



**ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.**

34 MOUNTAIN BLVD., BUILDING A  
P.O. BOX 4922  
WARREN, NEW JERSEY 07059

**A T T O R N E Y S   A T   L A W**

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www.embalaw.com

**February 8, 2021**

Tasha Jackson, Operations Manager  
East Orange Parking Authority  
60 Evergreen Place, Suite 503  
East Orange, NJ 07018

**Re:   East Orange Parking Authority  
Request for Qualifications – General Counsel Services  
Eric M. Bernstein & Associates, L.L.C.  
Qualification Statement**

Dear Ms. Jackson:

We hereby submit the following Qualification Statement on behalf of Eric M. Bernstein & Associates, L.L.C. for your consideration for the General Counsel Services position with the East Orange Parking Authority. Enclosed please find one (1) original, one (1) copy and one (1) CD.

Attached to the Proposal with Qualifications are required State Contractor Business Registration Program form, Affirmative Action provisions and references.

Please feel free to contact me at your convenience should you have any further requests or desire to meet the attorneys of this Law Firm for an interview.

Thank you for your attention to this matter.

Very truly yours,  
ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.

By:   
Eric Martin Bernstein, Esquire

EMB/lis  
Enclosures

**Proposal Prepared For:**

**EAST ORANGE PARKING AUTHORITY**

**GENERAL COUNSEL SERVICES**

**Submitted By:**



**ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.**

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A T T O R N E Y S   A T   L A W

**Eric M. Bernstein & Associates, L.L.C.**  
**34 Mountain Boulevard**  
**Building A**  
**P.O. Box 4922**  
**Warren, New Jersey 07059**  
**Phone: (732) 805-3360**  
**Fax: (732) 805-3346**  
**[www.embalaw.com](http://www.embalaw.com)**

Tasha Jackson, Operations Manager  
East Orange Parking Authority  
60 Evergreen Place, Suite 503  
East Orange, NJ 07018

## **QUALIFICATION STATEMENT**

We hereby submit the following Qualification Statement on behalf of Eric M. Bernstein & Associates, L.L.C. for the General Counsel Services position for the East Orange Parking Authority.

## **RESPONDENT CONTACT INFORMATION**

Eric M. Bernstein & Associates, L.L.C.  
34 Mountain Boulevard  
Building A  
P.O. Box 4922  
Warren New Jersey 07059  
Telephone (732) 805-3360  
Facsimile (732) 805-3346  
embernstein@embalaw.com

## **PROPOSAL FORMS**

The following Request for Proposal forms are attached to this Proposal:

Appendix A Letter of Qualification  
Appendix B Letter of Intent  
Financial and Conflicts Disclosure N.J.A.C. 11:15  
Certificates of Good Standing  
NJ State Certificate of Employee Information Report  
Business Registration Certificate  
Proof of Professional Liability Insurance \$5,000,000.00  
Equal Employment Opportunity Language N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27  
Americans with Disabilities Act Language

## **STATEMENT OF NO CONFLICT**

No person having an interest in or employed by the Law Firm of Eric M. Bernstein & Associates, L.L.C. is related to any elected or appointed official or employee of the East Orange Parking Authority.

## **QUALIFICATIONS**

Several firm members specialize in representation of public entities. Within the Law Firm Eric Martin Bernstein, Esquire is the responding attorney who will serve as the primary contractor and is assisted by Philip G. George, Esquire, Brian M. Hak, Esquire and Dominic P. DiYanni, Esquire. Their resumes are attached.

The Law Firm is currently providing general defense litigation services to the Central Jersey Joint Insurance Fund, South Bergen Municipal Joint Insurance Fund, Monmouth Municipal Joint Insurance Fund the Ocean County Municipal Joint Insurance Fund and the



Garden State Municipal Joint Insurance Fund, as well as the Municipal Excess Liability Fund, the Public Housing Joint Insurance Fund and the Public Authority Joint Insurance Fund. In addition the Law Firm provides general defense to a number of public entities on a myriad of matters.

The firm also serves a large number of other municipalities and counties throughout the State as special counsel in regard to labor and employment matters, tax appeals, litigation (in all courts and forums), municipal land use law, affordable housing and COAH issues, rent leveling, health matters, environmental matters and litigation, workers' compensation defense, Tort Claims Act Litigation, sewer utilities and authorities, water utilities, condemnation proceedings, foreclosures, ethics and a number of other municipal-related items. In fact, there is probably not a special legal matter that this Law Firm has not handled on behalf of our various public clients.

The Law Firm is currently Labor Counsel to the County of Atlantic, the County of Bergen, the County of Passaic, the County of Somerset and the Morris County Park Commission, as well as a number of other public entities throughout the State (please see our list of attached representative clients). The Law Firm also currently serves as municipal attorney for North Plainfield Borough, Somerset County, and Lavallette Borough in Ocean County. We have served as municipal attorney in Passaic City, Stillwater Township, Hardwick Township, Union City, West Windsor Township, Woodbridge Township, Paramus Borough, Franklin Township (Hunterdon), Bethlehem Township, High Bridge Borough, Washington Township (Warren) and Fairfield Township (Cumberland).

We have appeared before every known agency, tribunal and court both Federal and State, as to a myriad of legal issues involving litigation, discipline, layoffs, DEP matters, land use matters, condemnation/foreclosure issues, tax appeals, affordable housing, employee/ police/ officials defense, ABC issues, parking matters and everything else in between.

## **INDIVIDUAL ATTORNEYS**

Eric Martin Bernstein, Esquire is the primary contract attorney and sole partner of Eric M. Bernstein & Associates, LLC. He has been admitted to the Bar of the State of New Jersey since 1982 and is admitted to the Federal District Court for the District of New Jersey, the Third Circuit Court of Appeals, the District of Columbia Bar and the United States Supreme Court as well as being admitted *pro hac vice* throughout the United States. His concentration has been Labor and Employment Law, as well as, Government and Land Use law in the public and private sector since 1982. His qualifications are more fully set forth below.

Philip G. George, Esquire assists in the litigation of various legal matters from pre-disciplinary conference through hearing, trials and appeals in the labor and employment law arena. He has been admitted to the Bar of the State of New Jersey since 1982 and is admitted to the Federal District Court for the District of New Jersey and the Third Circuit Court of Appeals. His concentration is litigation and related matters for the Government Sector, including labor and employment law. He is also a Councilperson in Highland Park. His qualifications are more fully set forth below.

Brian M. Hak, Esquire has spent more than thirty (30) years of legal practice specializing in the representation of public, quasi-public and private entities throughout the State of New Jersey. Mr. Hak has served as general and special counsel to numerous public entities, including municipalities, counties, sewerage authorities, school boards, and independent authorities, such as redevelopment agencies and parking authorities. Mr. Hak has served as municipal attorney to some of the State's largest municipalities and was general and special litigation counsel to a large regional sewerage authority for many years.



Mr. Hak has also served as special counsel, tax counsel and litigation counsel to dozens of other public entities throughout New Jersey. His qualifications are more fully set forth below.

Dominic P. DiYanni, Esquire has been an attorney for more than a decade handling various matters in the field of government law (state, county and local), labor and employment law, tax appeal and taxation law and litigation in all courts amongst other responsibilities. Mr. DiYanni has been a senior associate and a partner in two (2) successful law firms prior to joining this Law Firm. He has been admitted to the Bar of the State of New Jersey since 2004 and has been admitted to the Federal District Court, the United States Third Circuit Court of Appeals, the United States Tax Court and the United States Supreme Court. His qualifications are more fully set forth below.

With the above experience level and client base Eric M. Bernstein & Associates, L.L.C. is best equipped to handle all needs of the East Orange Parking Authority. First, our two lead attorneys each have over 25 years of experience in litigation in liability jury trials at the federal and state level, in Workmen's Compensation litigation and risk assessment, and in representing and advising governmental entities and their elected officials, officers and employees. We open every new file with an eye to "how will it play to a jury?"

Second, with such diversity of background and "in the trenches" experience in every aspect of governmental representation from municipal prosecuting to election law litigation our attorneys have the know-how and underlying understanding of the processes which make up the context within which litigation takes place. In today's complex litigation scene, with developments in the law happening weekly at times, this context makes our Law Firm most qualified to devise pre-litigation strategies and implement litigation plans which are specifically tailored to the political, economic and social needs of a governmental entity.

In addition, the skill level of our attorneys is highly developed and the Law Firm has set precedent on the leading edge of governmental entity law issues under such diverse laws from the Law Against Discrimination and The Conscientious Employee Protection Act to the Open Public Meetings Act and the Open Public Records Act. Aided by computer skills and technology permitting access to all legal sources with immediate and real-time updates, our attorneys maintain quality and excellence in presentation of the law and facts of a case.

Finally, the Law Firm takes on tough issues which face governmental entities in the current legal landscape. We are currently litigating "whistle-blower" retaliation claims arising from civil service issues, defending government agencies from excessive and expensive demands for computerized documents and emails, and asserting in cases of first impression defenses to liability of officials, municipalities and counties under the Law Against Discrimination.

## **LAW FIRM RESOURCES AND TIMELY COMPLETION**

The Law Firm of Eric M. Bernstein & Associates, L.L.C. has the experience and qualifications to meet the needs of the East Orange Parking Authority as General Counsel. We look forward to working with the East Orange Parking Authority, its officials, managers and administrators.

The Office Administrator, Ms. Heather L. Nevola, receives all new assignments, opening file and tracking systems on each case, and initial assignment to the attorney. The Office Administrator also screens all calendars received from the courts and routes them to the Assigned Attorney after noting the scheduling event on the office calendaring system.

The Attorneys, Eric Martin Bernstein, Esquire, Philip G. George, Esquire, Brian M. Hak, Esquire and Dominic P. DiYanni, Esquire have primary responsibility for file preparation and readiness, submission of all status reports to the client, attendance at meetings or conducting telephonic conferences, and representation of the client at agency hearings or in court. The Assigned Attorney prepares all pleadings, discovery demands or motions, and conducts all legal research.

Eric Martin Bernstein, Esquire oversees all work of the Assigned Attorneys, and reviews and approves all non-routine administrative or litigation decisions, such as complex disciplinary drafting, entering appearances or filing charges, trial and appeal determinations, and billing for the client prior to submission to the client.

The Law Firm uses in-house state-of-the-art computer technology server-based IT computers and email systems to meet its client's needs. Due to the computer literacy of all attorneys in the Law Firm, minimal secretarial involvement is required for both routine and complex services within the Law Firm at the present time. Secretarial assistance for routine production or emergent matters is available in the event additional work production is required due to the nature of a particular case or the scheduling of cases.

At the present time, no paralegal or legal assistant is assigned any attorney responsibilities in the work of the Law Firm. The Law Firm has available contract paralegal assistance in the event such becomes necessary on a case by case basis.

### **LOCATION OF THE LAW FIRM**

The Law Firm is currently housed at 34 Mountain Boulevard, Building A, in Warren, Somerset County, New Jersey, within 3 miles of Interstate Highway 287 and within 2 miles of Interstate Highway 78. Access to the New Jersey Turnpike and the Garden State Parkway are also within minutes of the office.

### **ACCEPTANCE OF AUTHORIZED COMPENSATION**

The Law Firm of Eric M. Bernstein & Associates, L.L.C. will accept all rates and compensation as set forth in the Request for Proposal in accordance with such rates as may be determined by the East Orange Parking Authority by Resolution or Ordinance.



## PROPOSAL COSTS

Event/Activity	Rate per Hour
The Law Firm of Eric M. Bernstein & Associates, L.L.C. will accept all rates and compensation as set forth in the Request for Qualifications in accordance with such rates as may be determined by the East Orange Parking Authority by Resolution or Ordinance.	
Hourly Rate – All Special Counsel services, before courts, agency, Office of Administrative Law, Department of Personnel or in negotiations, or in-office, including client meetings, depositions, motion or conference hearings, and trial time. Hourly Rate - All Attorneys	\$ 200.00 per meeting; \$ 125.00 per hour
Hourly Rate - Paralegals (when requested and authorized)	\$60.00 per hour
Postage (includes Federal Express and USPS Priority)	Market Rate
Copying (in house, legal or letter sized)	\$0.20 per page
Copying/Printing (outside supplier, briefs and volume)	Market Rate
Facsimile transmittal (sending only)	\$0.20 per page
Electronic transmission (email or other)	None

## CONFLICTS OF INTEREST

The Law Firm represents that representation of the East Orange Parking Authority will not give rise to any conflict which might adversely affect that representation. In addition, New Jersey Regulatory Disclosure of Financial Interest/Conflict of Interest Data Form pursuant to N.J.A.C. 11:15 – 2.6 (c) (10) is attached in the Appendix.

## CERTIFICATION OF PROFESSIONAL STANDING

All members of the Law Firm of Eric M. Bernstein & Associates, L.L.C. and all staff attorneys assigned for the provision of professional services to the East Orange Parking Authority are admitted to practice in the State of New Jersey and the Federal District Court of the District of New Jersey, and are in good standing.

No members of the Law Firm of Eric M. Bernstein & Associates, L.L.C. and no staff attorneys assigned for the provision of professional services to the East Orange Parking Authority, are disbarred, suspended or otherwise prohibited from professional practice by any federal, state or local agency.

## STATE CONTRACTOR BUSINESS REGISTRATION PROGRAM

The current required State Contractor Business Registration Program Form of Eric M. Bernstein & Associates, L.L.C. is attached.



## **AFFIRMATIVE ACTION**

Eric M. Bernstein & Associates, L.L.C. fully complies with all Civil Rights Statutes and Regulations, Non-Discrimination Laws and Affirmative Action Provisions of the New Jersey Procurement Law, and the Affirmative Action Provisions which will be followed if Eric M. Bernstein & Associates, L.L.C. is awarded a contract are attached.

## **COMPLIANCE WITH GENERAL TERMS AND CONDITIONS**

Eric M. Bernstein & Associates, L.L.C. will comply with all General Terms and Conditions required by the East Orange Parking Authority, and will enter into a standard Professional Services Contract of the East Orange Parking Authority. Eric M. Bernstein & Associates, L.L.C. further represents it will comply with any Litigation Guidelines of the East Orange Parking Authority.

## **SIGNATURE**

Dated: February 8, 2021

Eric M. Bernstein & Associates, L.L.C.

By:



Eric Martin Bernstein, Esquire

For the Law Firm

## FIRM MEMBERS

### ERIC MARTIN BERNSTEIN, PRINCIPAL



#### Practice Areas

- Labor and Employment Law
- Municipal and Governmental Law/Affairs
- Land Use Law
- Education Law

#### Biography

With nearly 40 years of legal experience as a municipal attorney and labor/ employment, Mr. Bernstein has served as General Counsel to over a dozen municipalities throughout the State and handled such diverse issues as the Open Public Meetings Act, the Open Public Records Act, land use matters, ethics issues, municipal construction; the Local Public Contracts Law, tax appeals, open space acquisition and general government affairs, both as General and Special Counsel. There is no field of municipal/government law that Mr. Bernstein has not handled on behalf of the various New Jersey municipalities. He has appeared in both Federal and State courts on all municipal litigation and related issues.

Mr. Bernstein handles matters on a wide range of subjects within the labor/employment law fields, including, but not limited to, general advice and assistance, contract negotiations, interest and grievance arbitrations, fact-finding and mediation, disciplinary matters involving public safety and non-public safety employees and litigation before Federal and State courts and various administrative agencies. He has or is serving numerous public entities as Labor Counsel throughout the State of New Jersey and elsewhere.

In addition to his practice, Mr. Bernstein is a regular and frequently requested speaker at state, national and international organizations and has been teaching for the Rutgers University Bureau of Government Research and other institutions/entities since the early 1980s. Mr. Bernstein has also taught a number of varied courses for the New Jersey State Bar Association and the Institute for Continuing Legal Education on municipal and labor law matters for professional legal accreditation. Mr. Bernstein has written articles for publication on government and labor law and is the Immediate Past Chairman of the New Jersey State Bar Association Local Government Law Section, where he also previously served as its Vice Chairman and Editor of its newsletter. Mr. Bernstein has also served as a Vice President of the New Jersey Association of School Attorneys.

#### Education

J.D., University of Oklahoma College of Law, 1982  
M.S., Industrial and Labor Relations, Cornell University/Baruch College, 1985  
B.A., magna cum laude with honors, Drew University, 1979

#### Admissions

New Jersey Bar  
District of Columbia Bar United  
States Supreme Court  
Third Circuit (Federal) Court of Appeals

United States District Courts:

New Jersey  
Eastern District of Arkansas  
Western District of Arkansas  
Nebraska  
North Dakota  
Eastern District of Oklahoma  
Northern District of Oklahoma  
Western District of Oklahoma  
Eastern District of Texas  
Eastern District of Wisconsin  
Western District of Wisconsin

**Awards**

International Trial Lawyers Award, University of Oklahoma College of Law  
Who's Who in American Law  
Who's Who in the United States  
Who's Who in the World  
Super Lawyer in the fields of Municipal and Labor/Employment Law (2006-present)

**Service**

Mr. Bernstein is active in the Valerie Fund, a children's cancer fund, which his wife, Merrie, serves as a member of the Board of Trustees. She also serves as President of MWB Consulting, LLC.



## PHILIP G. GEORGE, OF COUNSEL



### Practice Areas

- Municipal & Government Law
- Litigation
- Election Law
- Labor & Employment Law
- Land Use and Environment Law

### Biography

Philip G. George returns to Eric M. Bernstein & Associates, L.L.C. in an Of Counsel position, after successfully serving as Director of Compliance and Development, as well as in-house counsel, for the Newark Parking Authority. Prior to joining the Parking Authority, Mr. George was an associate at Eric M. Bernstein & Associates, L.L.C. for almost thirteen (13) years. He adds over 35 years of litigation experience to the Law Firm's ability to meet a client's needs in Federal and State litigation, Workers Compensation and Administrative proceedings. He is also a Councilmember in Highland Park Borough, and has served as Council President and Acting Mayor.

At Eric M. Bernstein & Associates, L.L.C., Mr. George has successfully defended county and municipal governments in civil rights, "whistle-blower" and hostile environment employment claims. He also represents government in land use and inverse condemnation cases as well as defending ordinances and regulations from challenge on constitutional and statutory grounds. Further, he has successfully defended government in labor and collective bargaining litigation in both federal and state courts. He has also successfully represented municipalities in litigation seeking reimbursement from insurance carriers and financial institutions in commercial litigation and environmental litigation.

Mr. George serves as Municipal Prosecutor in the Bethlehem/ Bloomsbury Joint Municipal Court, the Lebanon Borough Municipal Court, as alternate prosecutor in the Pleasantville and Passaic Municipal Courts. He has also served as the alternate or special prosecutor in the City of Plainfield, the Borough of North Plainfield and the Township of Brick, as well as Conflicts Prosecutor in Atlantic City. He also prosecuted Land Use and Zoning matters in North Hunterdon Regional Municipal Court for several municipalities.

Before originally joining Eric M. Bernstein & Associates, L.L.C., Mr. George served as an Atlantic County Assistant Prosecutor where he handled special litigation, narcotics and white collar investigations, arson and vice. Mr. George was also an associate in several Atlantic City, NJ law firms litigating casino construction claims during the rise of the Casino Gaming industry in Atlantic City, as well as personal injury and workers compensation claims. In addition, he has represented municipalities in disciplinary actions and defended numerous civil rights claims against county and municipal governments.

### Education

J.D., University of Dayton School of Law in Dayton, Ohio, May, 1981

B.A, English, Davis and Elkins College, Elkins, West Virginia, May, 1976

**Admissions**

State of New Jersey; Federal Third Circuit Court of Appeals

**Service**

He served as President of the Atlantic County Bar Association in 2002-2003 and as a delegate to the New Jersey State Bar Association. He is a member of the Highland Park Arts Collective and has exhibited in several shows. He is the father of three (3) boys. His wife, Carolyn M. Timmons, was the Director of Children's Services for Middlesex County, New Jersey and has served as a Councilwoman in Highland Park. She has also worked in the Middlesex Vicinage and Probation for the Judiciary.

**Publications and Presentations**

*CPR 101 - Back to Basics*, April, 1998 and recurring; role-playing seminar course for Civilian Review Panel Members, Judges, Court and Social Services Administrators on basic issue spotting and manipulation of the "system" to maximize the review system and insure swift permanency planning for children in placement. (Unedited video available)

The Sandpaper, Journal of the Shire of Barren Sands, *Traveling the Old Roads*, December, 1997, article on bridge building, toll collection and royal and common travel in Medieval England.

New Jersey Lawyer, Vol. 1, No. 29, June 8, 1992, *Playing Both Sides of the Jury Box*, cover feature as New Jersey trial attorney sitting on civil personal injury jury.



## BRIAN M. HAK, OF COUNSEL



### Practice Areas

- Labor and Employment Law
- Litigation (Federal and State courts)
- OPRA/OPMA Law
- Government Law
- Criminal Law
- Corporate Law

### Biography

Brian M. Hak, Esq. has spent more than thirty (30) years of legal practice specializing in the representation of public, quasi-public and private entities throughout the State of New Jersey. Mr. Hak has served as general and special counsel to numerous public entities, including municipalities, counties, sewerage authorities, school boards, and independent authorities, such as redevelopment agencies and parking authorities. Mr. Hak has served as municipal attorney to some of the State's largest municipalities and was general and special litigation counsel to a large regional sewerage authority for many years. Mr. Hak has also served as special counsel, tax counsel and litigation counsel to dozens of other public entities throughout New Jersey. During the course of his career, Mr. Hak has developed a deep level of experience in the representation of public entities and is intimately familiar with all statutory and regulatory schemes affecting them including, but not limited to, the Open Public Meetings Act, the Open Public Records Act, the Local Public Contracts Law, the Local Lands and Buildings Law, the Local Budget Law, the Local Redevelopment and Housing Law, the Sewerage Authorities Law, and alcohol beverage control laws and regulations.

Mr. Hak has successfully litigated cases in the Federal, State and administrative law courts, as well as in arbitration proceedings. Mr. Hak has regularly represented both public and private clients in a wide range of complex litigation matters, including disputes involving public contracts, construction claims, environmental liability, condemnation, real property tax appeals, land use, workplace discrimination, wrongful discharge and First Amendment rights. Mr. Hak has extensive experience in defending public entities against claims brought under New Jersey's Law Against Discrimination (LAD) and the Conscientious Employee Protection Act (CEPA), as well as Federal claims brought under Title VII and §1983. Mr. Hak has also represented public entities in environmental cases under the New Jersey Spill Act and CERCLA and cases involving large construction disputes.

Mr. Hak's legal experience began with a clerkship for a State Tax Court Judge and continued with his employment as an associate with McKirdy & Riskin, P.A., a firm dedicated to condemnation/eminent domain and real property taxation matters. Thereafter, prior to joining Eric Bernstein & Associates, LLC as Of Counsel, Mr. Hak was an associate and then a partner at the Weiner Law Group LLP, where he was a member of the firm's Government and Public Entity Law Department and Manager of its Tax Appeal Division. As the Manager of Weiner Law Group's Tax Appeal Division, Mr. Hak was responsible for representing numerous municipalities as special tax counsel.

In his spare time, Mr. Hak enjoys spending time with his wife and daughters.



**Education**

J.D., New York Law School, New York, New York, 1988  
B.S./B.A., University of Hartford, 1985

**Admissions**

State of New Jersey, 1988  
U.S. District Court District of New Jersey, 1988

**Publications and Presentations**

"Real Property Tax Update – The Business Retention Act," New Jersey State Bar Association  
Local Government Law Section Newsletter, 1995  
"Special Improvement Districts – Effective and Fair," New Jersey Municipalities Magazine, May,  
1997

**Representative Cases**

State by Commissioner of Trans. v. Morristown, 129 N.J. 279 (1992)  
Town of Morristown v. Women's Club, 124 N.J. 605 (1991)  
Calton Homes v. West Windsor Twp., 15 N.J. Tax 231 (Tax Ct. 1995)

**Classes/Seminars**

Powers & Duties of Governing Body Officials, Rutgers University  
Presenter, New Jersey Association of County Tax Board Commissioners and Administrators  
Presenter, New Jersey League of Municipalities

## DOMINIC P. DIYANNI, ASSOCIATE



### Practice Areas

- Government Law (State, County and Local)
- Tax Appeal and Taxation Law
- Corporate and Business Law
- Land Use Law
- Litigation

### Biography

Dominic P. DiYanni, Esq. is a graduate of Quinnipiac University School of Law, where he concentrated in taxation and a graduate of Dickinson College in Carlisle, PA, where he studied political science.

Mr. DiYanni has knowledge and experience in local government law, including but not limited to issues in the areas of Open Public Records Act (OPRA), Local Public Contracts Law, Pay-to-Play and Local Lands and Buildings Law. Mr. DiYanni has also prosecuted and defended Orders to Show Cause, engaged in extensive motion practice; draft and review of bid specifications; and, assist in the preparation of Resolutions and Ordinances and any amendments thereto. Mr. DiYanni also has extensive experience in State and County tax appeals throughout the State of New Jersey (commercial, industrial and residential).

In addition, Mr. DiYanni has appeared before various Federal and State courts and has successfully litigated cases not only for private and public clients, but also for the Morris County Municipal Joint Insurance Fund, New Jersey Environmental Joint Insurance Fund and the Municipal Excess Liability Fund, amongst others. Prior to joining this Firm, Mr. DiYanni was a former senior associate at the Law Firm of Dorsey & Semrau and a partner with the firm of Davenport & Spiotti, where he handled the types of general and specific legal matters he is handling for this Firm. He currently serves as counsel to Franklin Township Fire District No. 1 and to Franklin Township Fire District No. 2 in Somerset County, New Jersey, tax counsel for Corbin City and Weymouth Township in Atlantic County, special counsel to the Borough of Roselle and serves as municipal prosecutor in the Borough of South Bound Brook. Mr. DiYanni is also a Trustee of the New Jersey Institute of Local Government Attorneys, where he has enjoyed serving in such capacity for over the past seven (7) years.

Mr. DiYanni is a husband and devoted father of one, who enjoys spending time with his family when not working.

### Education

J.D., Quinnipiac University School of Law, 2004  
B.A., Dickinson College, 2001

### Admissions

State of New Jersey, 2004  
United States Third Circuit Court of Appeals, 2005  
United States Tax Court, 2005  
United States Supreme Court, 2005

**NAME, ADDRESS AND CONTACT INFORMATION OF REFERENCES**

**Mayor Michael Giordano, Jr.**  
Borough of North Plainfield  
263 Somerset Street  
North Plainfield, New Jersey 07060  
(908) 769-2900

**Hon. Thomas A. DeGise**  
Hudson County Executive  
Justice Brennan Courthouse  
583 Newark Avenue  
Jersey City, New Jersey 07306  
(201) 795-6200

**Julien X. Neals, Esquire, County Counsel/Acting  
County Administrator**  
County of Bergen  
One Bergen County Plaza  
Room 580  
Hackensack, New Jersey 07601  
(201) 336-6970

**Michael Bellucci, Deputy County  
Administrator**  
County of Bergen  
One Bergen County Plaza  
Hackensack, New Jersey 07601  
(201) 336-7347

**James Ferguson, Esquire  
Atlantic County Counsel**  
County of Atlantic  
1333 Atlantic Avenue  
Atlantic City, New Jersey 08401  
(609) 343-2310

**Mayor Gloria McCauley  
Anthony Ferrera, Township Administrator**  
Township of Hillsborough  
379 South Branch Road  
Hillsborough, New Jersey 08844  
(908) 369-3535

**Ricardo Fernandez, Administrator**  
City of Passaic  
330 Passaic Street  
Passaic, New Jersey 07601  
(973) 365-5514

**Mayor Dan Hayes  
James T. Naples, Township Administrator**  
Township of Bridgewater  
100 Commons Way  
Bridgewater, New Jersey 08807  
(908) 725-6300

**Others available upon request**



**ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.**  
**REPRESENTATIVE CLIENT LIST**  
(approximate dates of service)

County of Atlantic (Special Labor Counsel) (2002-present)  
Bergen Community College (Labor Counsel) (2017-present)  
Bergen County Board of Social Services (Labor Counsel) (2006-2009) (2014-2015)  
(2017-present)  
Bergen County Housing Authority (Labor Counsel) (2006-2014) (Special Counsel)  
(2016-present)  
County of Bergen (Labor Counsel) (Special Counsel) (2003-present)  
Bergen County Improvement Authority (Special Counsel) (2010-present)  
Bergen County Prosecutor's Office (Labor Counsel) (2003-present)  
Bergen County Sheriff's Office (Labor/Special Counsel) (2003-2010) (2015-present)  
Bergen County Utilities Authority (Special Counsel) (2018-present) (Labor Counsel)  
(2018-present)  
Bergen County Vo-Tech Board of Education (Special Counsel) (2014-present)  
Northwest Bergen County Utilities Authority (Labor Counsel) (2011-present)  
County of Camden (Special Counsel) (2007-present)  
County of Camden Improvement Authority (Special Counsel) (2018-present)  
County of Cape May (Labor Counsel) (1999-2007)  
Cape May County Municipal Authority (Labor Counsel) (1997-2000)  
County of Cumberland (Litigation Counsel) (2013-present) (Workers Compensation Counsel)  
(2015-present)  
County of Cumberland Board of Social Services (Labor Counsel) (2012-2016)  
County of Essex (Special Workers Compensation Counsel) (2001-present)  
County of Essex Improvement Authority (Special Counsel) (2011-present)  
County of Hudson (Special Litigation/Employment Counsel) (2005-present)  
Mercer County Community College (Labor Counsel) (2001-2004)  
County of Middlesex (Labor Counsel) (2001-2003)  
Middlesex County Improvement Authority (Special Counsel) (2017-present)  
Morris County Park Commission (Labor Counsel) (2018-2020)  
County of Passaic (Special Litigation/Employment Counsel) (2003-present)  
County of Passaic Affordable Housing Corporation (General Counsel) (2015-2018)  
County of Somerset (Labor/Special Counsel) (2009-present)  
Somerset County Library Commission (Labor Counsel) (2015-present)  
Somerset County Board of Social Services (Labor Counsel) (2016-present)  
Somerset County Park Commission (Labor Counsel) (2017-present) (General Counsel)  
(2020-present)  
County of Sussex (Special Counsel) (2019-present)  
County of Union (Labor Counsel) (2015-present) (Litigation Counsel) (2017-present)  
Union County Vo-Tech Board of Education (Special Counsel) (2010-present)  
Borough of Allendale (Labor Counsel) (1992-1993)  
Borough of Bergenfield (Labor Counsel) (2006-2015)  
Borough of Bound Brook (Alternate Municipal Prosecutor) (2020-present)

Borough of Cliffside Park (Special Conflicts Attorney) (2017-present)  
Borough of Dumont (Labor Counsel) (2005-2011) (Special Counsel) (2009-2011) (2016-present)  
Borough of Englewood Cliffs (Tax Appeal Counsel) (2016-2019) (Special Litigation Counsel)  
(2018-2019)  
Borough of Fort Lee (Conflict Counsel) (2017-present)  
Borough of Fort Lee Parking Authority (Labor Counsel) (2007-2013)  
Borough of Fort Lee Planning Board (Conflict Attorney) (2008-2012)  
Borough of Fort Lee Board of Adjustment (Conflict Attorney) (2008-2012)  
Borough of Garwood (Tax Attorney) (2017-2018)  
Borough of Haledon (Special Litigation Counsel) (2017-present)  
Borough of Hasbrouck Heights (Labor Counsel) (1988-1994)  
Borough of Hightstown (Labor Counsel) (2012-2015) (2018-present)  
Borough of Hillsdale (Municipal Attorney) (2013-2015) (Labor Counsel) (2013-2015)  
(Tax/Special Counsel) (2008-2009) (2014-2016)  
Borough of Hopatcong (Labor Counsel) (2003-2005) (Board of Health Attorney) (2009-2012)  
Borough of Island Heights (Municipal Special Counsel) (2017-present)  
Borough of Lavallette (Borough/Labor Attorney) (2006-present) (Special Counsel 2001-2005)  
Borough of Milltown (Tax Attorney) (2017-2019)  
Borough of North Arlington (Labor Counsel) (2013-2015) (Tax Counsel) (2016-2020)  
(Special Counsel) (2018-2020)  
Borough of North Plainfield (Municipal/Labor Attorney) (1997-present)  
Borough of Palisades Park (Special Counsel) (2018-present)  
Borough of Palmyra (Special Counsel/Conflict Attorney) (2018-present)  
Borough of Paramus (Municipal Attorney) (1998-2000) (Labor Counsel) (2003-2010)  
(Special Counsel) (1994-1998) (2001-2002) (2016-present)  
(Special Tax Counsel) (2018-present) (Special Litigation Counsel) (2019-present)  
Borough of Paramus Board of Adjustment (Board Attorney) (2008-2009)  
Borough of Raritan (Municipal Prosecutor) (2013-2014) (Labor Counsel) (2017-2020)  
Borough of Roselle (Special/Foreclosure Counsel) (2013-present)  
Borough of Roselle Park (Tax Counsel) (2014-2018)  
Borough of Rutherford (Labor Counsel) (1998-2008) (2011-2020)  
(Affordable Housing Counsel) (2015-present) (Conflict Tax Counsel) (2017-present)  
Borough of Saddle River (Labor Counsel) (2014-2016)  
Borough of Sayreville (Special Counsel-Other Matters) (2018-present)  
Borough of Sayreville Public Library (General Counsel) (2010-present)  
Borough of Sea Bright (Special/Conflicts Counsel) (2017-2018)  
Borough of Seaside Heights (Labor Counsel) (1995-1996) (Conflict Prosecutor) (2017-present)  
Borough of Seaside Park (Conflict Municipal Attorney) (2016-present)  
(Special Counsel) (2017-present)  
Borough of South Bound Brook (Labor Counsel) (2008-2009) (2014-2018)  
(Municipal Prosecutor) (2014-present)  
Borough of South Toms River (Prosecutor) (2020-present)  
Borough of Spring Lake (Labor/Special Counsel) (1998-2007)  
Borough of Teterboro (Labor Counsel) (1987-1990)  
Borough of Victory Gardens (Land Use Board Attorney) (2013-present)  
Borough of Wanaque (Labor Counsel) (1984-2001)



Borough of Woodcliff Lake (Labor Counsel) (2013-2015)  
Borough of West Cape May (Labor Counsel) (2006-present)  
Borough of Wildwood Crest (Labor Counsel) (1997-2001)  
City of Atlantic City (Special Counsel) (2002-2011) (Tax Counsel) (2020-present)  
Atlantic City Board of Education (Labor Counsel) (2001-2004)  
Atlantic City Housing Authority (Labor Counsel) (2004-2008) (2017-present)  
(General Counsel 2007)  
Atlantic City Municipal Utilities Authority (Hearing Officer) (2015-present)  
City of Bridgeton (Hearing Officer) (2014-present) (Alternate Labor Relations Attorney)  
(2018-present)  
City of Brigantine (Labor Counsel) (2013-2015)  
City of Camden (Special Counsel) (2011-present)  
City of Camden Planning Board (Conflict Counsel) (2020-present)  
Housing Authority of the City of Camden (Board Counsel) (2018-2019)  
City of Clifton (Labor Counsel) (1990-1992)  
City of Corbin (Tax Attorney) (2016-present)  
City of East Orange (Special Counsel) (2009-present) (Labor Counsel) (2018-present)  
(Tax Counsel) (2020-present)  
City of Elizabeth Board of Education (Outside Counsel) (2016-present)  
City of Hackensack (Special Counsel) (2001-2005) (Labor Counsel) (2007-2012)  
(2014-2015) (Hearing Officer) (2014-2015)  
City of Jersey City (Special Counsel) (2005-2014) (2016-present) (Tax Counsel) (2017-present)  
City of Jersey City Housing Authority (Special Counsel) (2009-2011) (2016-present)  
(General Counsel) (2020-present) (Redevelopment Counsel) (2020-present)  
City of Jersey City Redevelopment Agency (Redevelopment/Special Counsel) (2015-present)  
City of Lambertville (Labor Counsel) (1986-1993)  
City of Lambertville Sewerage Authority (Labor Counsel) (1990-1992)  
City of Long Branch (Labor Counsel) (1994-2006) (Planning Board Conflict Attorney)  
(2014-2017) (2020-present)  
City of Orange Township (Special Litigation Counsel) (2013-present) (Tax Counsel)  
(2017-present) (Labor Counsel) (2017-present)  
City of Newark (Foreclosure Counsel) (2014-2017)  
City of Newark Parking Authority (General/Labor Counsel) (2008-2014)  
City of Newark Housing Authority (Special Counsel) (2009-2014)  
City of Northfield (Labor Counsel) (2006-2007)  
City of Passaic (City Attorney) (1990-1992) (ABC Attorney) (2010-2012) (Labor/Special  
Counsel) (2011-present) (Municipal Prosecutor) (2016-2020)  
(Workers Compensation Counsel) (2014-present) (Litigation Counsel) (2014-present)  
City of Passaic Housing Authority (Labor Counsel) (2017-present) (General Counsel)  
(2020-present)  
City of Passaic (Rent Leveling Board Attorney) (2012-2018)  
City of Passaic Parking Authority (General Counsel) (2011-present)  
City of Passaic Redevelopment Agency (General Counsel) (2014-present)  
City of Paterson Housing Authority (Labor Counsel) (2017-present)  
City of Perth Amboy (Special Counsel) (2016-present)  
City of Plainfield (City Solicitor) (2000-2004) (Special Litigation/Workers Compensation



Counsel) (2010-present) (Tax Appeal Counsel) (2016-present)  
City of Plainfield Municipal Utilities Authority (Conflict Counsel) (2015-present) (Labor Counsel) (2017-present)  
City of Pleasantville (Labor Counsel) (2000-2004) (Alternate City Prosecutor) (2017-present)  
City of Trenton (Special/Labor Counsel) (2015-present)  
City of Trenton Parking Authority (Special Counsel) (2012-2017)  
City of Union City (City Attorney) (1998-1999)  
City of Union City Board of Education (Special/Conflict Counsel) (2018-present)  
Township of Aberdeen (Labor/Special Counsel) (2009-2012)  
Township of Barnegat Zoning Board of Adjustment (Conflict Attorney) (2016-present)  
Township of Berkeley (Labor Counsel) (1997-2013)  
Township of Bethlehem (Municipal Attorney) (1997-1999)  
Township of Bethlehem/Borough of Bloomsbury/Borough of Lebanon (Municipal Prosecutor) (2012-2013) (2015-present)  
Township of Bloomfield Historic Preservation Commission (General Counsel) (2015-2017)  
Township of Brick (Conflict/Alternate Municipal Prosecutor) (2016-present)  
Township of Bridgewater (Labor Counsel) (2012-2019) (Conflict Tax Counsel) (2012-2016) (Tax Counsel) (2017-2019)  
Township of Buena Vista (Township Attorney) (2016-present) (Labor Counsel) (2014-present) (Tax Counsel) (2014-present) (Special Counsel) (2014-present) (Records Management Counsel) (2015-present) (Foreclosure Counsel) (2016-present)  
Township of Cherry Hill (Conflict Tax Attorney) (2013-2016)  
Township of Clinton (Labor Counsel) (1986-1989)  
Township of Delran Planning Board (Conflict Attorney) (2017-2019)  
Township of Delran Zoning Board of Adjustment (Conflict Attorney) (2017-2019)  
Township of Deptford (Hearing Officer) (2014-2017)  
Township of East Brunswick (Special Counsel) (2019-present) (Library Board Labor Counsel) (2019-present)  
Township of East Greenwich (Labor Counsel) (2008-2014) (Special Counsel) (2012-2014) (Redevelopment Counsel) (2013-2014) (2016-present)  
Township of Edgewater Park (Conflict Labor Counsel) (2018-present)  
Township of Edison (Labor Counsel) (1995-1997)  
Township of Fairfield (Cumberland) (Municipal Attorney (2005-2007) (Special Counsel) (2007-2011)  
Township of Franklin (Hunterdon) (Municipal Attorney) (1998-2003)  
Township of Franklin Planning Board (General Counsel) (2004-2006)  
Township of Franklin (Somerset) Fire District #1 (General Counsel) (2014-present)  
Township of Franklin (Somerset) Fire District #2 (Special Counsel) (2014-2017) (General Counsel) (2017-present)  
Franklin Township (Somerset) Housing Authority (General Counsel) (2011-2016)  
Franklin Township (Somerset) Sewerage Authority (General Counsel) (2016-present)  
Township of Hackettstown (Labor Counsel) (1998-1999)  
Township of Hamilton (Mercer) (Conflict Tax Counsel) (2014-present) (Special Counsel) (2018-present)  
Township of Hardwick (Municipal Attorney) (1991-2001)  
Township of Hillsborough (Labor Counsel) (2000-present) (Special Counsel) (2000-present)

(Affordable Housing Counsel) (2015-present) (Open Space Counsel) (2017-2019)  
(Alternate Township Attorney) (2018-present) (Alternate Municipal Prosecutor)  
(2018-present)

Township of Hillsborough Planning Board (Board Attorney) (2001-present)  
Township of Hillside (Planning Board Attorney) (2014-2016) (ABC Attorney) (2018-present)  
Township of Independence Land Use Board (Board Attorney) (2017-present)  
Township of Irvington (Special/Litigation Counsel) (2011-present) (Workers Compensation  
Counsel) (2015-present) (Foreclosure Counsel) (2015-present)  
Township of Irvington Planning Board (Board Attorney) (2012-present)  
Township of Irvington Zoning Board of Adjustment (Board Attorney) (2013-present)  
Township of Lacey (Labor Counsel) (1993-1995)  
Township of Lebanon (Municipal/Labor Attorney) (2000-2011)  
Township of Little Egg Harbor (Conflict Tax Counsel) (2016-2019)  
Township of Little Egg Harbor Board of Adjustment (Conflict Counsel) (2019-present)  
Township of Little Egg Harbor Planning Board (Conflict Counsel) (2020-present)  
Township of Lopatcong (Labor Counsel) (1998-2003)  
Township of Lyndhurst (Labor Counsel) (2005-present) (Special Counsel) (2008-present)  
(Affordable Housing Counsel) (2015-present)  
Lyndhurst Board of Education (Labor Counsel/Special Counsel) (2011-present)  
Township of Manchester (Conflict Prosecutor) (2013-2016)  
Township of Medford Board of Adjustment (Conflict Counsel) (2020-present)  
Town of Morristown Board of Adjustment (Board Attorney) (2007-2010)  
Township of Montclair (Tax Attorney) (2019-present)  
Township of Montclair Business Improvement District (Special Counsel) (2014-present)  
Township of Montvale (Labor Counsel) (2010-2012)  
Township of Mount Laurel (Labor Counsel) (2009-2013)  
Township of North Bergen Parking Authority (Special Counsel) (2009-2012)  
Township of North Brunswick (Labor Counsel) (2000-2003)  
Township of Ocean Planning Board (Conflict Attorney) (2010-2014)  
Township of Ocean Zoning Board of Adjustment (Conflict Counsel) (2011- 2017)  
Orange Housing Authority (Special Counsel) (2009-present)  
Township of Parsippany-Troy Hills (Special Counsel) (2018-present)  
Township of Pemberton (Special Counsel) (2008-2015) (Planning Board Conflict Attorney)  
(2011-present)  
Township of Piscataway (Conflict Labor Counsel) (2011-present)  
Township of Plumsted (Labor Counsel) (1992-1996) (Special Counsel/Hearing Officer)  
(2012-present)  
Township of Raritan (Conflict Tax Attorney) (2016-present)  
Township of Scotch Plains (Municipal Prosecutor) (2020-present)  
Township of Southampton (Conflict Township Attorney) (2016-present)  
Township of Stillwater (Municipal Attorney) (1998-2000) (Labor Counsel) (1997-2001)  
Township of Upper Freehold (Labor Counsel) (1997-2014)  
Township of Wall (Special Litigation Counsel) (2019-present)  
(Special Conflicts Counsel) (2019-present)  
Township of Washington (Warren) (Municipal/Labor Attorney) (1990-2003)  
Town of West New York (Labor Counsel) (1990-1995) (Conflict Municipal Prosecutor)



(2016-present)  
Township of West Caldwell (Special Counsel) (2017-present)  
Township of West Windsor (Municipal/Labor Attorney) (1993-1997)  
Township of Weymouth (Tax Appeal Counsel) (2015-present) (Conflict Township Attorney)  
(2018-present) (Labor Counsel) (2020-present)  
Township of Willingboro MUA (Conflict Counsel) (2013-2014)  
Township of Winfield (Municipal Prosecutor) (2020-present)  
Township of Woodbridge (Special Counsel) (1998-2009)  
Woodbridge Fire District #1 (Labor Counsel) (2010-2019)  
Woodbridge Fire District # 2 (Labor Counsel) (2010-2018)  
Township of Woodbridge Housing Authority (Labor Counsel) (2009-2011)

**Joint Insurance Funds:**

Central Jersey JIF  
Garden State Municipal JIF  
Monmouth County JIF  
Middlesex County Joint Health Fund (Litigation Counsel)  
Municipal Excess Liability  
Ocean County JIF  
Public Entities JIF  
Public Housing Authority JIF  
Public Utilities Authority JIF  
Somerset County JIF  
South Bergen JIF





**ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.**

34 MOUNTAIN BLVD., BUILDING A  
P.O. BOX 4922  
WARREN, NEW JERSEY 07059

**A T T O R N E Y S   A T   L A W**

(732) 805-3360  
FACSIMILE (732) 805-3346  
www.embalaw.com

**February 8, 2021**

**APPENDIX A**

**LETTER OF QUALIFICATION**

Tasha Jackson, Operations Manager  
East Orange Parking Authority  
60 Evergreen Place, Suite 503  
East Orange, NJ 07018


**Re:   East Orange Parking Authority  
Request for Qualifications -- General Counsel Services  
Eric M. Bernstein & Associates, L.L.C.  
Qualification Statement**


Dear Ms. Jackson:

The undersigned have reviewed our Qualification Statement submitted in response to the Request for Qualifications (RFQ) issued by the East Orange Parking Authority in connection with the Authority's need for General Counsel Services.

We affirm that the contents of our Qualification Statement (which Qualification Statement is incorporated herein by reference) are accurate, factual and complete to the best of our knowledge and belief and that the Qualification Statement is submitted in good faith upon express understanding that any false statement may result in the disqualification of Eric M. Bernstein & Associates, L.L.C.

(Respondent shall sign and complete the spaces provided below. If a joint venture, appropriate officers of each company shall sign.)

  
\_\_\_\_\_  
Eric Martin Bernstein, Esquire  
Chief Executive Officer  
Eric M. Bernstein & Associates, L.L.C.

  
\_\_\_\_\_  
Eric Martin Bernstein, Esquire  
Chief Financial Officer  
Eric M. Bernstein & Associates, L.L.C.

\* If a joint venture, partnership or other formal organization is submitting a Qualification Statement, each participant shall execute this Letter of Qualification.



**ERIC M. BERNSTEIN & ASSOCIATES, L.L.C.**

34 MOUNTAIN BLVD., BUILDING A  
P.O. BOX 4922  
WARREN, NEW JERSEY 07059

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**February 8, 2021**

**APPENDIX B**

**LETTER OF INTENT**

Tasha Jackson, Operations Manager  
East Orange Parking Authority  
60 Evergreen Place, Suite 503  
East Orange, NJ 07018

**Re:   East Orange Parking Authority  
Request for Qualifications – General Counsel Services  
Eric M. Bernstein & Associates, L.L.C.  
Qualification Statement**

Dear Ms. Jackson:

The undersigned, as Respondent, submitted the attached Qualification Statement in response to a Request for Qualifications (RFQ), issued by the East Orange Parking Authority in connection with the Authority's need for General Counsel Services.

ERIC M. BERNSTEIN & ASSOCIATES, L.L.C. ("Respondent")\* HEREBY STATES:

1. The Qualification Statement contains accurate, factual and complete information.
2. Respondent agrees to participate in good faith in the procurement process as described in the RFQ and to adhere to the Authority's procurement schedule.
3. Respondent acknowledges that all costs incurred by them in connection with the preparation and submission of the Qualification Statement and any proposal prepared and submitted in response to the RFQ, or any negotiation which results therefrom, shall be borne exclusively by the Respondent.
4. Respondent hereby declares that the only persons participating in this Qualification Statement as Principals are named herein and that no other person other than those herein mentioned has any participation in this Qualification Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if

acceptable to the Authority. Respondent declares that this Qualification Statement is made without connection with any other person, firm or parties who has submitted a Qualification Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.

5. Respondent acknowledges and agrees that the Authority may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Authority shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFQ.
6. Respondent acknowledges that any contract executed with respect to the provision of professional services must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.



---

Eric Martin Bernstein, Esquire  
Chief Executive Officer  
Eric M. Bernstein & Associates, L.L.C.

\* If a joint venture, partnership or other formal organization other than a natural person is submitting a Qualification Statement this Letter of Qualification must be signed by an individual with the legal authority to bind the organization.



DISCLOSURE OF FINANCIAL INTEREST  
AND CONFLICT OF INTEREST DATA FORM  
PURSUANT TO N.J.A.C. 11:15-2.6(C)(10)

Eric Martin Bernstein, Esquire  
Eric M. Bernstein & Associates, L.L.C.  
34 Mountain Boulevard, Building A  
Warren, New Jersey 07059

In connection with the above-named company, I herewith make representations and supply information about myself as hereinafter set forth. (Attach addendum or separate sheet if space hereon is insufficient to answer any question fully). IF ANSWER IS "NONE" OR "NO EXCEPTION", SO STATE.

1. Affiant's Full Name: Eric Martin Bernstein
2. Other Names Used at any Time: None
3. Place of Birth: Passaic, New Jersey
4. Social Security Number: \*\*\*-\*\*-7337
5. For the last 25 years, I have lived at the following address or addresses:

ADDRESS	CITY	DATES
<u>10 Timberline Drive</u>	<u>Bridgewater, New Jersey 08807</u>	<u>1992-Present</u>
_____	_____	_____
_____	_____	_____

6. Schooling:

College: Drew University, Madison, NJ B.S.  
Graduate: M.S. Industrial and Labor Relations, Cornell Univ.  
or Professional: University of Oklahoma School of Law  
Degree (List): B.S., M.S., J.D.

ATTACH LIST OF ALL EDUCATIONAL INSTITUTIONS AND LOCATION—CITY AND STATE

7. Member of Professional Societies of Association (List):  
Please see attached Resume

New Jersey State Bar Association

8. I presently hold or have held, in the past, the following professional, occupations, and vocational licenses issued by public or governmental licensing agencies or authorities (state date license issued, issuer of license, date terminated, reason for termination);

Licensed to Practice Law in New Jersey

9. Present Chief Occupation:

Position or Title: Principal and Sole Shareholder

Employer's Name: Eric M. Bernstein & Associates, L.L.C.

Address: 34 Mountain Blvd., Bld. A, P.O. Box 4922, Warren, New Jersey 07059

How long in this Position? Twenty (20) years

How long with this employer? Same Where? Warren, New Jersey

10. Other jobs, positions, directorates or officerships concurrently held at present:

None.

11 Complete Employment Record for Past 20 Years:

DATES	EMPLOYER AND ADDRESS	TITLE
<u>1984-1987</u>	<u>Gerald Dorf, Esquire, P.A., Rahway, New Jersey</u>	<u>Associate</u>
<u>1988</u>	<u>Viada &amp; Viada, Flemington, New Jersey</u>	<u>Of Counsel</u>
<u>1989-1992</u>	<u>Sole Practitioner, Clifton, New Jersey</u>	
<u>1993-1997</u>	<u>Weiner Lesniak, Parsippany, New Jersey</u>	<u>Partner</u>
<u>1998-1999</u>	<u>Mauro, Savo, Camerino, Somerville, New Jersey</u>	<u>Partner</u>

12. I control directly or indirectly or own legally or beneficially 10% or more of the outstanding capital stock (in voting power) of the following companies:

Eric M. Bernstein & Associates, L.L.C.

12a. If any of the above stock is pledged or hypothecated in any way, please detail fully:

No.

13. I have never been adjudicated as bankrupt, except as follows:

None.

14. I have never been convicted or had a sentence imposed or suspended, or had pronouncement of a sentence suspended, or been pardoned for conviction of, or pleaded guilty of or nolo contendere to an information or an indictment charging a felony for embezzlement, theft or larceny, mail fraud, or violating any corporate securities statute or any insurance law, nor have I been the subject of a cease and desist order or consent order of any federal or state regulatory agency, except as follows:

None.

15. During the last 10 years, I have neither been refused a professional, occupational or vocational license by any public or governmental licensing agency or regulatory authority, nor has such a license held by me ever been suspended or revoked, except as follows:

None.

16. I have never been an officer, director, key employee or controlling stockholder of a company which, while I occupied any such position or capacity with respect to it, became insolvent or was enjoined from or ordered to cease and desist from violating any law, except as follows:

None.

17. Neither I nor any company of which I was an officer, director or key management person at the time has ever been subject to any civil action alleging fraud, negligence or violation of any applicable racketeering statutes (state or Federal), except as follows:

None.

18. I am not and none of the employees, officers or directors of Eric M. Bernstein & Associates, L.L.C., is an employee, officer or director of any other administrator, program manager, servicing organization or insurance producer of the Fund, nor do I or any of the employees, officers or directors of Eric M. Bernstein & Associates, L.L.C., have a direct or indirect financial interest in any other administrator, program manager, servicing organization or insurance producer of the Fund, except as follows:

None.



18a. Any direct or indirect financial interest or any position held as employee, officer or director in any other administrator, program manager, servicing organization, or insurance producer of the Fund, as described above, has been disclosed to the Fund commissioners or executive committee, as applicable. (Yes/No),

Yes, not applicable

Dated and signed this 8th day of February, 2021 at Warren, New Jersey. I hereby certify under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge and belief and further, by the affixation of my signature hereon, I hereby give my certified consent to the New Jersey Department of Banking and Insurance to verify the representations and information supplied in response to all questions on the biographical data form, with any Federal, State, municipal or other agency which may have knowledge and/or information thereon.



(Signature of Affiant)

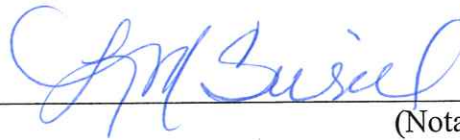
ERIC M. BERNSTEIN, ESQUIRE

State of New Jersey

County of Somerset

Personally appeared before me the above named Eric Martin Bernstein, Esquire, personally known to me, who, being duly sworn, deposes and says that affiant executed the above instrument and that the statements and answers contained therein are true and correct to the best of affiant's knowledge and belief.

Subscribed and sworn to before me this 8th day of February, 2021.



(Notary Public)

My Commission Expires \_\_\_\_\_

(SEAL)



# Supreme Court of New Jersey



## Certificate of Good Standing

*This is to certify that* **ERIC MARTIN BERNSTEIN**  
(No. **014001982**) *was constituted and appointed an Attorney at Law of New Jersey on* **December 16, 1982** *and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.*

*I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.*

*Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.*

*In testimony whereof, I have hereunto set my hand and affixed the Seal of the Supreme Court, at Trenton, this*

**29TH** day of **April**, 20 **16**

Clerk of the Supreme Court





# Supreme Court of New Jersey



## Certificate of Good Standing

*This is to certify that* **PHILIP GARY GEORGE**  
(No. **015061982**) *was constituted and appointed an Attorney at Law of New Jersey on* **December 16, 1982** *and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.*

*I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.*

*Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.*

*In testimony whereof, I have hereunto set my hand and affixed the Seal of the Supreme Court, at Trenton, this*  
**5TH** day of **September**, 20 **14**.

Clerk of the Supreme Court





# Supreme Court of New Jersey



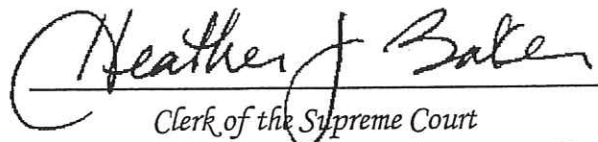
## Certificate of Good Standing

*This is to certify that*      **BRIAN MICHAEL HAK**  
(No.      **034301988** ) *was constituted and appointed an Attorney at Law of New Jersey on*      **December 19, 1988**      *and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.*

*I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.*

*Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.*

*In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this  
10TH day of April , 20 19 .*

  
Clerk of the Supreme Court

# Supreme Court of New Jersey



## Certificate of Good Standing

*This is to certify that*      **DOMINIC PAUL DI YANNI**  
(No.      **041342004**      ) *was constituted and appointed an Attorney at Law of New*  
*Jersey on*      **December 08, 2004**      *and, as such,*  
*has been admitted to practice before the Supreme Court and all other courts of this State*  
*as an Attorney at Law, according to its laws, rules, and customs.*

*I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.*

*Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.*

*In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this  
24TH day of January , 20 14.*

Clerk of the Supreme Court

STATE OF NEW JERSEY  
BUSINESS REGISTRATION CERTIFICATE

DEPARTMENT OF TREASURY/  
DIVISION OF REVENUE  
PO BOX 252  
TRENTON, N J 08646-0252

TAXPAYER NAME:

**ERIC M BERNSTEIN & ASSOCIATES LLC**

TRADE NAME:

ADDRESS:

**TWO NORTH RD  
WARREN NJ 07059**

SEQUENCE NUMBER:

**0747136**

EFFECTIVE DATE:

**09/15/00**

ISSUANCE DATE:

**06/14/07**



Acting Director  
New Jersey Division of Revenue

FORM-BRC(08-01)

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.



**REQUIRED AFFIRMATIVE ACTION EVIDENCE FOR PROCUREMENT  
PROFESSIONAL AND SERVICES CONTRACTS**

1. A photocopy of the Federal Letter of Affirmative Action Plan Approval

OR

2. A photocopy of the Certificate of Employee Information Report

OR

3. A completed Affirmative Action Employee Information Report (AA302)

1. Our company has a Federal Letter of Affirmative Action Plan Approval.

Yes \_\_\_\_ No X

2. Our company has a Certificate of Employees Information Report

Yes X No \_\_\_\_

3. Our company has neither of the above. Please send Form AA302  
AFFIRMATIVE ACTION EMPLOYEE INFORMATION REPORT

\_\_\_\_ Check here

Eric M. Bernstein & Associates, L.L.C.

I certify that the above information is correct to the best of my knowledge.

NAME: Eric M. Bernstein

SIGNATURE:  \_\_\_\_\_

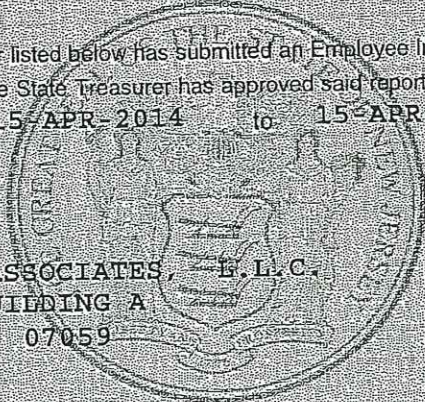
TITLE: Principal Attorney

Certification 28262

## CERTIFICATE OF EMPLOYEE INFORMATION REPORT RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of **15-APR-2014** to **15-APR-2021**

**ERIC M. BERNSTEIN & ASSOCIATES, P.L.L.C.**  
34 MOUNTAIN BLVD., BUILDING A  
WARREN NJ 07059



A handwritten signature in black ink, appearing to read "Andrew P. Sidamon-Eristoff".

Andrew P. Sidamon-Eristoff  
State Treasurer



## EXHIBIT A

### MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

#### N.J.S.A. 10:5-31, et seq. AND N.J.A.C. 17:27

#### Goods, Professional Services and General Service Contracts

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with regard to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth the provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable city employment goal established in accordance with N.J.A.C. 17:27-5.2 or a binding determination of the applicable city employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.



The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revised any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal Law and applicable Federal court decisions.

In conforming with applicable employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

- \* Letter of Federal Affirmative Action Plan Approval
- \* Certificate of Employee Information Report
- \* Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance)).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

## AMERICANS WITH DISABILITIES ACT OF 1990

### Equal Opportunity for Individuals with Disability

The CONTRACTOR and the OWNER (hereinafter "Owner") do hereby agree that the provisions of Title 11 of the Americans with Disabilities Act ("the Act") (42 *U.S.C. 5121 01 et seq.*), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities and the rules and regulations promulgated pursuant there unto are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The Contractor shall indemnify, protect, and save harmless the owner, its agents, servants and employees from and against all suits, claims, losses, demands or damages of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim. If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.



## Request for Taxpayer Identification Number and Certification

**Give Form to the  
requester. Do not  
send to the IRS.**

Print or type  
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. <b>Eric M. Bernstein &amp; Associates, L.L.C.</b>	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification; check only <b>one</b> of the following seven boxes: <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <small>Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner.</small> <input type="checkbox"/> Other (see instructions) ▶ _____ <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate	
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) <b>34 Mountain Boulevard, Building A</b>	Requester's name and address (optional)
6 City, state, and ZIP code <b>Warren, New Jersey 07059</b>	
7 List account number(s) here (optional)	

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

**Note.** If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number										
or										
Employer identification number										
2	2		-	3	6	9	0	4	4	0

### Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶ <u>2/8/2021</u>
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### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.  
**Future developments.** Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at [www.irs.gov/fw9](http://www.irs.gov/fw9).

#### Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

*If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding? on page 2.*

By signing the filled-out form, you:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
- Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.



