

RESOLUTION NO. 09-67

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 \$42,862.35; 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 August 4, 2009, in the amount of \$42,862.35; 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 \$42,862.35, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 10<sup>th</sup> day of August, 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	<u>YES</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

August 6, 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 March 25, 2009, in the amount of \$42,862.35. I have tabulated the amounts *currently due* on each individual file as follows:

<b>Please deduct from Village Attorney Account No. 5143110, General Legal.</b>			
0293-001	Non-Retainer Legal Services <i>Invoice No. 19924 dated 8/4/09</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 10,600.50 228.18 <b>10,828.68</b>
	<b>Total</b>		<b>\$ 10,828.68</b>
<b>Please deduct from Village Attorney Account No. 5143140, Code Enforcement.</b>			
0293-002	Zoning Application <i>Invoice No. 19925 dated 8/4/09</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 8,362.00 167.24 <b>8,529.24</b>
	<b>Total</b>		<b>\$ 8,529.24</b>
0293-004	Code Enforcement <i>Invoice No. 19926 dated 8/4/09</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 499.50 9.99 <b>509.49</b>
	<b>Total</b>		<b>\$ 509.49</b>
0293-027	Palmer Trinity v. VPB <i>Invoice No. 19927 dated 8/4/09</i>	Prof'l Services Disbursements <b>Total Due</b>	\$ 3,829.50 210.41 <b>4,039.91</b>

0293-029	Palmer Trinity v. VPB (Appeal) <i>Invoice No. 19928 dated 8/4/09</i>	Prof'l Services Disbursements <b>Total Due</b>	\$	12,063.85 261.03 <b>12,324.88</b>
0293-038	A2 Group Arbitration <i>Invoice No. 19929 dated 8/4/09</i>	Prof'l Services Disbursements <b>Total Due</b>	\$	6,604.50 25.65 <b>6,630.15</b>
	<b>Grand Total</b>		\$	<b>42,862.35</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

**FBM LAW OFFICES**  
*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

August 4, 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 Truitt and MDPD legal on red light cameras and staffing; meeting with Ms. 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. Ringel; telephone conference with Ms. Cadaval (.2); telephone conference with Ms. Rader regarding Rossano public record request; telephone conference with Mr. 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 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; 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); attention to A2 and Mr. Sebel 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 conference with Mr. Gibbs on initiative, ballot question, and P/T -	1.50	277.50

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follow up on same with staff and attention to legal issues as to same (.5); and attention to SW franchise revisions, communications with Mr. Chin and 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; telephone conference with Mr. Silva on pending items.	2.00	370.00
7/1/2009	EAB	Prepared for and attended Library meeting, downtown to close out and obtain payment.	2.50	462.50
7/2/2009	EAB	Drafted memorandum and resolution relating to HB 360.	0.70	129.50
7/3/2009	EAB	Analyzed 50 page RFP for concessions at parks, revised same, including sample contract, provided comments regarding same.	2.50	462.50
7/6/2009	EAB	Attended staff meeting agenda review and discussion with Manager.	1.00	185.00
7/7/2009	LRF	Meeting with Mr. Silva re: RFQ ranking process.	1.00	185.00
7/7/2009	EAB	Reviewed and revised entry way sign bid and contract documents.	2.00	370.00
7/7/2009	EAB	Completed final edits to 30-50 for special council meeting.	1.30	240.50
7/7/2009	EAB	Meeting with Mr. Silva, Ms. Cadaval and Mr. Figueredo regarding bid protest procedures, applicability and responses to RFQ.	1.00	185.00
7/8/2009	EAB	Reviewed, revised and finalized agenda items; Special Master selection, resolution and contract; Ludovici Park rules and fee schedules; communications with Mr. Carmona (1.0) and attention to police negotiations.	1.20	222.00
7/9/2009	LRF	Meeting with Mr. Silva re: RFQ selection process.	1.20	222.00
7/9/2009	EAB	Attended meeting with Building Department and Royal Harbor Yacht Club and their counsel, Chad Friedman.	1.50	277.50
7/9/2009	EAB	Attended police negotiations.	2.00	370.00
7/10/2009	LRF	Attended meeting re: RFQ selection process; responded to telephone inquiries regarding issues and ranking.	2.00	370.00
7/10/2009	EAB	Telephone conference with Mr. Chad Friedman.	0.30	55.50
7/10/2009	EAB	Attention to inquiries by selection committee.	0.30	55.50
7/13/2009	EAB	Prepared for council meeting (1.5); prepared for and attended meeting with Building Official and Paradise Point representatives relating to ADA (1.5); attended selection committee meeting to review items relating to selection (1.).	4.00	740.00
7/13/2009	EAB	Finalized and edited MDC Library Maintenance Agreement (1.0); forwarded to Mr. Silva, MDC Attorney office; and communications with MDC PD regarding contract negotiations and revisions to draft	1.20	222.00

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(.2).

7/13/2009	EAB	Attended council meeting.	2.00	370.00
7/14/2009	EAB	Attended meeting with CP Stanczyk on pending matters.	1.50	277.50
7/14/2009	EAB	Attention to Weston lawsuit.	0.30	55.50
7/14/2009	EAB	Attention to ISD contract; attention to bankruptcy issues relating to same; telephone conference with Ms. Patterson ; telephone conference with COO of ISD and coordinated final close out of contract.	0.70	129.50
7/15/2009	LRF	Follow up with staff on issues related to selection process.	1.30	240.50
7/15/2009	EAB	Drafted revisions to police contract per July 12th meeting.	0.70	129.50
7/15/2009	EAB	Revised demolition and construction fence ordinance to provided hurricane event limited waiver.	0.30	55.50
7/16/2009	LRF	Attended meeting re:RFQ selection process for City hall.	1.00	185.00
7/16/2009	EAB	Attention to agenda items for special council meeting.	0.40	74.00
7/16/2009	EAB	Research and legislative updates for HR manual relating to ADA, FMLA, HI PA, GINA, and veteran's preferences.	2.00	370.00
7/16/2009	EAB	Research and attended seminar relating to Hometown democracy.	2.00	370.00
7/17/2009	EAB	Received assignment from Vice Mayor; drafted two add on resolutions: Firestation and Consumer Advocate resolutions.	1.00	185.00
7/17/2009	EAB	Attention to ISD matter.	0.30	55.50
7/20/2009	EAB	Attention to arbitration matter.	0.70	129.50
7/22/2009	LRF	Telephone conferences with staff regarding issues relating to RFQ for City Hall.	0.70	129.50
7/22/2009	EAB	Telephone conference with Mr. William and Mr. Tendrich and Stanczyk and attention to August 10, 2009 agenda.	1.00	185.00
7/23/2009	LRF	Meeting with Village staff regarding RFQ. Banking and issues relating to selection process.	1.30	240.50
7/23/2009	LRF	Ethics training sessions budget and finance.	0.90	166.50
7/27/2009	LRF	Telephone Conference with Building Director regarding RFQ for City Hall.	0.50	92.50
			Total Professional Services	10,600.50

**Rate Summary**

Luis R. Figueredo	10.90 hours at \$185.00/hr	2,016.50
Eve A. Boutsis	46.40 hours at \$185.00/hr	8,584.00

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	Total hours:	<u>57.30</u>	<u>10,600.50</u>
<b>Disbursements</b>			
7/7/2009	Mileage		16.17
8/4/2009	Disbursements Incurred - 2.0%		212.01
<b>Payments and Credits</b>			
4/23/2009	Check No.: 8945		15,971.06
		Sub-total Payments:	<u>15,971.06</u>
	For Professional Services		10,600.50
	For Disbursements Incurred		228.18
	Current Balance:		<u>10,828.68</u>
	Previous Balance:		15,971.06
	Payments - Thank you		15,971.06
		<b>Total Due</b>	<u><b>10,828.68</b></u>

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

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**FBM LAW OFFICES**  
*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

August 4, 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. Rader; telephone conference with Mr. Nunez; communications with Mr. Carlos Heredia and Mr. Scott Silver regarding same; telephone conference with Florida DCA regarding Fla. Stat. 360 compliance; telephone conference with Mr. Williams; communications with Ms. 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; drafted zoning memorandum on Zisman variance application.	6.50	1,202.50
3/26/2009	EAB	Telephone conference with DCA; 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. Ferro on Westminster (.3).	1.60	296.00
7/1/2009	EAB	Telephone Conference with and follow up with Mr. Chad Friedman re: Royal Yacht Harbor Club and Mr. Silva.	0.40	74.00
7/2/2009	EAB	Attending meeting with Mr. Proctor, Mr. Perez, Mr. Nunez regarding Old Cutler Market (1.); attention to South Motors (1.0); attention to PT substantial compliance(1.0); and attention to CP Amendments and pending items.	4.00	740.00
7/6/2009	EAB	Meetings with Mr. Perez and Mr. Nunez and finalized: edits to signnage ordinance, finalized CP amanedment including GOPs and DIA's, ordinance, and cover memorandum; finalized 30-50; attention to pending zoning applications.	6.00	1,110.00

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7/13/2009	EAB	Reviewed, revised and finalized shed variance memoranda and staff analysis.	0.40	74.00
7/15/2009	EAB	Attended SFRPC EAR meeting for comprehensive plan.	4.00	740.00
7/17/2009	EAB	Attention to finalizing CP Amendment and Ordinances; communications with Mr. Perez.	3.00	555.00
7/21/2009	EAB	Meeting with VP Stancyk in land use issue; meeting with Mr. Perez and Mr. Silva re: Comprehensive Plan amendment; meeting with Mr. Williams, Perez & Silva on Land Use; prepared revisions to cover memos and ordinances for meeting of August 10, 2009 and advertisement.	6.00	1,110.00
8/3/2009	EAB	Attention to pending planning items.	3.50	647.50
8/4/2009	EAB	Meeting with Mr. Perez preparing final agenda for August 10, 2009 meeting relating to CP Amendment and 30-50 Land Development Code.	8.50	1,572.50

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Total Professional Services      8,362.00

**Rate Summary**

Eve A. Boutsis	45.20 hours at \$185.00/hr	8,362.00
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Total hours:	45.20	8,362.00
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8/4/2009	Disbursements incurred - 2.0%	167.24
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**Payments and Credits**

4/23/2009	Check No.: 8945	962.37
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Sub-total Payments:	962.37
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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	8,362.00
For Disbursements Incurred	167.24
	<hr/>
Current Balance:	8,529.24
Previous Balance:	962.37
Payments - Thank you	962.37
	<hr/>
<b>Total Due</b>	<b>8,529.24</b>

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

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**FBM LAW OFFICES**

*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

August 4, 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; attention to pending special master cases.	0.30	55.50
7/13/2009	EAB	Attention to pending code compliance matters; telephone conference with Attorney David Sterns's office regarding mitigation.	0.40	74.00
7/21/2009	EAB	Attended Special Master hearing.	2.00	370.00
				499.50
			Total Professional Services	499.50

**Rate Summary**

Eve A. Boutsis

2.70 hours at \$185.00/hr

499.50

Total hours: 2.70

499.50

8/4/2009 Disbursements incurred - 2.0%

9.99

**Payments and Credits**

4/23/2009 Check No.: 8945

641.58

Sub-total Payments:

641.58

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	499.50
For Disbursements Incurred	9.99
	<hr/>
Current Balance:	509.49
Previous Balance:	641.58
Payments - Thank you	641.58
	<hr/>
<b>Total Due</b>	<b>509.49</b>

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

August 4, 2009  
 Matter ID: 0293-027  
 Palmer Trinity Private School,  
 Invoice Number 19927

			Hours	Amount
7/1/2009	EAB	Meeting with Ms. Lindsey and Mr. Gibbs.	3.50	647.50
7/1/2009	EAB	Drafted revised settlement proposal and communications with council regarding same.	0.50	92.50
7/2/2009	EAB	Revised input into and revised draft settlement proposal.	0.40	74.00
7/3/2009	EAB	Telephone Conference with CP Stanczyk re: proposed settlement agreement; drafted proposal to CCOCI and Old Cutler Glen Homewoner's Association ; telephone conferecnce with Mayor Flinn; communications with CP Tendrich; commnications with Mayor and Village Council on updated revisions to settlement agreement and deadlines.	3.00	555.00
7/6/2009	EAB	Telephone Conference with Dr. Feller, telephone conference with CP Stanczyk, telephone conference with Mayor Flinn, and coordinated a/c session.	1.50	277.50
7/7/2009	EAB	Telephone Conference with Mayor Flinn and revised draft settlement proposal; communications with Mr. Price; finalized proposals and prepared for attorney-client session.	2.00	370.00
7/8/2009	EAB	Prepared for A/C session; telephone conference with CP Stanczyk; and attended A/C session.	2.50	462.50
7/8/2009	EAB	Drafted Proposals for settlement to PT and intervenors: telephone conferences with CP Stanzyc; telephone conference with CP Tendrich; telephone conference with Mayor Flinn; communications with VM Pariser; telephone conference with Mr. Williams.	3.50	647.50
7/9/2009	EAB	Telephone Conference with Mr. Gibbs; telephone conferences with (several) with Mayor Flinn, Dr. Feller, Mr. Williams, CP Stanczyk; follow up with Mr. Price.	2.00	370.00
7/9/2009	EAB	Telephone Conferences with Mayor Flinn.	0.40	74.00
7/10/2009	EAB	Communications with Mr. Price (.4); telephone conference with CP Stanczyk (.3) [no charge]; telephone conference with Mayor Flinn (1.0) [no charge]; communications with CP Tendrich [no charge];	0.40	74.00

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telephone conference with Mr. Williams (.4) { no charge } ;  
communications with VM Pariser (.2) { no charge }.

7/14/2009	EAB	Telephone Conference with Mr. Price, Ms. Mehta, Mr. Widom.	1.00	185.00
				<hr/>
Total Professional Services				3,829.50

**Rate Summary**

Eve A. Boutsis	20.70 hours at \$185.00/hr	3,829.50
Total hours:		<hr/> 20.70
		<hr/> 3,829.50

8/4/2009	Disbursements incurred - 2.0%	210.41
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**Payments and Credits**

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

For Professional Services	3,829.50
For Disbursements Incurred	210.41
	<hr/> 4,039.91
Current Balance:	
Previous Balance:	16,702.08
Payments - Thank you	16,702.08
	<hr/> 4,039.91
<b>Total Due</b>	<b>4,039.91</b>

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*Attorneys & Counselors*

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

August 4, 2009  
 Matter ID: 0293-029  
 Palmer Trinity v. VPB - Appeal  
 Invoice Number 19928

			Hours	Amount
7/6/2008	HJM	Commenced preparing response to Palmer Trinity's Petition.	5.50	1,017.50
7/7/2008	HJM	Continued preparing response to Petition.	6.50	1,202.50
7/8/2008	HJM	Reviewed final settlement proposal submitted to Plaintiff's counsel, Mr. Stanley Price and counsel for intervenors (0.4); and continued preparing response to petition (5.3).	5.70	1,054.50
7/9/2008	HJM	Conducted additional legal research regarding the issue of reverse spot zoning and procedural due process (2.2); sheppardized updated research cases (0.6); and continued preparing response to Petition (2.6).	5.40	999.00
7/10/2008	HJM	Received and reviewed multiple e-mail correspondences from Plaintiff's counsel, Mr. Price, and prepared responses thereto (0.4); revised motion for extension of time to file response to petition (0.3); continued preparing response to petition (1.8).	2.51	464.35
7/13/2008	HJM	Continued preparing response to Petition, sheppardized cases; reviewed exhibits.	6.40	1,184.00
7/14/2008	HJM	Conducted lengthy telephone conference call with Mr. Price, Ms. Mehta and Mr. Widom; prepared e-mail correspondence with Plaintiff's counsel Mr. Price regarding continuation of the stay (0.1); and continued preparing response to petition (3.8).	4.90	906.50
7/15/2008	HJM	Conducted communication with counsel for Neighbors, Ms. Cynthia Hoffman, and revised and edited response to petition.	6.00	1,110.00
7/15/2008	EAB	Meeting with Eileen Mehta.	2.50	462.50
7/16/2008	HJM	Finalized response to petition for Writ of Certiorari.	5.00	925.00
7/17/2008	HJM	Conducted final sheppard research for all cases cited (1.0); and revised response (0.8).	1.80	333.00
7/20/2008	HJM	Prepared Amended Motion for Extension of Time (0.3); received and reviewed Mr. Gibbs Motion for Extension of Time (0.2); and received and reviewed Shubin & Bass Motion for Extension of Time (0.2).	0.80	148.00

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## CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

7/21/2008	HJM	Telephone conference with Mr. Price regarding re-commencing litigation and settlement negotiations.	0.20	37.00
7/21/2008	HJM	Telephone conference with Mr. Gibbs and VM Pariser and follow up with Mr. Price.	0.50	92.50
7/27/2008	HJM	Received and reviewed proposed settlement agreement from Plaintiff's counsel Mr. Price, analyzed same and response thereto.	1.50	277.50
7/28/2008	HJM	Received and reviewed Petitioner's motion for and extension of time to file reply to the Village's response (0.2); received and reviewed Mr. Gibbs response (0.8).	1.00	185.00
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; reviewed the rules of appellate procedure.	7.30	1,350.50
7/29/2009	HJM	Telephone conference with Mr. Hoffman.	0.10	18.50
7/30/2009	HJM	Reviewed intervenor's Concerned Citizens and Joan Lindsey's Appendix on response to Petition for Writ of Certiorari (0.5).	0.50	92.50
8/3/2009	HJM	Received and reviewed order from 3rd DCA regarding Palmer Trinity's motion for extension of time (0.1); received and reviewed settlement proposal and exhibits from counsel for CCOCI and Ms. Lindsey, T. Gibbs (1.0); and conducted a comparison of CCOCI and Palmer Trinity's counter-proposed settlement agreements with the Village's proposed settlement agreement (1.0).	1.10	203.50
			<b>Total Professional Services</b>	<b>12,063.85</b>

**Rate Summary**

H. James Montalvo	62.71 hours at \$185.00/hr	11,601.35
Eve A. Boutsis	2.50 hours at \$185.00/hr	462.50
<b>Total hours:</b>	<b>65.21</b>	<b>12,063.85</b>

8/4/2009	Disbursements incurred - 2.0%	261.03
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**Payments and Credits**

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

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	12,063.85
For Disbursements Incurred	261.03
	<hr/>
Current Balance:	12,324.88
Previous Balance:	2,648.90
Payments - Thank you	2,648.90
	<hr/>
<b>Total Due</b>	<b>12,324.88</b>

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

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# FBM LAW OFFICES

*Attorneys & Counselors*

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

August 4, 2009  
Matter ID: 0293-038  
A2 Group Arbitration

Invoice Number 19929

			Hours	Amount
7/2/2009	HJM	Received and reviewed correspondence from Mr. Albert Rivas, Principal of A2 Group, concerning payment applications numbers 4 and 7 and attachments, including change orders 24 and 28, Design and Fabrication Agreement for Custom Tower Clock; electronic communications between Mr. Labrada and J. C. Muniz (2.0); telephone conference with Mr. Sobel regarding appointment of arbitrator (0.1); revised City Manager's letter to A2 Group (0.8) received and reviewed inventory of pending construction items and reimbursements owed to Village (0.3); received and reviewed revised inventory of pending items from client (0.2) continued conducting legal research on defenses to A2 Group's claims (3.8); and received and reviewed correspondence from Village Manager to Plaintiff's counsel (0.3).	7.50	1,387.50
7/2/2009	EAB	Telephone conferences with Mr. Ed Silva on pending matters, draft letters, A2 Group's objections, arbitration and selection of arbitrator.	1.50	277.50
7/6/2009	HJM	Prepared communication with client regarding any outstanding amounts owed to A2 Group (0.2); placed telephone conference wot Judge Stettin's office to determine if still available to act as arbitrator (0.1); prepared correspondence to Plaintiff's counsel (0.5); revised and edited same (0.3); and telephone conference with Plaintiff's counsel, Mr. Sobel (0.2).	1.30	240.50
7/7/2009	HJM	Received and reviewed e-mail correspondence from Plaintiff's counsel, Mr. Sobel (0.3); received and reviewed e-mail correspondence from Plaintiff's counsel, Mr. Sobel (0.1); telephone conference with Judge Stettin confirming dates (0.1); and prepared additional e-mail correspondence to Plaintiff's counsel regarding setting up meeting for clients (0.2).	0.70	129.50
7/8/2009	HJM	Placed telephone call and left telephone messages for Rafael Labrada and Marcel Magote regarding their availability to attend meeting with A2 Group (0.2); prepared lengthy correspondence to Plaintiff's counsel regarding issues of payment, meeting, scheduling final hearing, etc; (0.5); prepared notice of final Arbitration hearing (0.3); and reviewed file for breakdown in the total sum of the \$24,253 check delivered to A2 Group (0.4).	1.40	259.00

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7/8/2009	EAB	Communication with Manager and staff regarding A2 Group.	0.20	37.00
7/9/2009	HJM	Placed telephone call to Plaintiff's counsel, Mr. Sobel (0.1); prepared correspondence to Judge Stettin regarding confirmation of conference call; revised and edited same (0.5); prepared e-mail correspondence to Mr. Sobel regarding confirmation and conference call with attachment (0.2); and placed telephone call to Judge Stettin's office confirming conference call (0.1).	0.90	166.50
7/10/2009	HJM	Received, reviewed and analyzed lengthy correspondence from counsel for A2 Group (0.3); and received and reviewed lengthy correspondence and attachment from Plaintiff, Mr. Ribas.	0.80	148.00
7/13/2009	HJM	Prepared correspondence to Plaintiff's counsel Mr. Sobel (0.2); and conducted telephone conference with Plaintiff's counsel (0.2).	0.40	74.00
7/14/2009	HJM	Received and reviewed multiple, lengthy, electronic correspondence from Mr. Labrada of Wolfberg Alvarez to Plaintiff Mr. Ribas (0.5).	0.50	92.50
7/16/2009	HJM	Received and reviewed correspondence and two attachments from A2 Group's Mr. Rey.	0.40	74.00
7/20/2009	HJM	Received and reviewed e-mail correspondence from Plaintiff's counsel Mr. Sobel (0.1); prepared response to Plaintiff's counsel (0.1); telephone conference with Mr. Williams and Mr. Silva (0.1) telephone conference with Judge Stettin's office concerning rescheduling of conference call (0.1); and prepared letter to Judge Stettin office.	0.60	111.00
7/21/2009	HJM	Conducted legal research on construction and arbitration issues in the case.	5.30	980.50
7/22/2009	HJM	Conducted conference call with ms. Olga Cadaval re: payment to A2 Group (0.3); continued researching contractual and construction issues in case (4.8).	5.10	943.50
7/23/2009	HJM	Reviewed file and conducted telephone conference with judge Stettin and Mr. Sobel regarding procedures to be used in the case of the setting of deadlines.	0.50	92.50
7/27/2009	HJM	Received and reviewed correspondence from Mr. Labrada of the architect firm Wolfberg Alvarez regarding responses to payment applications 04, 05, 18 and 3 from A2 Group (1.6); and received and reviewed e-mail correspondence from Mr. Sobel (0.1).	1.70	314.50
7/28/2009	HJM	Received and reviewed correspondence from Plaintiff's counsel Mr. Sobel (0.6); and continued reviewing voluminous file in preparation for arbitration (2.2).	2.80	518.00
7/29/2009	HJM	Telephone conference with Mr. Sobel regarding response	0.10	18.50
7/30/2009	HJM	Received and reviewed from Arbitrator Judge Stettin regarding pretrial order (0.4); received and reviewed statement invoice from arbitrator (0.1); telephone conference with Mr. Silva (0.3); and commenced preparing a responsive correspondence to Plaintiff's counsel July 27, 2009 letter (0.5).	1.30	240.50

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7/31/2009	HJM	Received and reviewed payment application number 4 from Mr. Rey of A2 Group (0.5); conference with Mr. Silva (0.5).	1.00	185.00
8/3/2009	HJM	Prepared correspondence to Plaintiff's counsel Mr. Sobel and attached exhibit; revised and edited same (0.5); prepared correspondence to Arbitrator, Judge Stettin and attended exhibits reviewed contract 90.5); and prepared second letter to Plaintiff's counsel Mr. Sobel and reviewed file (0.7).	1.70	314.50
<b>Total Professional Services</b>				<b>6,604.50</b>

**Rate Summary**

H. James Montalvo	34.00 hours at \$	185.00/hr	6,290.00
Eve A. Boutsis	1.70 hours at \$	185.00/hr	314.50

Total hours: 35.70

**Expenses**

7/7/2009	Photocopies	13.75
7/7/2009	Telefacsimile charge	7.50
7/7/2009	Postage Charge	4.40
<b>Sub-total Expenses:</b>		<b>25.65</b>

For Professional Services	6,604.50
For Disbursements Incurred	25.65
<b>Current Balance:</b>	<b>6,630.15</b>
Previous Balance:	0.00
Payments - Thank you	0.00
<b>Total Due</b>	<b>6,630.15</b>

Invoice Number: 19929

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