RESOLUTION NO. ____

RESOLUTION AUTHORIZING RETENTION OF SPECIAL LITIGATION COUNSEL TO INVESTIGATE AND PURSUE CLAIMS AGAINST SOCIAL MEDIA COMPANIES

WHEREAS, the Board of Education (the "Board") is a body corporate organized and existing under Title 18A of the New Jersey Statutes, vested with authority to govern the affairs of the School District (the "District"), including the power under N.J.S.A. 18A:11-2 to sue and be sued in its corporate name and to employ legal counsel to protect the interests of the Board, the District, and its students; and

WHEREAS, social media platforms owned and operated by Meta Platforms, Inc., Instagram LLC, ByteDance Ltd. and TikTok Inc., Snap Inc., and Google LLC/YouTube LLC (collectively, the "Platforms") have been designed, marketed, and operated in a manner alleged to be addictive and harmful to minors, and are the subject of coordinated litigation nationwide, including *In re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*, MDL No. 3047 (N.D. Cal.), in which school districts and boards of education across the country — including in New Jersey — have asserted claims against the Platforms; and

WHEREAS, the School District has incurred, and continues to incur, substantial costs and burdens attributable to student use of the Platforms, including increased demand for counseling, psychological, and mental health services; additional administrative, disciplinary, and safety responses to cyberbullying, harassment, and related incidents; and diversion of staff time and District resources to address these harms; and

WHEREAS, the Board has determined that it is in the best interest of the District and its students to investigate, and if warranted to pursue, legal claims against the Platforms to recover the costs the District has borne as a result of the Platforms' conduct; and

WHEREAS, the Law Office of Robert King, PLLC ("King Law") and Motley Rice LLC ("Motley Rice," and together with King Law, "Counsel") have substantial experience representing school districts and public entities nationwide in litigation against the Platforms, including court-appointed leadership roles in the MDL, and have proposed to undertake this representation on a contingency-fee basis, at no upfront cost or financial risk to the District; and

WHEREAS, legal services, including contingency-fee litigation representation, constitute "professional services" as defined in N.J.S.A. 18A:18A-2, and may be procured without public advertising for bids pursuant to N.J.S.A. 18A:18A-5(a)(1) of the Public School Contracts Law, provided that the Board states its supporting reasons for such action in this Resolution — as set forth in the foregoing recitals — and causes notice of the award to be published as required by law;

NOW, THEREFORE, BE IT RESOLVED by the Board of Education, as follows:

1. Retention of Counsel. The Board hereby retains and engages King Law and Motley Rice as special litigation counsel to investigate, evaluate, and, if warranted, prosecute all viable claims against the Platforms arising from harm to the District caused by the design, marketing, and operation of the Platforms, including but not limited to claims for public nuisance, negligence, and products liability.

2. Authorization to Execute Contract. The Superintendent and/or President of the Board is authorized to execute, on the Board's behalf, a Contract of Investigation and Representation with King Law and Motley Rice, substantially in the form presented to the Board, providing for representation on a contingency-fee basis with attorneys' fees not to exceed one-third (33.33%) of any gross recovery, with Counsel to advance all litigation costs and expenses, reimbursable only from any recovery obtained.

3. Scope of Authority. Counsel is authorized to associate co-counsel, retain experts and investigators, participate in coordinated or multidistrict litigation proceedings, and take all other steps reasonably necessary to investigate and prosecute the claims described herein, consistent with the terms of the executed Contract.

4. No Obligation Absent Recovery. Nothing in this Resolution obligates the expenditure of any District funds, and the District shall owe no fee or expense to Counsel except as expressly provided in the executed Contract, and then only in the event of a recovery.

5. Publication of Notice. The Board Secretary is directed to cause a brief notice of the award of this contract — stating the nature, duration, service, and amount of the contract — to be printed once in an official newspaper of the District, as required by N.J.S.A. 18A:18A-5(a)(1).

6. Further Action. The Superintendent and/or President of the Board and District counsel are authorized to execute any further documents and take any further action reasonably necessary or convenient to carry out the intent of this Resolution.

7. Effective Date. This Resolution shall take effect immediately upon its adoption.

ADOPTED this ____ day of _____, 2026, at a duly noticed meeting of the Board of Education, held in accordance with the Senator Byron M. Baer Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.

Vote: Ayes ____ Nays ____ Abstain ____

_____ _____

President, Board of Education Board Secretary