

**RESOLUTION OF THE SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT
AUTHORIZING THE EXECUTION OF A CONTINGENT FEE AGREEMENT
BETWEEN THE LAW FIRMS OF
JCA LAW, PLLC AND GUERRA LLP**

WHEREAS, the Texas Education Code section 11.1511 authorizes the South San Antonio ISD Board of Trustees (“Board”) to enter into contracts, including contracts for legal services, as authorized by law;

WHEREAS, the Board is authorized to enter into a contingent fee contract for legal services subject to the requirements set forth in Section 2254.1036 of the Texas Government Code;

WHEREAS, South San Antonio ISD (“the District”) has a substantial need for legal services in connection with the District's pursuit of causes of action and the recovery of damages against social media companies as a result of social media usage by students that has disrupted the school environment and created safety concerns for students and personnel; (“specialized legal services”);

WHEREAS, the District does not have the financial resources to retain lawyers on an hourly rate without regard to outcome due to the anticipated amount of legal work required for these specialized legal services which will be procedurally complex and will require the handling and review of large amounts of electronically stored information and will require the coordination of experts in various fields including psychology and technology;

WHEREAS, the District does not keep attorneys on staff who can handle this kind of specialized litigation on behalf of the District;

WHEREAS, South San Antonio ISD by and through its Board of Trustees and pursuant to all relevant authority, desires to retain and acquire legal counsel, specifically the professional legal services of JCA Law, PLLC and Guerra LLP, collectively referred to as “Firms”, regarding the pursuit of claims the school district has or may have against social media companies, pursuant to a contingent fee agreement;

WHEREAS, the legal services cannot be adequately performed by the attorneys and supporting personnel of South San Antonio ISD because the pursuit of these social medial litigation claims requires the specialized skills, experience, and the services of legal counsel who have the appropriate infrastructure and technology to be able to represent the district in the pursuit of its claims;

WHEREAS, it is in the best interest of the District's tax payers to hire the Firms pursuant to a contingent fee agreement because the District's social media litigation claims will be professionally and competently pursued without additional costs to the school district of hiring legal counsel on an hourly fee basis and the hiring of specialized counsel to pursue such claims will require the Firms to advance those expenses and only be reimbursed by the District out of any recovery, if the District is successful;

WHEREAS, hiring the Firms to pursue the District's claims pursuant to a contingent fee

agreement will allow the District to use its resources to support South San Antonio ISD's educational operations and programs which are in the best interest of the District's taxpayers;

WHEREAS, the District has duly posted written notice of its consideration to hire the law firms of JCA Law, PLLC and Guerra LLP in accordance with Section 2254.1036 of the Texas Government Code;

WHEREAS, the Board of Trustees heard a presentation from JCA Law, PLLC attorney, regarding the qualifications, experience, and expertise of these firms to represent South San Antonio ISD in its pursuit of claims against social media companies; such presentation was made in open session during Regular Scheduled Board meetings held on July ___, 2025; and

WHEREAS, the South San Antonio ISD Board of Trustees found the attorneys qualified, experienced, and competent to represent the District in its pursuit of claims against social media companies in resolutions adopted on said date.

NOW, THEREFORE, BE IT RESOLVED BY THE SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT BOARD OF TRUSTEES FIND THAT:

SECTION 1. The preceding recitals are found to be true and such recitals are made a part of this resolution for all purposes and are adopted as a part of the findings of the South San Antonio ISD Board of Trustees.

SECTION 2. The South San Antonio ISD Board of Trustees finds that: (i) there is a substantial need for the legal services to be provided in the pursuit of the District's Claims and the recovery of damages against the social media companies ("Claims"); (ii) the legal services to be provided in the pursuit of these Claims cannot be adequately performed by the attorneys and supporting personnel currently employed by the District; (iii) the legal services to be provided in pursuit of these Claims cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because of the nature of the District's Claims for which the services will be obtained and/or because the District does not have the funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees; (iv) the law firms of JCA Law, PLLC and Guerra LLP are qualified, experienced, and competent to represent the District in the pursuit of its Claims; (v) the engagement of the Law Firms by the District is not improper and would not appear improper by a reasonable person; and (vi) the contingent fee agreement is reasonable under the circumstances.

SECTION 3. Based on these findings, the President of the Board is authorized to execute a contingent fee agreement between the District and the law firms of JCA Law, PLLC and Guerra LLP, effective only upon approval by the Office of the Attorney General of Texas. Said agreement is attached to this resolution as Exhibit 1 and is approved: (i) in substantially the same form; (ii) in accordance with the rates set forth in the agreement; and (iii) contingent upon the recovery, if any, as set forth in the agreement.

SECTION 4. Documents attached to this resolution are incorporated by reference as findings by the District's Board of Trustees.

SECTION 5. The Board of Trustees declares that this meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including the matters set forth in this resolution, was given in compliance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, and Section 2254 of the Texas Government Code, as amended.

ADOPTED this ____ day of July 2025, by the Board of Trustees for the South San Antonio Independent School District.

APPROVED:

Ramond Tijerina
South San Antonio ISD Board President

ATTEST:

Darrell Balderrama
South San Antonio ISD Board Secretary