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**RESOLUTION NO. 2012-41**

**A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, RELATING TO ATTORNEYS' FEES; APPROVING ATTORNEYS' FEES AND COSTS FOR FIGUEREDO & BOUTSIS, P.A. IN THE AMOUNT OF \$22,183.39; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Village Council of the Village of Palmetto Bay approved resolution no. 02-05, authorizing payment of Village Attorney non-retainer attorneys' fees and costs; and,

**WHEREAS**, FIGUEREDO & BOUTSIS, P.A., submitted its statements to the village for legal services rendered, and costs advanced, for the period ending April 23, 2012, in the amount of \$22,183.39; and,

**WHEREAS**, the amounts are reasonable and were necessarily incurred.

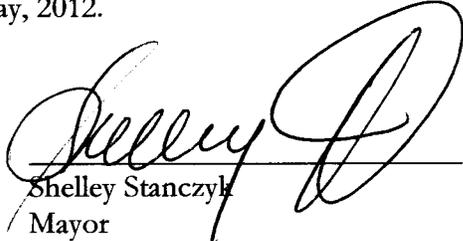
**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, AS FOLLOWS:**

**Section 1.** The statements for attorneys' fees and costs received from FIGUEREDO & BOUTSIS, P.A., in the total amount of \$22,183.39, copies of which are attached, are approved for payment.

**Section 2.** This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 7<sup>th</sup> day of May, 2012.

Attest:   
Meghan Alexander  
Village Clerk

  
Shelley Stanczyk  
Mayor

APPROVED AS TO FORM:

  
Eze A. Boutsis,  
FIGUEREDO & BOUTSIS, P.A., as Office  
of the Village Attorney

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FINAL VOTE AT ADOPTION:

Council Member Patrick Fiore	<u>YES</u>
Council Member Howard J. Tendrich	<u>YES</u>
Council Member Joan Lindsay	<u>YES</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Shelley Stanczyk.	<u>YES</u>

# FIGUEREDO & BOUTSIS, P.A.

Attorneys & Counselors

18001 Old Cutler Road - Fifth Floor

Telephone: (305) 235-9344

Miami, Florida 33157-6417

Facsimile: (305) 235-9372

April 23, 2012

Ron Williams, Village Manager  
Village of Palmetto Bay  
8950 SW 152nd Street  
Palmetto Bay, FL 33157

Re: STATEMENTS FOR PROFESSIONAL SERVICES  
The Village of Palmetto Bay

Dear Mr. Williams:

Enclosed are our invoices for professional services rendered and for costs advanced for the period ending April 23, 2012 in the amount of \$22,183.39. I have tabulated the amounts *currently due* on each individual file as follows:

Please deduct from Village Attorney Account No. 5143110, General Legal.			
0293-001	Non-Retainer Legal Services <i>Invoice No. 20378 dated 4/23/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 18,463.00 701.19 <b>19,164.19</b>
	<b>Total</b>		<b>\$ 19,164.19</b>
Please deduct from Village Attorney Account No. 5143140, Code Enforcement.			
0293-002	<i>Zoning Application</i> <i>Invoice No. 20379 dated 4/23/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 814.00 16.28 <b>830.28</b>
	<b>Total</b>		<b>\$ 830.28</b>
0293-004	<i>Code Enforcement</i> <i>Invoice No. 20380 dated 4/23/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 462.50 9.25 <b>471.75</b>
	<b>Total</b>		<b>\$ 471.75</b>

0293-027	<i>Palmer Trinity Private School Invoice No. 20381 dated 4/23/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$  <b>188.70</b>	185.00 3.70
0293-029	<i>Palmer Trinity vs. Village of Palmetto Bay (Appeal) Invoice No. 20382 dated 4/23/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$  <b>773.67</b>	758.50 15.70
0293-060	<i>Shores at Palmetto Bay vs. Village of Palmetto Bay Invoice No. 20383 dated 4/23/12</i>	Prof'l Services Disbursements <b>Total Due</b>	\$  <b>754.80</b>	740.00 14.80
	<b>Grand Total</b>		\$	<b>22,183.39</b>

Do not hesitate to call me if you have any questions regarding these statements.

Very truly yours,

Eve A. Boutsis  
Office of the Village Attorney

EAB/lcm  
Enclosures  
cc: Mayor and Village Council

**FIGUERO & BOUTSIS, P.A.**  
**ATTORNEYS & COUNSELORS**

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk  
 Village of Palmetto Bay  
 9705 E. Hibiscus Street  
 Palmetto Bay, Florida 33157

April 23, 2012  
 Matter ID: 0293-001  
 General Municipal-VPB  
 Invoice Number 20378

			Hours	Amount
3/21/2012	EAB	Drafted memorandum to Charter Revision Commission; conducted legal research; drafted Thalatta Memorandum; telephone conference with Mr. Ed Silva; telephone conference with Mrs. Meighan Alexander; and completed agenda review.	6.00	1,110.00
3/21/2012	EAB	Attended COW meeting.	2.00	370.00
3/22/2012	EAB	Attended meeting with MDCCEPT, Mr. Joe Centorino, Ms. Miriam Ramos, Mr. Mike Murowski regarding updates and application of new ethics amendments to MDC.	3.50	647.50
3/22/2012	EAB	Attention to budget review; and attention to federal audit standards and procurement.	1.00	185.00
3/23/2012	EAB	Attention to Stormwater Model Ordinance; and communications with Ms. Olga Cadaval and Mr. Silva.	0.40	74.00
3/23/2012	EAB	Revised charter commission memorandum.	1.00	185.00
3/24/2012	EAB	Telephone conference with Mayor Shelley Stanczyk.	0.30	55.50
3/26/2012	EAB	Attention to Quality Paving matter; communications with Ms. Corrice Patterson and Mr. Ron Williams.	0.60	111.00
3/26/2012	EAB	Telephone conference with Mr. Darby Delsalle.	0.30	55.50
3/26/2012	EAB	Telephone conference with Mrs. Fanny Carmona Gonzalez.	0.30	55.50
3/26/2012	EAB	Telephone conference with Ms. Patterson.	0.40	74.00
3/27/2012	EAB	Prepared for Charter Revision Commission meeting; telephone conference with Mr. Williams; issued letter to Tenez; communications with Ms. Patterson; and attention to meeting with Quality Paving.	2.50	462.50
3/27/2012	EAB	Attended Charter Revision Commission meeting.	4.00	740.00
3/28/2012	EAB	Telephone conference with Mr. Tucker Gibbs; communications with Ms. Leann Tellam; and communications regarding meeting on 4th.	0.70	129.50

Payment is due upon receipt. Please notify us within 10 days of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

## CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

3/28/2012	EAB	Revised ballot question and charter; and telephone conferences with Mr. Gibbs, Mr. Simon Ferro, Mr. Jerry Proctor, and Ms. Tellam.	2.00	370.00
3/28/2012	EAB	Telephone conference with Mr. Ben Kuehne; and attention to FCE matter.	0.60	111.00
3/29/2012	EAB	Communications with staff and council regarding Thalatta and parking garage.	1.00	185.00
4/2/2012	EAB	Communications with Mr. Proctor; telephone conference with Mr. Gibbs; telephone conference with Mr. Peter England; attention to agenda items; telephone conference with Mrs. Alexander; telephone conference with CP Joan Lindsay; revised agenda items; and prepared for council meeting.	3.50	647.50
4/2/2012	EAB	Telephone conference with Mr. Gibbs; telephone conference with Mr. John Shubin; continued legal research; revised ballot question language; and conducted legal research and provided update to CRC and VM Brian Pariser.	2.70	499.50
4/2/2012	EAB	Attended Council meeting.	4.00	740.00
4/3/2012	EAB	Telephone conference with Ms. Leanne Tellum; email communications with Ms. Beverly Gerald.	1.00	185.00
4/3/2012	EAB	Meeting with Ms. Patterson and Quality Paving.	1.50	277.50
4/4/2012	EAB	Finalized two RFPs as to landscaping and security for Parks Department.	1.50	277.50
4/4/2012	EAB	Attention to Contracts - Quality Paving, et al.	1.50	277.50
4/4/2012	EAB	Began drafting edits to ordinances for second reading.	1.00	185.00
4/4/2012	EAB	Drafted follow-up letter to Quality Paving.	1.00	185.00
4/4/2012	EAB	Telephone conferences with Mr. Williams; CP Lindsay; communications with the League of Cities; attention to revised resolutions from council meeting; telephone conference with Mayor Shelley Stanczyk; telephone conference with P&Z; communications with Ms. Patterson; and communications with Mr. Silva.	2.00	370.00
4/5/2012	EAB	Finalized three RFPs for Parks Department; and attention to Melendi Act application.	2.00	370.00
4/5/2012	EAB	Meeting with Mr. Tellum and Mr. Gibbs; communications with Mr. Ferro; and attention to charter language.	4.00	740.00
4/6/2012	EAB	Attention to charter revision matters and revisions.	3.50	647.50
4/6/2012	EAB	Revised ordinance and cover memorandum relating to Historic Preservation; and attention to Quality Paving.	1.50	277.50
4/6/2012	EAB	Telephone conference with Mr. Williams on pending items.	0.40	74.00
4/9/2012	EAB	Drafted Hold Harmless and indemnification agreement with final	1.70	314.50

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## CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

release as to PW bid payments.

4/9/2012	EAB	Communications and telephone conference with Mr. Gibbs and Mrs. Tellam; attention to language; research on RELUIPA; provided email communications to CRC relating to SA provision and last provision of charter; telephone conference with Mr. Proctor; telephone conference with Mr. Ferro; and telephone conference with Mrs. Alexander and Mr. Williams.	5.00	925.00
4/9/2012	EAB	Attended CRC meeting.	2.50	462.50
4/10/2012	EAB	Attention to after action and research relating to questions.	2.50	462.50
4/10/2012	EAB	Attention to Tenex matter; telephone conference with Counsel for Quality Paving; and communications with Ms. Patterson and attention to spread sheet analysis.	1.40	259.00
4/11/2012	EAB	Telephone conference with CP Lindsay regarding COW; and attention to pending matters.	0.40	74.00
4/12/2012	EAB	Telephone conference with Ms. Patterson; attention to pending matters; telephone conference with Mr. Williams; and attention to CRC.	1.50	277.50
4/13/2012	EAB	Attended meeting with Ms. Patterson, Mr. Danny Casal and C3TS; drafted letter to Quality Paving; reviewed and finalized letter to Tenex; and attention to Shannon Melendi and state law relating to background investigation of volunteers.	2.00	370.00
4/13/2012	EAB	Research on Charter Revision matter.	2.00	370.00
4/13/2012	EAB	Attention to pending items.	0.40	74.00
4/16/2012	EAB	Drafted resolution approving Permitting Committee Report; drafted resolution regarding Feller Community Room; communications with Mayor Stanczyk; telephone conference with CP Patrick Fiore; attention to red light camera matter; and attention to AIPP program.	2.70	499.50
4/16/2012	EAB	Attention to Flood Plain ordinance.	0.40	74.00
4/16/2012	EAB	Attended COW meeting.	2.30	425.50
4/16/2012	EAB	Conducted research and analyzed RLUIPA and FRLUIPA caselaw.	3.50	647.50
4/17/2012	EAB	Telephone conference with Mr. Ferro; telephone conference with Mayor Stanczyk; communications with CP Lindsay; telephone conference with Mr. Williams; follow up with P&Z; and attention to pending items; attention to zoning in progress; and telephone conference with Mr. Delsalle.	2.50	462.50
4/18/2012	EAB	Telephone conference with Mr. Bill Kress; and telephone conference with Mr. Delsalle; follow up on AIPP; communications with Mr. David Wolpin as to RLUIPA; continued research as to RLUIPA; telephone conference with CP Lindsay; communications with Mr. Chad Friedman regarding Elections; and communications with Ms. Cadaval.	5.00	925.00
4/19/2012	EAB	Telephone conference with Mr. Ben Keuhne.	0.40	74.00

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## CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

4/19/2012	EAB	Legal research as to notary and perjury and provided language for form to Ms. Cadaval.	0.60	111.00
4/19/2012	EAB	Attention to CRC meetings; communications with Ms. Tellum and Mr. Gibbs; and attention to Elections meeting.	0.40	74.00
4/20/2012	EAB	Attended meeting with County relating to the Status of Planning in South Florida and proposed revisions to county zoning code and impacts to municipalities.	3.50	647.50
4/20/2012	EAB	Discussion with Mr. Gibbs regarding charter language.	0.40	74.00
4/20/2012	EAB	Revised AIPP artist contract - first amendment.	0.40	74.00
4/20/2012	EAB	Telephone conference with Mayor Stanczyk; and telephone conference with Mrs. Alexander and Mr. Williams.	0.60	111.00
Total Professional Services				18,463.00

## Rate Summary

Eve A. Boutsis	99.80 hours at \$185.00/hr	18,463.00
Total hours:		99.80
		18,463.00

## Disbursements

3/22/2012	Mileage	15.84
3/22/2012	Parking Charge	5.00
3/31/2012	Database Legal research	275.25
4/20/2012	Parking Charge	20.00
4/20/2012	Mileage	15.84
4/23/2012	Disbursements incurred - 2.0%	369.26

## Payments and Credits

3/22/2012	Check No.: 14597	16,457.60
4/16/2012	Check No.: 14728	14,997.96
Sub-total Payments:		31,455.56

Payment is due upon receipt. Please notify us within 10 days of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	18,463.00
For Disbursements Incurred	701.19
	<hr/>
Current Balance:	19,164.19
Previous Balance:	31,455.56
Payments - Thank you	31,455.56
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<b>Total Due</b>	<b>19,164.19</b>

To be properly credited, please indicate Invoice Number on your remittance check.

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**FIGUEREDO & BOUTSIS, P.A.**  
**ATTORNEYS & COUNSELORS**

18001 Old Cutler Road, Suite 533, Miami, Florida 33157

Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk  
 Village of Palmetto Bay  
 9705 E. Hibiscus Street  
 Palmetto Bay, Florida 33157

April 23, 2012  
 Matter ID: 0293-002  
 Zoning Applications  
 Invoice Number 20379

			Hours	Amount
3/21/2012	EAB	Communications with Mr. Efren Nunez and Mr. Darby Delsalle.	0.30	55.50
3/22/2012	EAB	Telephone conference with Mr. Delsalle on pending items.	0.50	92.50
3/23/2012	EAB	Finalized variance resolution.	0.30	55.50
3/27/2012	EAB	Attention to, analyzed and revised substantial compliance in Westminster matter.	0.70	129.50
3/28/2012	EAB	Attention to Westminster; and Mr. Chow public record regarding PT; and telephone conference with Mr. Delsalle.	0.40	74.00
4/2/2012	EAB	Telephone conference with Mr. John Shubin and Mr. Delsalle.	0.60	111.00
4/10/2012	EAB	Attention to P&Z zoning notice; telephone conference with Mayor Shelley Stanczyk on pending items; and revised RFQ for AIPP artists.	1.30	240.50
4/13/2012	EAB	Attention to pending matters with Mr. Delsalle.	0.30	55.50
				814.00
			Total Professional Services	814.00

**Rate Summary**

Eve A. Boutsis 4.40 hours at \$185.00/hr 814.00

Total hours: 4.40 814.00

4/23/2012 Disbursements incurred - 2.0% 16.28

**Payments and Credits**

3/22/2012 Check No.: 14597 603.84

Payment is due upon receipt. Please notify us within 10 days of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

4/16/2012      Check No.: 14728      1,207.68

Sub-total Payments:      1,811.52

For Professional Services      814.00

For Disbursements Incurred      16.28

Current Balance:      830.28

Previous Balance:      1,811.52

Payments - Thank you      1,811.52

**Total Due**      **830.28**

To be properly credited, please indicate Invoice Number on your remittance check.

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Shelley Stanczyk  
 Village of Palmetto Bay  
 9705 E. Hibiscus Street  
 Palmetto Bay, Florida 33157

April 23, 2012  
 Matter ID: 0293-004  
 Code Enforcement  
 Invoice Number 20380

			Hours	Amount
3/22/2012	EAB	Communications with Mr. Jerry Proctor on code compliance matter.	0.30	55.50
3/26/2012	EAB	Communication with Mr. Proctor.	0.20	37.00
4/13/2012	EAB	Telephone conference with Mr. Darby Delsalle regarding pending matters.	0.30	55.50
4/16/2012	EAB	Attended meeting with Mr. Delsalle and "Mow and Go" vendor.	1.30	240.50
4/18/2012	EAB	Attention to code compliance matter.	0.40	74.00
Total Professional Services				462.50

**Rate Summary**

Eve A. Boutsis	2.50 hours at \$185.00/hr	462.50
Total hours:	2.50	462.50

4/23/2012	Disbursements incurred - 2.0%	9.25
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**Payments and Credits**

3/22/2012	Check No.: 14597	94.35
Sub-total Payments:		94.35

Payment is due upon receipt. Please notify us within 10 days of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	462.50
For Disbursements Incurred	9.25
	<hr/>
Current Balance:	471.75
Previous Balance:	94.35
Payments - Thank you	94.35
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<b>Total Due</b>	<b>471.75</b>

To be properly credited, please indicate Invoice Number on your remittance check.

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**ATTORNEYS & COUNSELORS**

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Telephone No.: (305) 235-9344

Facsimile: (305) 235-9372

Shelley Stanczyk  
 Village of Palmetto Bay  
 9705 E. Hibiscus Street  
 Palmetto Bay, Florida 33157

April 23, 2012  
 Matter ID: 0293-027  
 Palmer Trinity Private School,  
 Invoice Number 20381

			Hours	Amount
4/19/2012	EAB	Attention to PT motion; coordinated hearing regarding same; and communications with counsel.	1.00	185.00
			Total Professional Services	185.00

**Rate Summary**

Eve A. Boutsis	1.00 hours at \$185.00/hr	185.00
Total hours:		1.00
		185.00

4/23/2012	Disbursements incurred - 2.0%	3.70
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**Payments and Credits**

3/22/2012	Check No.: 14597	2,085.78
4/16/2012	Check No.: 14728	245.31
Sub-total Payments:		2,331.09

Payment is due upon receipt. Please notify us within 10 days of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	185.00
For Disbursements Incurred	3.70
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Current Balance:	188.70
Previous Balance:	2,331.09
Payments - Thank you	2,331.09
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<b>Total Due</b>	<b>188.70</b>

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Shelley Stanczyk  
 Village of Palmetto Bay  
 9705 E. Hibiscus Street  
 Palmetto Bay, Florida 33157

April 23, 2012  
 Matter ID: 0293-029  
 Palmer Trinity v. VPB - Appeal  
 Invoice Number 20382

			Hours	Amount
4/5/2012	EAB	Communications with Justice Raoul Cantero; and attention to PT appeal brief.	1.00	185.00
4/11/2012	EAB	Attention to response to motion for fees and reply brief.	2.50	462.50
4/17/2012	EAB	Attention to appellate briefs and response to motion for fees; and communications with Justice Cantero.	0.60	111.00
				758.50
			Total Professional Services	758.50

**Rate Summary**

Eve A. Boutsis	4.10 hours at \$185.00/hr	758.50
	Total hours: 4.10	758.50
4/23/2012	Disbursements incurred - 2.0%	15.17

**Payments and Credits**

3/22/2012	Check No.: 14597	188.70
4/16/2012	Check No.: 14728	56.61
		Sub-total Payments: 245.31

Payment is due upon receipt. Please notify us within 10 days of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	758.50
For Disbursements Incurred	15.17
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Current Balance:	773.67
Previous Balance:	245.31
Payments - Thank you	245.31
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<b>Total Due</b>	<b>773.67</b>

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Shelley Stanczyk  
 Village of Palmetto Bay  
 9705 E. Hibiscus Street  
 Palmetto Bay, Florida 33157

April 23, 2012  
 Matter ID: 0293-060  
 Shores at Palmetto Bay vs. VPB  
 Invoice Number 20383

			Hours	Amount
3/22/2012	EAB	Analyzed reply brief and citations to authority and prepared oral argument book.	4.00	740.00
				740.00
Total Professional Services				740.00

**Rate Summary**

Eve A. Boutsis	4.00 hours at \$185.00/hr	740.00
	Total hours: 4.00	740.00
4/23/2012	Disbursements incurred - 2.0%	14.80

**Payments and Credits**

3/22/2012	Check No.: 14597	13,749.23
4/16/2012	Check No.: 14728	381.26
Sub-total Payments:		14,130.49

Payment is due upon receipt. Please notify us within 10 days of any questions you have regarding this invoice. Interest at a rate of 1.5% per month will be charged if payment is not received within 30 days.

CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	740.00
For Disbursements Incurred	14.80
Current Balance:	<u>754.80</u>
Previous Balance:	14,130.49
Payments - Thank you	14,130.49
<b>Total Due</b>	<b><u>754.80</u></b>

To be properly credited, please indicate Invoice Number on your remittance check.

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