretaries, etc., some of whom sustained substantial losses.

Thus, in response to the evident need of persons affected by these recent natural disasters along the Gulf Coast, TRIAL.COM FOUNDATION, INC. (the "Foundation"), a 501(c)(3) charitable foundation, was formed on behalf of The Network of Trial Law Firms, Inc., to carry-out certain charitable activities of the Network, as specified in the Foundation's organizing documents. Specifically, the Foundation plans to:

- 1) Assist in funding legal services *pro bono publico* to individuals in need of but not able to afford legal services necessary to protect important financial, civil and other rights of those persons and their families;
- 2) provide financial assistance to organizations providing such legal services *pro bono publico*;
- 3) provide financial relief to individuals suffering hardship due to mass disasters, individual calamities, and other emergencies;

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- 4) provide financial assistance to organizations providing assistance and relief to such individuals.

The first project that the Foundation has undertaken is the raising and distribution of funds for the relief of the immediate needs of employees of member firms who are victims of one or more 2005 hurricanes. In accordance with guidelines provided in the IRS publication, "Disaster Relief, Providing Assistance through Charitable Organizations" the Foundation has: (a) established objective criteria for determining need and selecting relief recipients (see below); and (b) created an independent selection committee to choose recipients for aid.

After the initial project, it is expected that the Foundation will undertake *pro bono publico* and other similar public interest programs. In addition, the Foundation will be prepared to provide disaster relief should a similar need arise in the future.

In order to minimize the operational expenses of the Foundation, maximize the Foundation's ability to deliver the relief for which it was formed and most effectively carry out charitable activities on behalf of the Network and its member law firms, the Network will provide facilities, staff and other administrative assistance to the Foundation based on an oral agreement without charge. The Network is recognized as tax-exempt under section 501(c)(6).

The Foundation expects to provide financial and other aid to individuals to assist them with basic necessities such as food, clothing, housing, transportation and medical assistance. The Foundation may also provide aid to organizations that assist such individuals.

The recipients of aid will be selected after an objective determination of need by an independent selection committee to ensure that benefits to member law firms, if any, is not more than incidental or tenuous. Specifically, no member of the selection committee is or may be in a position to exercise substantial influence over the affairs of the employer of any persons receiving aid (partners/owners of member law firms in the affected areas will not serve on the selection committee).

ELIGIBILITY CRITERIA:

In order to be eligible for consideration for a relief grant from TRIAL.COM FOUNDATION, INC. under the 2005 HURRICANE RELIEF PROGRAM (the "Program"):

1. Applicant must complete and sign the attached APPLICATION FOR 2005 HURRICANE RELIEF GRANT (the "Application"); and
2. Applicant must have been a non-exempt hourly employee of a Network member law firm at the time of the loss for which Applicant seeks relief (see www.TRIAL.COM/ for a list of Network member law firms); and
3. Applicant must have owned, leased or occupied real or personal property damaged or lost as a result of a hurricane during 2005; and
4. Applicant may not be related to any owner, member or partner of any Network member law firm; and
5. Applicant needs funds to meet immediate needs for temporary housing, food, water, clothing, diapers, child care, education, and the like, but not to repair or replace items damaged by the hurricanes.

Eligibility will be determined on a case-by-case basis after review of each application by the 2005 HURRICANE RELIEF REVIEW COMMITTEE (the "Review Committee").

Any grant made pursuant to the Program as currently structured shall not exceed FIVE HUNDRED DOLLARS (\$500.00) but may be less than that amount, depending on many factors, including

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(a) the amount of funding available to the Foundation; (b) the number of applications made for relief; (c) the relative severity of need as represented in the applications and as may be determined by the members of the Review Committee.

Decisions of the Review Committee shall be final and not subject to review or appeal. However, one or more additional grants to the same person may be made, depending on the foregoing factors.

ORGANIZATIONAL INFORMATION:

By letter dated October 17, 2005, the IRS approved the Foundation's application for exemption from Federal income tax under section 501(c)(3) of the IRC. Contributions to TRIAL.COM FOUNDATION, INC. are thus deductible under section 170 of the Code. The Foundation is also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code.

Effective September 19, 2005 and continuing until December 31, 2009, the Foundation has been and will be classified as a public charity under IRC 170(b)(1)(A)(vi).

Funds distributed by the Foundation to individuals must be made on a true charitable basis in furtherance of the purposes for which TRIAL.COM FOUNDATION, INC. has been organized. Thus, the Foundation must keep adequate records and case histories that demonstrate that grants to individuals serve our charitable purposes, showing names, addresses, purposes of grants, manner of selection, and relationship (if any) to members, officers, trustees, or donors of funds.

IMMEDIATE ASSISTANCE:

Unfortunately TRIAL.COM FOUNDATION, INC. is not in a position to provide immediate emergency assistance. If you are in need of immediate emergency assistance please contact the agencies listed below:

The Federal Emergency Management Agency (FEMA) is the government agency that coordinates and manages response and recovery efforts following national incidents. The agency's Disaster Program includes grants to assist with transportation, housing, home repairs, rebuilding, medical expenses, and other needs. Individuals can register for disaster assistance by calling the following toll-free phone numbers or going to FEMA's web site: FEMA registration number: 1-800-621-FEMA (3362) (speech or hearing impaired: 1-800-462-7585); www.fema.gov

Emergency assistance from the Red Cross focuses on immediate disaster relief, including food, shelter, and health care for those directly affected by Hurricane Katrina. Contact your local Red Cross chapter if you need assistance, and please keep in mind that some chapters have been affected by the hurricane as well. Red Cross information line: 1-866-GET-INFO; www.redcross.org

2005 HURRICANE RELIEF REVIEW COMMITTEE:

The directors of the Foundation have appointed the following persons to the 2005 Hurricane Relief Review Committee:

1. Don Champagne, Executive Director, Deutsch Kerrigan & Stiles, L.L.P., 755 Magazine Street, New Orleans, LA 70130 (504-593-0665), DChampagne@DKSlaw.com;
2. John George, Executive Director, Beirne, Maynard & Parsons, L.L.P., 1300 Post Oak Blvd., Suite 2500, Houston, TX 77056 (713-960-7335), JGeorge@BMPIlp.com;
3. Larry Bouchea, Director of Human Resources, Forman Perry Watkins Krutz & Tardy, PLLC, One Jackson Place, 12th Floor, Jackson, MS 39201 (601-960-8600), LBouchea@FPWK.com;
4. Ellis Mirsky, Chair, Executive Director, The Network of Trial Law Firms, Inc. 303 South Broadway, Suite 222, Tarrytown, NY 10591 (914-332-4400), EMirsky@Trial.com.

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APPLICATION FOR 2005 HURRICANE RELIEF GRANT

(please print neatly or type)

| | | | |
|--|--|---------------------------------|--|
| <u>Employee</u> First Name: | | Last Name: | |
| Employer: Network Firm: | | Position: | |
| <u>Current Residence Address</u> | | <u>Current Phone Numbers</u> | |
| Street Address: | | Office Phone: | |
| City, State Zip: | | Home Phone: | |
| | | Cell Phone: | |
| Owner of property where you lived at time that it sustained damage: _____ | | | |
| Number of persons in immediate family living at household: _____ | | | |
| Street Address: | | | |
| City, State Zip: | | | |
| Nature and extent of damage to the home in which you resided caused by a 2005 hurricane: | | | |
| | | | |
| Estimated amount to repair/restore: | | | |
| Date damage sustained: | | FEMA Disaster No. and/or Name: | |
| Did you apply for a FEMA Relief Grant? | | If no, why? | |
| Status of FEMA Relief Grant (Pending, Paid, Denied) | | Amount of FEMA Relief Received: | |
| Current Employer: | | Street Address: | |
| Current Job Position/Title: | | City, State Zip: | |
| Recoveries made or expected from insurance policies (discuss): | | Other sources of income: | |
| | | | |
| Recoveries made or expected from agencies or other entities (<i>e.g.</i> , Red Cross or other debit cards, government food stamps, clothing, <i>etc.</i>): | | | |
| | | | |
| Property damage sustained by you and your family living with you , or for whom you are responsible (include real property, housing, personal property, vehicles, <i>etc.</i>): | | | |
| | | | |
| Discuss any other factors that we should know in considering whether to make a grant, and the amount of such an award: | | | |
| | | | |
| Purpose for which funds will be used (<i>e.g.</i> ,: temporary housing, food, water, clothing, diapers, child care, education, and the like, but not to repair or replace items damaged by the hurricanes): | | | |
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PLEASE READ AND SIGN BELOW. IF YOU DO NOT UNDERSTAND ANY PART OF THE FOLLOWING PLEASE CONSULT WITH A LAWYER REPRESENTING YOU.

I am the applicant herein, agree to comply with and abide by the foregoing information concerning TRIAL.COM FOUNDATION, INC.'S 2005 HURRICANE RELIEF PROGRAM. I authorize 2005 HURRICANE REVIEW COMMITTEE and TRIAL.COM FOUNDATION, INC., and their agents and employees to make such inquiries and conduct such investigations as, in their discretion they believe necessary or reasonable to independently verify the accuracy of any of the information provided by me or to discover any other information which, in their discretion, they may deem relevant to a determination to award, deny or determine the amount of a relief grant to me under this Program.

I make the following representations of fact and undertakings in order that the Review Committee may evaluate my application for relief.

I represent that the foregoing information is true and complete to the best of my information and I submit the information so that the Review Committee may use it in evaluating my application and determining whether and how much to grant to me, if anything.

I understand that funding for TRIAL.COM FOUNDATION, INC. is limited, that there is no guarantee that submitting this application will result in any relief grant being made to me, or that anything of value whatsoever will be given to me as a result of this submittal.

I represent that no person or entity affiliated in any manner whatsoever with the Review Committee, the Foundation, the Network, or any of its or their employees, agents, members, officers, directors, partners or attorneys has made any representation whatsoever as the likelihood of a grant being made to me.

I represent that I have given nothing of value to any person or organization for any preferential consideration or assistance in the creation of this application. (Persons are available free of charge to assist anyone eligible in preparing this application.)

I indemnify, hold harmless and protect, the Review Committee, TRIAL.COM FOUNDATION, INC., The Network of Trial Law Firms, Inc., and each of its or their employees, agents, members, officers, directors, partners and attorneys from and against all liability that may result from any breach by me of any of the foregoing representations, any false statement made by me in connection with this application and any claim made by or through me, or on my behalf for benefits, relief or damages sustained by me or by anyone else in connection with this application.

Date: _____
Applicant

PLEASE SEND THIS APPLICATION COMPLETED TO THE BEST OF YOUR ABILITY TO:

TRIAL.COM FOUNDATION, INC.
303 South Broadway
Suite 222
Tarrytown, NY 10591
(914) 332-4400