



Bid Waiver Form

Revised 02/2020

Short Description of Goods/Services	Legal consultation and post-conviction litigation services for reckless homicide of a child case
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Date	4/27/2020
Department	District Attorney
Name	Kelly Breunig
Email	kelly.breunig@da.wi.gov
Phone	608-267-8840
Purchasing Officer	Carolyn Clow

Vendor Name	Brian Holmgren
Vendor MUNIS #	11247
Requisition #	2474
Requisition Year	2019
Total Cost	\$45,000

A VENDOR QUOTE MUST BE ATTACHED TO THE WAIVER FOR APPROVAL

Provide a detailed description of the goods/services intended to be purchased:

Brian Holmgren is an attorney licensed in the state of Tennessee; he is admitted pro hac vice for this case. He has also previously assisted the Dane County District Attorney's Office as an expert witness in the prosecution of child abuse cases. Mr. Holmgren is an internationally recognized expert in the prosecution of abusive head trauma cases.

Mr. Holmgren will continue to assist the Dane County District Attorney's Office with the post-conviction proceedings in Dane County Case Number 2007CF2381, regarding State of Wisconsin v. Jennifer Hancock. Mr. Holmgren will review case materials and medical records to assist with post-conviction litigation and preparation. Mr. Holmgren will assist with the location and designation of expert witnesses and research regarding medical and legal issues related to the case. Mr. Holmgren will advise on strategy in responding to defense motions and defense witnesses. Mr. Holmgren will attend and assist with significant post-conviction hearings.



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Procurement Exception List (place an "X" next to any that apply)	
	Emergency Procurement
	Only one vendor possesses the unique and singularly available ability to meet the Department's requirements
X	Unique and specific technical qualifications are required
	A special adaptation for a special purpose is required
	A unique or opportune buying condition exists

Provide a detailed explanation as to why the competitive bidding (RFB/RFP) process cannot be used. Also provide a detailed justification in relation to the Procurement Exception chosen:

Mr. Holmgren will review case materials and medical records to assist with post-conviction litigation and preparation. Mr. Holmgren will assist with the location and designation of expert witnesses and research regarding medical and legal issues related to the case. Mr. Holmgren will advise on strategy in responding to defense motions and defense witnesses. Mr. Holmgren may attend and assist with significant post-conviction hearings.

Mr. Holmgren is an internationally recognized expert in the prosecution of abusive head trauma cases. Prior to his retirement, he was the chief child abuse prosecutor in Nashville, Tennessee, for approximately 20 years. Immediately before that, he worked for the American Prosecutors Research Institute on child abuse issues. Prior to that, he was an Assistant District Attorney in Kenosha County. Mr. Holmgren is an expert in the medicolegal issues related to the prosecution of abusive head trauma and the science underlying that prosecution. He is also extensively familiar with the discredited science used by many professional defense experts to attack valid convictions. In the United States, there are probably less than 10 people with Mr. Holmgren's credentials. Mr. Holmgren has already conducted extensive work on this case and it would result in a substantial increase in expenditure if anyone was asked to replace him at this point.

Bid Waiver Approval (Purchasing Use Only)

Under \$37,000 Controller Approval	Date

\$37,000 or over Personnel & Finance Committee Approval Date	