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DAILY POLITICS

Private Lawyers Defending Assembly's Sheldon Silver Will Get \$500 An Hour From Taxpayers

BY [KEN LOVETT](#) / THE DAILY POLITICS / Published: Monday, July 1, 2013, 8:30 AM

/ Updated: Monday, July 1, 2013, 9:59 AM

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State taxpayers will shell out \$500 an hour for New York Assembly Speaker Sheldon Silver's lawyers in the Vito Lopez sexual harassment case, the Daily News has learned.

State Controller Thomas DiNapoli on Friday approved the rate as "reasonable."

The News reported Friday that Silver hired prominent lawyer Bettina Plevan, a partner at Proskauer Rose LLP, to represent him in a lawsuit brought by two legislative staff members over his admitted mishandling of the Lopez harassment scandal.

Silver needed a private lawyer after state Attorney General Eric Schneiderman recently said his office couldn't represent him because his aides advised Silver's office last year as it approved a secret settlement for two previous Lopez victims who came forward. Schneiderman informed Silver he was eligible to have the state cover the costs.

Under the DiNapoli-approved rate, any lawyer from Proskauer Rose working on the case will be paid \$500 an hour. Paralegals will get \$200 an hour, DiNapoli rep Jennifer Freeman said.

State GOP Chairman Ed Cox called it "outrageous" for taxpayers to be on the hook for Silver's legal

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fees.

"It's outrageous to pay those fees just because the attorney general was complicit in Speaker Silver's coverup," Cox said.

"Otherwise the attorney general's office would have represented him for free."

Freeman said state law allowed the state to pay "reasonable" fees for private counsel if the cases involved a person's official duties.

"We look at industry standards to determine what a reasonable rate is in the [U.S.] Southern District [of New York] and do an analysis of those fees to make a determination," she said.

A source has said Plevan could often command as much as \$900 an hour.

Plevan, a one-time president of the city Bar Association, made a name for herself representing employers in discrimination cases.

In one, she successfully appealed a \$4 million sex harassment award against Penthouse magazine owner Bob Guccione.

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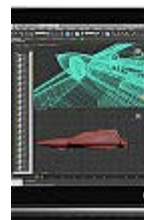
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