

Regular Meeting  
Thursday, January 30, 2025, 6:30 PM Central

Crosby ISD Operations Building  
14670 FM 2100  
Crosby, TX 77532

Attendance Taken at 6:30 PM.

Heather Barrett: Present  
Phillip Chapman: Present  
JR Humphries: Present  
Lisa Kallies: Present  
KeaLynn Lewis: Present  
Jennifer Roach: Present  
Karen Thomas: Present

Present: 7.

## **I. CALL TO ORDER**

MEETING CALLED TO ORDER AT: 6:30 PM

ALSO IN ATTENDANCE

SUPERINTENDENT- PAULA PATTERSON

BOARD CLERK- AUDREY ANDERSON

CABINET MEMBERS-

JEWEL WHITFIELD

BRETT BIRKINBINE

LEMOND MITCHELL

CHRISTY COVAN

YVONNE JOHNSON

I.A. Roll Call

I.B. Declaration of Quorum

## **II. CLOSED SESSION ACCORDING TO TEXAS GOVERNMENT CODE 551.001**

### **PURSUANT TO:**

Board moved into closed session at 6:30 PM

Board returned into regular session at 7:00 PM

Board moved into second closed session at 7:29 PM

Board returned into open session at 9:09 PM

**II.A. Section 551.071:** For the purpose of a private consultation with the Board's attorney on all subjects or matter authorized by law

II.A.1. Legal advice regarding any item on the agenda

II.A.2. Consider legal advice regarding approval of the proposed termination of the term contract of Lakittah Eagleton and related issues

**II.B. Section 551.072:** Deliberation regarding real property

**II.C. Section 551.073:** Deliberation regarding prospective gift

**II.D. Section 551.074:** For the purpose of considering the appointment, employment, resignation, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee

II.D.1. Personnel

II.D.2. Consider approval of the proposed termination of the term contract of Lakittah Eagleton and related issues

**II.E. Section 551.076:** Deliberation regarding security devices

II.E.1. TEA Intruder Audit

**II.F. Section 551.082:** Student Discipline; Complaint against an employee

**II.G. Section 551.0821:** Personally identifiable information about a student

**II.H. Section 551.084:** Exclusion of witness

**II.I. Section 551.087:** Economic development negotiations

### **III. PRAYER and PLEDGES**

PRAYER LED BY: Trustee Kallies

POSTING OF COLORS AND PLEDGES OF ALLEGIANCE LED BY: 2nd Lieutenant Madelyn Perez & Sergeant Allysia Smith

### **IV. BOARD REMARKS**

### **V. RECOGNITIONS**

V.A. School Board Recognition Month

### **VI. PUBLIC COMMENTS**

No public comments this evening

### **VII. REPORTS**

VII.A. TEA Door Audit

### **VIII. CONSENT AGENDA**

I move to approve the consent agenda. This motion, made by Humphries and seconded by Roach, Passed.

Heather Barrett: Yea, Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea  
Yea: 7, Nay: 0

VIII.A. Board Meeting minutes as revised or presented

VIII.A.1. 12-16 Regular Meeting Minutes

VIII.A.2. 1-13 Special Called Minutes

VIII.B. Consider approval of the Interlocal Agreement with Harris County Department of Education for the purpose of providing Nita M. Lowey 21st Century Community Learning Centers/Texas ACE Cycle 12, Year 2, afterschool program at Barrett Elementary School and Charles R. Drew Elementary School

## **IX. REGULAR BUSINESS**

IX.A. Discuss and consider approval of the Job Order Contracting (JOC) method of project delivery/contract award for the SECO LoanSTAR project

I move to approve the Job Order Contracting (JOC) method of project delivery/contract award for the SECO LoanSTAR project. This motion, made by Humphries and seconded by Thomas, Passed.

Heather Barrett: Yea, Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea

Yea: 7, Nay: 0

IX.B. Discuss and consider approval of a contract with E3 Entegral Solutions, Inc. (E3) for an amount not to exceed \$4,304,689, pending SECO approval, via the Southeast Texas (SETX) Purchasing Cooperative Contract #20230601-1, and delegate authority to the Superintendent to negotiate and execute the contract

I move to approve a contract with E3 Entegral Solutions, Inc. (E3) for an amount not to exceed \$4,304,689, pending SECO approval, via the Southeast Texas (SETX) Purchasing Cooperative Contract #20230601-1, and delegate authority to the Superintendent to negotiate and execute the contract. This motion, made by Humphries and seconded by Chapman, Passed.

Heather Barrett: Yea, Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea

Yea: 7, Nay: 0

IX.C. Resolution regarding wage payments during an emergency school closure due to Winter Storm Enzo from January 21, 2025, through January 23, 2025

Move to approve the resolution regarding wage payments during an emergency school closure due to Winter Storm Enzo from January 21, 2025, through January 23, 2025. This motion, made by Roach and seconded by Barrett, Passed.

Heather Barrett: Yea, Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea

Yea: 7, Nay: 0

IX.D. Discuss and consider the approval of out-of-state travel for the Crosby High School JROTC to participate in military exercises and tour at Ft. Johnson in Ft. Johnson, Louisiana from July 30 - 31, 2025

Move to approve the out-of-state travel request for the Crosby High School JROTC to participate in military exercises and tour at Ft. Johnson in Ft. Johnson, Louisiana from July 30 - 31, 2025. This motion, made by Barrett and seconded by Kallies, Passed.

Heather Barrett: Yea, Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea

Yea: 7, Nay: 0

## **X. OPEN SESSION**

X.A. Consideration and adoption of notice of public meeting and notice of proposed legal services contract

I move to approve that the Board adopt item A, as required by the Government Code, to move forward in assisting the District with Social Mediation Litigation as presented and recommended. This motion, made by Humphries and seconded by Chapman, Passed.

Heather Barrett: Yea, Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea  
Yea: 7, Nay: 0

X.B. Consideration and Adoption of Resolution approving Contingent Fee Legal Services Contract, including Findings Needed for Submission of Contingent Fee Legal Services Agreement and Request for Expedited Review by the Texas Attorney General

I move to approve that the Board adopt item B, as required by the Government Code, to move forward in assisting the District with Social Mediation Litigation as presented and recommended. This motion, made by Thomas and seconded by Roach, Passed.

Heather Barrett: Yea, Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea  
Yea: 7, Nay: 0

X.C. Consideration and Approval of Contingent Fee Legal Services Agreement with Thompson & Horton, LLP, Eiland & Bonnin, PC, and O'Hanlon, Demerath & Castillo, PC

I move to approve that the Board adopt item C, as required by the Government Code, to move forward in assisting the District with Social Mediation Litigation as presented and recommended. This motion, made by Chapman and seconded by Lewis, Passed.

Heather Barrett: Yea, Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea  
Yea: 7, Nay: 0

X.D. Consider proposed termination of Lakittah Eagleton's term contract and related actions

I move that the Board approve the Superintendent's recommendation to propose the termination of the term contract of Lakittah Eagleton for the reasons discussed in executive session, and that the Superintendent be authorized to provide Ms. Eagleton notice of this Board's action. This motion, made by Humphries and seconded by Chapman, Passed.

Heather Barrett: Abstain (Without Conflict), Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea  
Yea: 6, Nay: 0, Abstain (Without Conflict): 1

## **XI. INFORMATION**

XI.A. Tax Collections Report for November 2024

XI.B. Financial Update Report as of November 30, 2024

XI.C. Staffing Reports

## **XII. ADJOURNMENT**

I move to adjourn the regularly scheduled board meeting. This motion, made by Humphries and seconded by Thomas, Passed.

Heather Barrett: Yea, Phillip Chapman: Yea, JR Humphries: Yea, Lisa Kallies: Yea, KeaLynn

Lewis: Yea, Jennifer Roach: Yea, Karen Thomas: Yea  
Yea: 7, Nay: 0  
Meeting adjourned at 9:12 PM

Additional attachment:

**NOTICE OF A PUBLIC MEETING &  
NOTICE OF PROPOSED CONTRACT FOR LEGAL SERVICES**

Notice is hereby given that a meeting of the Board of Trustees of Crosby Independent School District be held on January 30, 2025, for the purpose of considering and taking action on all matters on the agenda for the meeting, including approval of an agreement with the law firms of Thompson & Horton, LLP, Eiland & Bonnin, PC, and O'Hanlon, Demerath & Castillo, PC as special counsel to perform all legal services necessary to recover damages sustained by the District related to youth social media usage and any other action that may be necessary to pursue the best interests of the District in related litigation on a contingent fee basis.

The purpose of the agreement is to pursue any and all available causes of action in Multi District Litigation 3047 or JCCP 5255 seeking to recover damages due to youth social media usage and addiction sustained by Crosby Independent School District. By way of this agreement, Crosby Independent School District seeks to recover damages, court costs, penalties, and other relief under applicable law.

Thompson & Horton, LLP is a full-service school law firm whose mission is to provide the highest quality personalized legal service to public and private schools, institutions of higher education, local governments, and private individuals and companies. Thompson & Horton attorneys have unique and specialized qualifications based on several hundred years of combined experience. Leaders in the field, their attorneys have been directly involved in many of the most significant court cases, administrative decisions, and public policy developments affecting their clients over the past 40 years. Thompson & Horton has represented the District for over 10 years.

Eiland & Bonnin, PC engages in complex contingent fee litigation which has required the investment of hundreds of thousands to millions of dollars of litigation expenses. Lawyers in the firm have served in past MDL leadership committees. The firm has worked in many high-profile litigations like the MGM Grand Las Vegas Mass Shooting, Syngenta GMO Corn, and BP Texas City Refinery Explosion. After 20 years of service as a member of the Texas House of Representatives for Districts 23 & 24, Craig Eiland has a unique understanding of what elected officials and public entities are confronted with when navigating complex litigation. Mr. Eiland regularly advises multiple Texas school districts in litigation. Thompson & Horton has represented the District for over 10 years. The inception of the relationship between Eiland & Bonnin and the District began when Thompson & Horton introduced Eiland & Bonnin to the District in Autumn 2024 to consider the social media litigation.

O'Hanlon, Demerath & Castillo, PC regularly serves school districts across the state of Texas in a general counsel capacity and maintains a principal office in Austin, Texas and also offices in Pharr, San Antonio and Fort Worth. The firm has litigated statewide high profile public

education related cases such as the No Pass No Play, the A-F litigation and multiple Edgewood decisions related to the school finance system. After serving as General Counsel for the Texas Education Agency and litigating various high-profile issues for the public education system for the Attorney General of Texas, Kevin O'Hanlon founded the firm in 1992 to serve the needs of Public Entity clients. Justin Demerath operates a contingent fee litigation practice within the firm that regularly represents public entities on a contingent fee basis, often in the scope of property insurance disputes. Additionally, his practice has recovered millions of dollars in recovery in high-profile multi-district litigations, including Syngenta GMO Corn, General Motors ignition switch recall, Trans-vaginal mesh, and NFL concussion litigation, as well as serving in leadership of cases that garnered national attention like the Sutherland Springs Mass Shooting. Thompson & Horton has represented the District for over 10 years. The inception of the relationship between O'Hanlon, Demerath & Castillo and the District began when Thompson & Horton introduced O'Hanlon, Demerath & Castillo to the District in Autumn 2024 to consider the social media litigation.

Thompson & Horton has served as legal counsel to Crosby ISD for over 10 years. Thompson & Horton has not previously represented Crosby Independent School District on a contingency fee arrangement. Eiland & Bonnin has not previously represented Crosby Independent School District on a contingency fee arrangement. Eiland & Bonnin has not previously represented Crosby ISD in any capacity. O'Hanlon, Demerath and Castillo has not previously represented Crosby Independent School District on a contingency fee arrangement. O'Hanlon, Demerath and Castillo has not previously represented Crosby ISD in any capacity. Thompson & Horton, LLP, Eiland & Bonnin, PC, and O'Hanlon, Demerath & Castillo, PC have, and continue to represent, claimants with competence and professionalism.

The specialized legal services, advancement of significant expenses, and compensation on a contingent fee basis required by this agreement cannot be performed by the attorneys and supporting personnel of Crosby Independent School District because the District does not currently employ attorneys who have specialized knowledge and experience regarding Multi-District Litigation and analysis and legal remedies under both Texas and federal law on a contingent fee basis. In addition, the District has not budgeted the financial resources necessary to advance the significant litigation expenses required by this type of litigation nor to compensate competent and experienced attorneys and staff regarding Multi-District Litigation as District employees or to reasonably compensate a firm in private practice with the necessary experience under a contract providing for payment on an hourly basis without contingency.

Due to the complexity of the matter and expected difficulties in performing the legal work for this matter, the risk of no recovery, the expected expenses, including expert witness fees and other litigation costs, a reasonable hourly fee for a firm in private practice to prosecute this matter would exceed the amount for which the District would be able to adequately budget and expend financial resources. The District also does not have the financial resources required to pay the additional, significant costs of implementing appropriate infrastructure and technology necessary to fully and properly perform the needed legal services. The District also does not have the financial resources required to properly pursue its claims and causes of action, including to retain independent experts as testifying witnesses and to finance all costs of litigation through final resolution of the matter. Additionally, many law firms that handle large, complex matters strictly on an hourly basis have institutional clients, including social media corporations, insurance

companies, and social media corporations; and it would be difficult to find a firm with experience in this area that does not have a conflict of interest that would hinder the firm's ability to effectively represent the District. The proposed law firms have certified that they have no such conflict of interest in representing Crosby ISD.

The legal services cannot be reasonably obtained from attorneys in private practice charging hourly fees without contingency because a contract to pay attorneys on an hourly basis without contingency would represent an additional and significant cost to Crosby Independent School District. Furthermore, the District would be responsible for payment of all costs and expenses of the litigation through appeals, including to retain independent experts as testifying witnesses and to finance all discovery expenses and other costs of litigation through final resolution of the matter. The District does not have the financial resources necessary to pay for these additional and significant expenses necessitated by this social media multi-district litigation.

Thompson & Horton, LLP, Eiland & Bonnin, PC, and O'Hanlon, Demerath & Castillo, PC will be compensated on a contingent fee basis. Entering into the proposed agreement is in the best interests of the residents of Harris County, Texas. The District has sustained significant damages due to youth social media usage and addiction and for which there exists a potential recovery from the perpetrating social media corporations. Thompson & Horton, LLP, Eiland & Bonnin, and O'Hanlon, Demerath & Castillo, PC possess the specialized skills, knowledge, experience, financial, and technological resources needed to competently and fully pursue maximum potential recovery of the District's damages. Furthermore, the proposed agreement enables the District to pursue its legal remedies without diverting essential monies and resources from the ongoing needs and operations of its students, staff, and community at large. In addition, the proposed agreement shifts the financial risk and burden of litigation costs and expenses to Thompson & Horton, LLP, Eiland & Bonnin, PC, and O'Hanlon, Demerath & Castillo, PC with the District owing no such monies to the law firms unless and until it recovers monies. Moreover, Texas statutory and common law provide for penalty damages and for recovery of court costs, and for recovery of attorneys' fees for certain of the District's claims, including for breaches of contract.

Additionally, time is of the essence in the provision of these legal services. Potentially impending legal deadlines require urgent action by counsel.

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President

Date

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Secretary

Date