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RESOLUTION NO. 09-44

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 FBM LAW OFFICES IN THE AMOUNT OF \$43,483.26; 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, FBM LAW OFFICES, submitted its statements to the village for legal services rendered, and costs advanced, for the period ending April 28, 2009, in the amount of \$43,483.26; 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 FBM LAW OFFICES, in the total amount of \$43,483.26, copies of which are attached, are approved for payment.

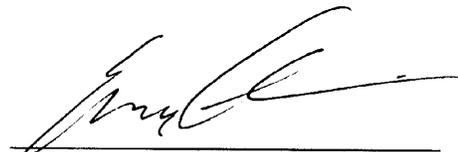
Section 2. This resolution shall take effect immediately upon approval.

PASSED and ADOPTED this 4th day of May, 2009.

Attest:

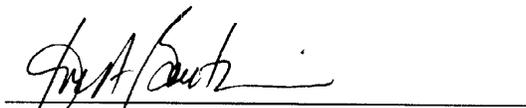


Meighan Rader
Village Clerk



Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:



Evg A. Boutsis,
FBM LAW OFFICES, as Office
of the Village Attorney

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FINAL VOTE AT ADOPTION:

Council Member Ed Feller	<u>Absent</u>
Council Member Howard J. Tendrich	<u>YES</u>
Council Member Shelley Stanczyk	<u>YES</u>
Vice-Mayor Brian W. Pariser	<u>YES</u>
Mayor Eugene P. Flinn, Jr.	<u>YES</u>

FBM LAW OFFICES

Attorneys & Counselors

18001 Old Cutler Road - Fifth Floor

Telephone: (305) 854-5353

Miami, Florida 33157-6417

Facsimile: (305) 854-5351

April 29, 2009

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 28, 2009, in the amount of \$ 43,483.26. 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. 19924 dated 4/28/09</i>	Prof'l Services Disbursements Total Due	\$ 13,209.00 264.18 13,473.18
	Total		\$ 13,473.18
Please deduct from Village Attorney Account No. 5143140, Code Enforcement.			
0293-002	Zoning Application <i>Invoice No. 19925 dated 4/28/09</i>	Prof'l Services Disbursements Total Due	\$ 4,551.00 91.02 4,642.02
	Total		\$ 4,642.02
0293-004	Code Enforcement <i>Invoice No. 19926 dated 4/28/09</i>	Prof'l Services Disbursements Total Due	\$ 296.00 5.92 301.92
	Total		\$ 301.92
0293-005	Code Enforcement <i>Invoice No. 19927 dated 4/28/09</i>	Prof'l Services Disbursements Total Due	\$ 185.00 3.70 188.70

Ron Williams, Village Manager

April 29, 2009

Page 2 of 2

	Total		\$	188.70
0293-009	Palmetto Bay Foundation <i>Invoice No. 19928 dated 4/28/09</i>	Prof'l Services Disbursements Total Due	\$	185.00 3.70 188.70
0293-022	VPB Mitigation Suit Against County <i>Invoice No. 19929 dated 4/28/09</i>	Prof'l Services Disbursements Total Due	\$	1,073.00 21.46 1,094.46
0293-027	Palmer Trinity v. VPB <i>Invoice No. 19930 dated 4/28/09</i>	Prof'l Services Disbursements Total Due	\$	19,092.00 1,366.02 20,458.02
0293-029	Palmer Trinity v. VPB (Appeal) <i>Invoice No. 19931 dated 4/28/09</i>	Prof'l Services Disbursements Total Due	\$	1,350.50 46.76 1,397.26
0293-034	Palmer Trinity-B.J. Harris <i>Invoice No. 19932 dated 4/28/09</i>	Prof'l Services Disbursements Total Due	\$	1,739.00 0.00 1,739.00
	Grand Total		\$	43,483.26

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

RESOLUTION NO. _____

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 FBM LAW OFFICES IN THE AMOUNT OF \$43,483.26; 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, FBM LAW OFFICES, submitted its statements to the village for legal services rendered, and costs advanced, for the period ending April 28, 2009, in the amount of \$43,483.26; 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 FBM LAW OFFICES, in the total amount of \$43,483.26, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this _____ day of May, 2009.

Attest: _____
Meighan Rader
Village Clerk

Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:

Eve A. Boutsis,
FBM LAW OFFICES, as Office
of the Village Attorney

FINAL VOTE AT ADOPTION:

Council Member Ed Feller _____

Council Member Howard J. Tendrich _____

Council Member Shelley Stanczyk _____

Vice-Mayor Brian W. Pariser _____

Mayor Eugene P. Flinn, Jr. _____

FIGUEREDO BOUTSIS & MONTALVO, P.A.
Attorneys & Counselors

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, Florida 33157

April 28, 2009
Matter ID: 0293-001
General Municipal
Invoice Number 19924

			Hours	Amount
2/27/2009	LRF	Reviewed proposed moratorium language and conference with Ms. Boutsis regarding same.	1.00	185.00
3/25/2009	EAB	Communications with Commander Gregg Truitt and MDPD legal on red light cameras and staffing; meeting with Ms. Olga Cadaval on personnel policy and revisions to the procurement code (1.8); finalized agenda item relating to procurement code; finalized and reviewed final loan documents for village hall purchase; and telephone conference with CP Shelley Stanczyk on pending items (.4 no charge).	2.50	462.50
3/26/2009	EAB	Finalized contract for red light cameras; attention to presentation for same (.6); analyzed copier contract and revisions to same (.4); attention to staff inquiry relating to property rights and SW Franchise Ordinance (.4); communications with Fire Department and attention to Keyes Realty Document; communications with Mr. Tom Ringel; telephone conference with Ms. Cadaval (.2); telephone conference with Ms. Meighan Rader regarding Rossano public record request; telephone conference with Mr. Ron Williams on closing and red light cameras (.2); communications with MDC PD legal and Commander Truitt regarding same (.3); telephone conference with CP Stanczyk (.3 no charge); communications with Vice-Mayor Brian Pariser (.3 no charge).	2.10	388.50
3/26/2009	EAB	Drafted Code Enforcement Fee Schedule to work with LDC, as proposed.	2.00	370.00
3/27/2009	EAB	Attention to closing documents and meeting with Manager to execute and finalize same; and communications with Adorno & Yoss firm and Suntrust Bank representatives.	1.50	277.50
3/30/2009	EAB	Drafted Village Attorney letter for SunTrust transaction (.3); and attention to A2d and Mr. Sobel inquiry.	0.40	74.00
3/30/2009	EAB	Researched history on proposed state law re: Red Light Cameras and provided same to Mayor and Council, per direction of manager (.5); communications with VM Pariser (.3 no charge); communications with CP STanczyk (.2 no charge); telephone	1.50	277.50

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.

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conference with Mr. Tucker Gibbs on initiative, ballot question, and P/T - follow up on same with staff and attention to legal issues as to same (.5); and attention to SW franchise revisions, communications with Mr. Desmond Chin and Mr. Ron Williams regarding same, analyzed charter relating to same (.4); attention to meeting with Doral regarding VPB/Dora/ML and DLP.

4/1/2009	EAB	Finalized revisions to ballot language - citizen initiative, county revisions and memorandum; finalized SW franchise ordinance revisions and memorandum revisions; finalized agenda items; and telephone conference with Mr. Ed Silva on pending items.	2.00	370.00
4/1/2009	EAB	Drafted letter to Mr. Silver of PBVC regarding funding contribution to library.	0.30	55.50
4/2/2009	EAB	Attention to school board request re: abandoned ROW.	0.20	37.00
4/2/2009	EAB	Reviewed LAP agreement, revised resolution for same; telephone conference with Ms. Rader and Ms. Corrice Patterson regarding same; attention to cover memorandum and resolution relating to Corradino group.	1.00	185.00
4/2/2009	EAB	Drafted revisions to 30-60.52 relating to Telecommunications Towers.	2.50	462.50
4/3/2009	EAB	Telephone conference with Dr. Ed Feller (.3 no charge); and telephone conference with CP Howard Tendrich (.3).	0.30	0.00
4/3/2009	EAB	Communications with staff relating to CDMP, Policy 1.1.3, and language changes relating to churches, houses of worship or religious institutions.	0.30	55.50
4/3/2009	EAB	Telephone conference with Ms. Stanczyk.	0.30	0.00
4/5/2009	EAB	Telephone conferences (plural) with Mayor Eugene Flinn, Mr. Williams, Ms. Rader.	2.50	0.00
4/6/2009	EAB	Prepared for agenda meeting; telephone conference with Mr. Williams; telephone conference with Ms. Rader; telephone conference with Mr. Efren Nunez on CP; telephone conference with Stanczyk (.3 no charge); follow up with Mayor Flinn's requests (.3 no charge); communications with Mr. Pariser (.5 no charge); research of and explanation to council on "zoning in progress" and "vested rights;" attention to procurement code; attention to cone of silence; and attention to Special Master process/RFQ; attention to charter and lobbying provisions relating to same.	4.50	832.50
4/6/2009	EAB	Attended council meeting.	2.50	462.50
4/7/2009	LRF	Conference with Ms. Boutsis regarding zoning question related to moratorium.	0.50	92.50
4/7/2009	EAB	Attention to after action, revised agenda items: Special Master resolution, Comp Plan revisions, ballot ordinance revisions, SW franchise revisions, Procurement revisions, etc; communications with Mr. Gibbs and CCOCI; communications with staff on procurement revisions and Water Plan revisions; drafted revisions to	3.30	610.50

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Water Plan and other chapters relating to Church/Houses of Worship substitution and finalizing documents; communications with Mr. Michael Kesti; and telephone conference with CP Stanczyk (.3 no charge).

4/8/2009	LRF	Research case law regarding Zoning in Progress, and conference with Ms. Boutsis regarding same.	1.50	277.50
4/8/2009	EAB	Telephone conference with Mr. Williams; and telephone conference with Mr. Nunez and attention to public records requests by Bilzin firm.	0.50	92.50
4/9/2009	EAB	Telephone conference with Mayor Flinn; communications with Ms. Stanczyk; and communications with council (.7 no charge).	0.70	0.00
4/9/2009	EAB	Telephone conferences with Mayor; telephone conference with CP Stanczyk; and attention to pending items (no charge).	1.00	0.00
4/12/2009	EAB	Telephone conference with Mayor Flinn on litigation (no charge).	0.30	0.00
4/13/2009	EAB	Researched and drafted zoning in progres and moratorium ordinances for LDC (2.0); and follow up on NLC prescription drug policy (.4).	2.40	444.00
4/14/2009	EAB	Reviewed, edited, modified, and commented on PW stimulus draft RFQ for design-build services (211 page document).	3.00	555.00
4/14/2009	EAB	Research and analysis on zoning in progress and moratorium case law.	4.00	740.00
4/15/2009	EAB	Attended library close out meeting with Mr. Silva and Ms. Cadaval (1.4); telephone conference with Mayor Flinn (.5); telephone conference with CP Tendrich (.3); telephone conference with Ms. Victoria Frigo and Mr. Silva relating to CAP claim of conflict (denied, obtained written confirmation from Comm'n on Ethics) (.5).	1.90	351.50
4/16/2009	EAB	Telephone conference with Ms. Rader and Mr. Ferro. (.4); telephone conference with Mr. Williams, Mr. Nunez, CP Howard Tendrich, CP Stanczyk, and telephone conference with Dr. Ed Feller.	0.40	74.00
4/16/2009	EAB	Attendance at Special Council Meeting and Attorney Client Session. (3.0).	3.00	555.00
4/16/2009	EAB	Research and analysis re: ballot language citizen initiative.	3.50	647.50
4/17/2009	EAB	Telephone conference with C.P. Stanczyk and Mayor Flinn.	0.70	0.00
4/20/2009	EAB	Attention to State Recreational Grant.	0.40	74.00
4/21/2009	HJM	Conducted legal research and prepared case and desist letter to Palmetto Bay Dog Owner's Group; revised and edited same (1.5)	1.50	277.50
4/21/2009	EAB	Meeting with Miami Lakes and Doral re: MDLP contract and communications with Mr. John Hearn regarding same and Ms. Boniske regarding same.	3.00	555.00
4/21/2009	EAB	Telephone conference with Mr. Silva on pending items; (0.4) and telephone conference with Mayor Flinn (no charge) on pending	0.40	74.00

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		items.		
4/22/2009	EAB	Meeting with Mr. Silva and attention to CAP and A2 matters (1.5); meeting with Ms. Corrice Patterson and Ms. Kristy Bada on International Sign invoices and finalizing services (1.5); and attention to COW agenda	3.00	555.00
4/22/2009	EAB	Prepared for and attended Attorney Client Session and attended COW.	3.00	555.00
4/23/2009	EAB	Telephone conference with Mayor Flinn (N/C).	0.40	0.00
4/23/2009	EAB	Attention and revisions to draft Land Development Code.	3.50	647.50
4/27/2009	EAB	Attended police contract negotiations.	2.50	462.50
4/27/2009	EAB	Drafted RFQ for concession services at park.	2.50	462.50
4/27/2009	EAB	Conference with Comm. Truitt re: Red light contract and State legislation.	0.30	55.50
4/28/2009	EAB	Attended moderator meeting (2.0); and attention to EEL program requirements and Fire Station platting; communications with Mr. Raul Pino of MDC PW; communications Carlos Heredia of MDC Fire Rescue (1.0); telephone conference CP Stanczyk, telephone conference VM Pariser, and telephone conference Mayor Flinn (.7 no charge)	3.00	555.00
			Total Professional Services	13,209.00

Rate Summary

H. James Montalvo	1.50 hours at \$185.00/hr	277.50
Luis R. Figueredo	3.00 hours at \$185.00/hr	555.00
Eve A. Boutsis	6.20 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	66.90 hours at \$185.00/hr	12,376.50
Total hours:	77.60	13,209.00

4/28/2009	Disbursements incurred - 2.0%	264.18
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Payments and Credits

4/23/2009	Check No.: 8945	15,971.06
Sub-total Payments:		15,971.06

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	13,209.00
For Disbursements Incurred	264.18
Current Balance:	<u>13,473.18</u>
Previous Balance:	15,971.06
Payments - Thank you	15,971.06
Total Due	<u>13,473.18</u>

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

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.

FIGUEREDO BOUTSIS & MONTALVO, P.A.
Attorneys & Counselors

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, Florida 33157

April 28, 2009
Matter ID: 0293-002
Zoning Applications
Invoice Number 19925

			Hours	Amount
3/25/2009	EAB	Reviewed declaration of restrictions; reviewed dec. of rest. in lieu of unity of title, reviewed history; completed analysis, zoning history, standard of review, advertisement on upcoming zoning agenda; telephone conference with Ms. Meighan Rader; telephone conference with Mr. Efren Nunez; communications with Mr. Carlos Herredia and Mr. Scott Silver regarding same; telephone conference with Florida DCA regarding Fla. Stat. 360 compliance; telephone conference with Mr. Ron Williams; communications with Ms. Arleen Weintraub; telephone conference with Mr. Nunez; revisions to draft analysis and data; drafted zoning resolution relating to same; drafted revised declaration of restriction in lieu of unity of title in conjunction with zoning analysis; and drafted zoning memorandum on Zisman variance application.	6.50	1,202.50
3/26/2009	EAB	Telephone conference with DCA; and revised zoning resolution, analysis, etc. per DCA communication and Fire Department Communication.	1.00	185.00
3/30/2009	EAB	Finalized fire station memo and resolution.	0.30	55.50
4/1/2009	EAB	Finalized P&Z agenda items; revised, proposed, declaration of restrictions in lieu of unity of title, resolution and analysis; provided copies of same to all interested parties (with revisions of Building, PW, and Zoning Departments) (1.3); telephone conference with Mr. Simon Ferro on Westminster (.3).	1.60	296.00
4/8/2009	EAB	Continued research on zoning in progress (2.5); telephone conference with CP Shelley Stanczyk, telephone conference with VM Brian Pariser, telephone conference with Mayor Flinn; communications with Dr. Ed Feller and CP Howard Tendrich (1.5).	4.00	740.00
4/9/2009	EAB	Telephone conference with Zoning Department; telephone conference with Building Department; drafted "zoning in progress" form; and telephone conference with Mr. Ferro.	1.00	185.00
4/13/2009	EAB	Telephone conference with Mr. Williams, Mayor Flinn, CP Stanczyk (separtely).	0.70	0.00

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

4/13/2009	EAB	Communications with Fire Dept; communications with PW and P&Z staff; and analyzed agenda.	1.50	277.50
4/13/2009	EAB	Attended P&Z hearings.	2.00	370.00
4/14/2009	EAB	Drafted final zoning resolutions.	1.00	185.00
4/15/2009	EAB	Attention to moratorium and communication with Mr. Stan Price regarding same.	0.40	74.00
4/22/2009	EAB	Attention to Adile Bola matter.	0.30	55.50
4/28/2009	EAB	Attention to zoning items; meeting with Mr. Julian Perez and Mr. Efren Nunez on pending applications, review of zoning litigation matters, outdoor seating, draft zoning codes, mobile vendors, Miami Acura compliance with Declaration of Restrictions.	5.00	925.00
Total Professional Services				4,551.00

Rate Summary

Eve A. Boutsis	0.70 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	24.60 hours at \$185.00/hr	4,551.00
Total hours:		25.30
		4,551.00

4/28/2009	Disbursements incurred - 2.0%	91.02
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Payments and Credits

4/23/2009	Check No.: 8945	962.37
Sub-total Payments:		962.37

For Professional Services	4,551.00
For Disbursements Incurred	91.02
Current Balance:	4,642.02
Previous Balance:	962.37
Payments - Thank you	962.37
Total Due	4,642.02

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

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.

FIGUEREDO BOUTSIS & MONTALVO, P.A.
Attorneys & Counselors

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.
 Village of Palmetto Bay
 8950 SW 152nd Street
 Palmetto Bay, Florida 33157

April 28, 2009
 Matter ID: 0293-004
 Code Enforcement
 Invoice Number 19926

			Hours	Amount
3/30/2009	EAB	Attention to special assessment lien and pay-off request; and attention to pending special master cases.	0.30	55.50
4/2/2009	EAB	Drafted T-Mobile letter re: SW 152 Street stealth pole.	0.30	55.50
4/2/2009	EAB	Attention to Sterns Weaver inquiry of liens; and attention to pay-off request.	0.30	55.50
4/14/2009	EAB	Attention to Artiles matter.	0.30	55.50
4/22/2009	EAB	Attention to pending code matters.	0.40	74.00
			Total Professional Services	296.00

Rate Summary

Eve A. Boutsis	1.60 hours at \$185.00/hr	296.00
Total hours:	1.60	296.00

4/28/2009 Disbursements incurred - 2.0% 5.92

Payments and Credits

4/23/2009	Check No.: 8945	641.58
Sub-total Payments:		641.58

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	296.00
For Disbursements Incurred	5.92
Current Balance:	<u>301.92</u>
Previous Balance:	641.58
Payments - Thank you	641.58
Total Due	<u>301.92</u>

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

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FIGUEREDO BOUTSIS & MONTALVO, P.A.
Attorneys & Counselors

Telephone: (305) 854-5353

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Eugene P. Flinn, Jr.
 Village of Palmetto Bay
 8950 SW 152nd Street
 Palmetto Bay, Florida 33157

April 28, 2009
 Matter ID: 0293-005
 Real Property
 Invoice Number 19927

			Hours	Amount
4/2/2009	EAB	Finalized edits to by-laws, no charge.	1.50	0.00
4/14/2009	EAB	Finalized maintenance agreement with Miami-Dade County.	1.00	185.00
				185.00
			Total Professional Services	185.00

Rate Summary

Eve A. Boutsis	1.50 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	1.00 hours at \$185.00/hr	185.00
	Total hours: 2.50	185.00

4/28/2009 Disbursements incurred - 2.0% 3.70

Payments and Credits

4/23/2009	Check No.: 8945	3,641.91
		Sub-total Payments: 3,641.91

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	185.00
For Disbursements Incurred	3.70
	<hr/>
Current Balance:	188.70
Previous Balance:	3,641.91
Payments - Thank you	3,641.91
	<hr/>
Total Due	188.70

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

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FIGUEREDO BOUTSIS & MONTALVO, P.A.
Attorneys & Counselors

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.
 Village of Palmetto Bay
 8950 SW 152nd Street
 Palmetto Bay, Florida 33157

April 28, 2009
 Matter ID: 0293-009
 Palmetto Bay Foundation, Inc.
 Invoice Number 19928

			Hours	Amount
4/21/2009	EAB	Research relating to nonprofit; telephone conference with Mr. Joe Centorino of SA office.	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
4/28/2009	Disbursements incurred - 2.0%		3.70

Payments and Credits

8/30/2007	Courtesy Write Off		61.25
		Sub-total Payments:	61.25

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	185.00
For Disbursements Incurred	3.70
	<hr/>
Current Balance:	188.70
Previous Balance:	61.25
Payments - Thank you	61.25
	<hr/>
Total Due	188.70

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FIGUEREDO BOUTSIS & MONTALVO, P.A.
Attorneys & Counselors

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.
 Village of Palmetto Bay
 8950 SW 152nd Street
 Palmetto Bay, Florida 33157

April 28, 2009
 Matter ID: 0293-022
 Village of Palmetto Bay -
 Invoice Number 19929

			Hours	Amount
3/31/2009	EAB	Communications with Ms. Nina Boniske, Mr. John Hearn, Mr. Craig Coller, and Clerk.	1.00	185.00
4/2/2009	EAB	Revisions to MFN Clause and communications with Mr. Coller; communications with VM Pariser (.2 no charge); communications with Ms. Boniske and Mr. Hearn; and telephone conference with Ms. Boniske.	0.80	148.00
4/3/2009	EAB	Communications with Mr. Coller, Ms. Boniske, Mr. Hearn; and update to Village Council.	0.60	111.00
4/7/2009	EAB	Telephone conference with Mr. Coller, Mr. Hearn and Weiss Serota firm; and attention to escrow agreement.	0.50	92.50
4/13/2009	EAB	Drafted escrow agreement and stipulated settlement for mitigation; telephone conference with ML and Doral regarding same; and communications with Mr. Craig Coller.	1.00	185.00
4/15/2009	EAB	Communications with Ms. Nina Boniske, Mr. John Hearn, Mr. Craig Coller; and finalized stipulated settlement, and escrow agreement.	1.00	185.00
4/17/2009	EAB	Finalized documents in mitigation.	0.50	92.50
4/22/2009	EAB	Communications with Mr. Craig Coller.	0.40	74.00
			Total Professional Services	1,073.00

Rate Summary

Eve A. Boutsis 5.80 hours at \$185.00/hr 1,073.00

Total hours: 5.80 1,073.00

4/28/2009 Disbursements incurred - 2.0% 21.46

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Eugene P. Flinn, Jr.
Village of Palmetto Bay
8950 SW 152nd Street
Palmetto Bay, Florida 33157

April 28, 2009
Matter ID: 0293-027
Palmer Trinity Private School,
Invoice Number 19930

			Hours	Amount
3/26/2009	HJM	Prepared notice of firm's name change (0.3); continued reviewing files and preparing for depositions of Palmer Trinity's Board of Trustees and the Village Council persons (5.8).	6.10	1,128.50
3/30/2009	HJM	Continued reviewing file and preparing for the deposition of Mr. Rafael De Arazoza and Palmer Trinity's expert witnesses.	5.50	1,017.50
3/30/2009	EAB	Attention to pending litigation and deposition schedules; attention to Jennings issues; communications with Mr. Craig Collier regarding same and possible intervention.	1.00	185.00
3/31/2009	HJM	Received and reviewed e-mail correspondence from Palmer Trinity's counsel re: deposition of Mr. Sean Murphy; prepared response to same; prepared e-mail communications to Mr. Gibbs and Ms. Huber; conducted conference with Mr. W. Tucker Gibbs and Ms. Amy Huber re: deposition of Board of Trustees (0.5); prepared re-notice of Mr. Sean Murphy's deposition (0.2); and continued preparation for defense of deposition of Village Council persons Paul Neidhart, Linda Robinson, Shelley Stanczyk and Ed Feller (5.4).	6.30	1,165.50
3/31/2009	EAB	Telephone conference with Dr. Feller (no charge).	0.40	0.00
4/1/2009	HJM	Prepared Re-Notice of Taking Deposition of Mr. Murphy with a time change only (0.2); prepared e-mail communication to Plaintiff's counsel re: same (0.2); conducted telephone conference with Mr. Gibbs and Ms. Huber re: depositions and strategy (0.4); received and reviewed correspondence from Ms. Huber to Mr. Mitch Widom re: deposition of Palmer Trinity's Board of Trustees (0.2); and continued preparing for deposition of Village Council Persons and Rafael De Arazoza (5.7).	6.70	1,239.50
4/2/2009	HJM	Prepared e-mail correspondence to Plaintiff's counsel Mr. Widom re: re-setting deposition of Council person Feller (0.2); telephone conference with Judge Leban's chambers concerning scheduling of hearing (0.1); and revised file in preparation of Mr. Murphy's deposition (4.8).	5.10	943.50

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Date	Attorney	Description	Hours	Amount
4/2/2009	EAB	Attention to depositions of former VM Linda Robinson and Mayor Flinn.	0.20	37.00
4/3/2009	HJM	Telephone conference with Sandi, clerk to Judge Leban re new dates for hearing on Partial Moton for Summary Judgment (0.2); continued reviewing file and preparing for deposition of Mr. Sean Murphy; Ms. Susan Ludovici; Mr. William Morrison; Ms. Paula Brockway; Mr. Dan Forman and Mr. Jim Davidson. (6.3).	6.50	1,202.50
4/6/2009	HJM	Conducted telephone conference with counsel for Corradino Group and Mr. De Arazoza, Mr. David Cotler re: production of documents and deposition (0.3); prepared and received responses to several e-mail communication to Plaintiff's counsel Mr. Widom re: availability of Dr. Feller's deposition (0.2); and received and reviewed voluminous set of documents from the Corradino Group (6.5).	7.00	1,295.00
4/7/2009	HJM	Received and reviewed e-mail communication and telephone conference with Plaintiff's counsel Mr. Widom re: the Village's response to Request for Production; prepared response to same (0.2); and continued reviewing voluminous documents received from Mr. de Arazoza (4.8).	5.00	925.00
4/7/2009	EAB	Assisted in discovery.	2.00	0.00
4/8/2009	HJM	Travelled to Court regarding agreed orders and the Court's failure to execute the order conference with Court personnel to make sure order is signed by Court (1.0); received and reviewed e-mail correspondence from Plaintiff's counsel Mr. Widom re: subpoena for deposition of records custodian (0.2); conducted litigation strategy with Ms. Boutsis (2.5); and reviewed documents of the Corradino Group (3.0).	6.70	1,239.50
4/8/2009	EAB	Attended strategy session in preparation for summary judgment.	3.00	555.00
4/9/2009	HJM	Reviewed all documents and e-mail communication to the Village Council in preparation of their depositions.	6.30	1,165.50
4/10/2009	HJM	Received and reviewed Motion to Compel depositions and discovery from counsel for Old Cutler Glen and Plaintiff's counsel; prepared response to counsel for Old Cutler Glen, Ms. Huber regarding the motion (0.4); received and reviewed Plaintiff's notice of cancellation of De Arazoza's deposition (0.1); reviewed documents being requested by Plaintiff's counsel from Clerk of Village Meighan Rader (0.3); and reviewed electronic messages (e-mails) received by Village Council person Ms. Staczyk from the public in preparation for her deposition (0.5).	1.30	240.50
4/13/2009	HJM	Continued preparing for deposition of Ms. Sean Murphy (2.2); prepared e-mail correspondence to Plaintiff's counsel Mr. Widom regarding re-scheduling deposition of Village Clerk and the hearing on Plaintiff's Motion for Partial Summary Judgment (0.1); reviewed pertinent sections of the council hearings transcripts for February 25, 2008 and April 14, 2008 of the testimony of Mayor Flinn, and council persons Feller, Robinson, Staczyk and Neidhart in preparation for the defense of their depositions (1.4); and continued reviewing voluminous set of documents received from Mr. Rafael De	6.00	1,110.00

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Arazoza (2.3).

4/14/2009	HJM	Received and reviewed e-mail communication for Plaintiff's counsel, Mr. Widom, re: re-scheduling hearing on Motion for Partial Summary Judgment; prepared response to same (0.3); received and reviewed Plaintiff's Reply to Village's Answer and Affirmative Defense; printed out cases cited therein and reviewed and sheppardized same (0.9); prepared letter to the Attorney General's office (0.3); prepared notice of cancellation of deposition of Sean Murphy (0.2); received and reviewed e-mail communication for Plaintiff's counsel Mr. Widom re: cancellation of hearing (0.1); telephone conference with Mr. Gibbs re: hearing and section 70.001 (0.2).	2.00	370.00
4/15/2009	HJM	Received and reviewed e-mail from Plaintiff's counsel, Mr. Widom, re: deposition of Village Clerk in response to my initial e-mail communication re: same (0.2); Conference calls with expert witness (0.3); and Reviewed documents received from expert witness, Mr. Arazoza.(2.3)	4.00	740.00
4/15/2009	EAB	Attention to PT matter; telephone conference with Ms. Rader on deposition; and coordinated a/c session.	0.50	92.50
4/16/2009	EAB	Settlement discussion.	0.50	92.50
4/17/2009	HJM	Received and reviewed Notice of Cancellation of Hearing on Plaintiff's Motion for Partial Summary Judgment and Plaintiff's Counsels, Mr. Widom's, Notice of Unavailability (0.2); Continued preparing for defense of Palmer Trinity's Traffics engineers depositions (4.0); and Continued preparing for defense of the Village Consultant's Mr. De Arazoza's deposition (1.8).	6.00	1,110.00
4/17/2009	EAB	Attention to settlement.	0.50	92.50
4/21/2009	EAB	Telephone conference with Bilzin firm on settlement.	0.40	74.00
4/22/2009	HJM	Continued compiling document responsive to Palmer Trinity's request for production (4.0); Continued compiling documents in order to prepare each Village Council member for deposition (2.3).	6.30	1,165.50
4/23/2009	HJM	Conducted conference with Ms. Boutsis regarding status of attorney-client session (0.2); Prepared e-mail correspondence to Mr. Price and Mr. Widom regarding settlement negotiations; placed telephone conference to Mr. Widom and Mr. Price (0.2); Received and reviewed additional e-mail correspondence from Mr. Price re: settlement negotiations and prepared response to same (0.3); Received and reviewed telephone conference from Mr. Widom (0.1); Continued reviewing documents response to Plaintiff's Request for Production (3.3).	4.00	740.00
4/24/2009	HJM	Prepared e-mail correspondence to Mr. Price, Plaintiff's counsel re: attendance at settlement meeting with Mayor Flinn (0.2); Received and reviewed additional e-mail correspondence from Mr. Price and responded (0.2).	0.40	74.00
4/26/2009	HJM	Conducted conference call with Mr. Widom (0.2); continued	1.00	185.00

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reviewing case law for opposition to Plaintiff's Motion for Summary Judgment (0.6); Received and reviewed multiple e-mail correspondence from Mr. Widom and Mr. Price (0.2).

4/27/2009	HJM	Received and reviewed multiple e-mails from Plaintiff's counsel, Mr. Price and Mr. Gibbs (0.3); reviewed entire file in preparation for settlement negotiations with Plaintiff (2.0).	2.30	425.50
4/28/2009	HJM	Received and reviewed multiple e-mail correspondence from Plaintiff's counsel, Mr. Price and Mr. Gibbs (0.3); continued reviewing entire file in preparation for settlement negotiations (1.8).	2.10	388.50
4/28/2009	EAB	Attention to settlement meeting.	0.50	92.50
				<hr/>
			Total Professional Services	19,092.00

Rate Summary

H. James Montalvo	96.60 hours at \$185.00/hr	17,871.00
Eve A. Boutsis	2.40 hours at \$ 0.00/hr	0.00
Eve A. Boutsis	6.60 hours at \$185.00/hr	1,221.00
		<hr/>
Total hours:	105.60	19,092.00

Disbursements

2/10/2009	Court reporter	533.00
4/7/2009	Photocopies	317.36
4/28/2009	Disbursements incurred - 2.0%	515.66

Payments and Credits

4/23/2009	Check No.: 8945	16,702.08
		<hr/>
Sub-total Payments:		16,702.08

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	19,092.00
For Disbursements Incurred	1,366.02
Current Balance:	<u>20,458.02</u>
Previous Balance:	16,702.08
Payments - Thank you	16,702.08
Total Due	<u>20,458.02</u>

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Attorneys & Counselors

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Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.
 Village of Palmetto Bay
 8950 SW 152nd Street
 Palmetto Bay, Florida 33157

April 28, 2009
 Matter ID: 0293-029
 Palmer Trinity v. VPB - Appeal
 Invoice Number 19931

			Hours	Amount
3/9/2009	HJM	Received and reviewed Petitioner's correspondence to Court and Motion for Rehearing; reviewed case law cited therein; conducted a sheppard's review; reviewed file; commenced preparing a response; and reviewed the rules of appellate procedure.	7.30	1,350.50
			Total Professional Services 1,350.50	

Rate Summary

H. James Montalvo	7.30 hours at \$185.00/hr	1,350.50
Total hours:		7.30
		1,350.50

4/28/2009	Disbursements incurred - 2.0%	46.76
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Payments and Credits

4/23/2009	Check No.: 8945	2,648.90
Sub-total Payments:		2,648.90

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For Professional Services	1,350.50
For Disbursements Incurred	46.76
Current Balance:	<u>1,397.26</u>
Previous Balance:	2,648.90
Payments - Thank you	<u>2,648.90</u>
Total Due	<u>1,397.26</u>

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FIGUEREDO BOUTSIS & MONTALVO, P.A.
Attorneys & Counselors

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Ron E. Williams
Village Manager
Village of Palmetto Bay
8950 SW 152 Street
Palmetto Bay, Florida 33157

April 28, 2009
Matter ID: 0293-034
Palmer Trinity-B.J. Harris

Invoice Number 19932

			Hours	Amount
4/14/2009	HJM	Received and reviewed Plaintiff's claim under Chapter 70.001 of the Florida Statutes against the Village and attached appraisal (1.0); conducted legal research regarding the Bert H. Harris Act (3.0); and prepared e-mail to Ms. Eve Boutsis regarding procedure for Chapter 70.001 claim; conducted conference with Ms. Boutsis (0.2).	4.20	777.00
4/21/2009	HJM	Continued conducting legal research regarding Palmer Trinity's Bert J. Harris claim (5.2).	5.20	962.00
			Total Professional Services	1,739.00

Rate Summary

H. James Montalvo 9.40 hours at \$ 185.00/hr 1,739.00

Total hours: 9.40

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For Professional Services	1,739.00
For Disbursements Incurred	0.00
Current Balance:	<u>1,739.00</u>
Previous Balance:	0.00
Payments - Thank you	0.00
Total Due	<u>1,739.00</u>

Invoice Number: 19932

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