

**FIFTH AMENDMENT TO AGREEMENT BY AND BETWEEN  
THE COUNTY OF LASSEN AND DAN A. HOWE FOR PRISON PROSECUTION**

This FIFTH Amendment to Agreement (hereinafter "Amendment") is made on this \_\_\_\_\_, 2018, between LASSEN COUNTY (hereinafter "County"), and DAN A. HOWE (hereinafter "Howe"), who agree as follows:

1. **Recitals:** This Fifth Amendment is made with reference to the following facts and objectives:

The County and Howe entered into a written Agreement for the term of January 1, 2010, to December 31, 2011, and into a First Amendment to Agreement for the term January 1, 2012, through June 30, 2014, a Second Amendment to Agreement for the term July 1, 2014, through June 30, 2016, and a Third Amendment to Agreement for the term commencing July 1, 2016, through June 30, 2018, in addition to a Fourth Amendment to the Agreement as of December 20, 2017, in which Howe has agreed to provide specialized attorney's services and advice, in legal matters related to the prosecution of criminal cases generated by the two California Department of Corrections and Rehabilitation state prisons located within the County of Lassen, State of California (incorporated by reference.)


2. **Amendments:** The parties, County and Howe agree to amend the Agreement, as follows:

The parties desire to extend the term of the Agreement for twenty-four (24) months, commencing July 1, 2018, through June 30, 2020. Therefore, the first sentence of paragraph 3 of the original Agreement is deleted and replaced with the following:

"This Agreement shall commence on the first day of January, 2010, which shall be the date on which Contractor commences work under this Agreement, and shall terminate at the close of business on the 30<sup>th</sup> of June, 2020, unless terminated by either party prior to that date."

3. **Effectiveness of Agreement:** Except as set forth in this Fifth Amendment to Agreement, all provisions of the Agreement dated December 22, 2009, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Fifth Amendment of the Agreement to be executed on the date first above written.

  
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DAN A. HOWE  
Special Prosecutor

COUNTY OF LASSEN:

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RICHARD EGAN  
County Administrative Officer

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CHRIS GALLAGHER, Chairman  
Lassen County Board of Supervisors

APPROVED AS TO FORM:

Dated: 3-23-18



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Robert Burns  
LASSEN COUNTY COUNSEL