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RESOLUTION NO. 08-22

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 NAGIN GALLOP FIGUEREDO, P.A. IN THE AMOUNT OF \$43,097.85; 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, Nagin Gallop Figueredo, P.A., submitted its statements to the village for legal services rendered, and costs advanced, for the period ending February 26, 2007, in the amount of \$43,097.85; and,

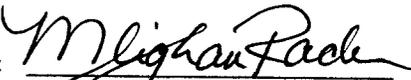
WHEREAS, the amounts are reasonable and were necessarily incurred.

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 Nagin Gallop Figueredo, P.A., in the total amount of \$43,097.85, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 3rd day of March, 2008.

Attest: 
Meghan Rader
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eye A. Boutsis,
Nagin Gallop Figueredo, P.A., as Office
of the Village Attorney

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2 FINAL VOTE AT ADOPTION:
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4 Council Member Ed Feller YES
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6 Council Member Paul Neidhart YES
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8 Council Member Shelley Stanczyk YES
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10 Vice-Mayor Linda Robinson YES
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12 Mayor Eugene P. Flinn, Jr. YES
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NAGIN GALLOP FIGUEREDO^{RA}*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

February 26, 2008
 Matter ID: 0293-001
 General Municipal
 Invoice Number 19493

			Hours	Amount
1/29/2008	EAB	Attention to dog walk event; attention to possible conflict item; communications with staff regarding same; meeting with Building staff regarding survey item; and inspection of Palmer property.	0.70	129.50
1/29/2008	EAB	Meeting with Ms. Ana Garcia, Ms. Josie Bober, Mr. Ron Williams and FFR representative, Ms. Dee Smith; received assignments and direction from manager and Mayor Eugene Flinn; drafted resolution relating to discretionary funds and FFR event; draft conflict memo and public hearing resolution; analyzed and drafted emergency water restriction emergency ordinance.	3.50	647.50
1/30/2008	EAB	Attention to agenda items; meeting with Ms. Garcia, Ms. Cadaval, Mr. Williams and Ms. Rader on pending items for agenda and upcoming agenda; and received assignments.	1.50	277.50
1/30/2008	EAB	Direction to HR on employment policies and background check; telephone conference with Mayor Flinn (.3 no charge).	0.40	74.00
1/31/2008	EAB	Attention to conflict matter; telephone conference with Ms. Cadaval; telephone conference with Ms. Rader.	0.50	92.50
2/1/2008	EAB	Meeting with auditors.	0.30	55.50
2/4/2008	EAB	Analyzed agenda; and prepared for council meeting; telephone conference with Mr. Williams regarding same; and telephone conference with council members regarding agenda.	2.50	462.50
2/4/2008	EAB	Attended village council meeting.	3.00	555.00
2/7/2008	EAB	Finalized dog walk agreement draft with input from staff and provided to Parks Dept for review; analyzed Coca Cola contract proposal and provided comments to same; follow up on FFR art; and attention to library project.	2.50	462.50
2/7/2008	EAB	Continued to work on 30-50, LDC.	4.00	740.00
2/8/2008	EAB	Communications with Mr. Meyers and Mr. Centorino on Sunshinre related issue.	0.40	74.00

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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2/8/2008	EAB	Edited, revised, and supplemented 30-50.	5.00	925.00
2/9/2008	EAB	Continued to edit, revise, and update 30-50.	4.00	740.00
2/11/2008	EAB	Telephone conference with MDC Attorney Tom Logue regarding nonprofits and sunshine.	0.40	74.00
2/11/2008	SS	Received and reviewed order granting motion to re-set foreclosure sale; posted document and added to database.	0.20	13.00
2/20/2008	EAB	Attention to all park agreements, interlocal, Coca Cola, FFR, etc.	0.50	92.50
2/22/2008	LRF	Preparation of zoning items.	1.50	277.50
2/22/2008	EAB	Meeting with Mr. Williams on pending items; discussion with Ms. Barber and Ms. Garcia on pending projects; telephone conference with Ms. Rader regarding zoning process and upcoming meeting; telephone conference with Mayor Flinn (.3 no charge).	0.70	129.50
2/25/2008	LRF	Preparation of zoning items.	1.50	277.50
			Total Professional Services	6,099.50

Rate Summary

Luis R. Figueredo	3.00 hours at \$185.00/hr	555.00
Eve A. Boutsis	29.90 hours at \$185.00/hr	5,531.50
Susan Snavelly	0.20 hours at \$ 65.00/hr	13.00

Total hours:	33.10	6,099.50
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Disbursements

1/3/2008	Database Legal research	105.23
1/7/2008	Database Legal research	44.04
1/8/2008	Database Legal research	42.69
1/9/2008	Database Legal research	33.98
2/12/2008	Miscellaneous Client Costs - MDCLC February BOD Meeting	20.00
2/26/2008	Disbursements incurred - 2.0%	121.99

Payments and Credits

2/13/2008	Check No. 7082	8,162.31
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Sub-total Payments:	8,162.31
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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	6,099.50
For Disbursements Incurred	367.93
	<hr/>
Current Balance:	6,467.43
Previous Balance:	18,227.93
Payments - Thank you	8,162.31
	<hr/>
Total Due	16,533.05

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

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NAGIN GALLOP FIGUEREDO^{PA}*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

February 26, 2008
 Matter ID: 0293-002
 Zoning Applications

Invoice Number 19494

			Hours	Amount
1/23/2008	SS	Continued to edit and reformat Zoning Restrictions section of Land Development Code.	0.90	58.50
1/29/2008	EAB	Telephone conference with MDC zoning dept., Ms. Fojo; and analyzed dbc criteria; communications with Mr. Carter MacDowell; and attention to Palmer Trinity and zoning opposition item.	0.70	129.50
1/29/2008	EAB	Edited 30-50 of LDC; attention to advertisement re: Palmer Trinity - telephone conference with Ms. Arleen Weintraub regarding same; drafted covenant and public ROW maintenance and improvement agreement for FT&I, including road improvement, landscaping, curbing and public parking.	3.00	555.00
1/30/2008	EAB	Drafted resolution and memorandum on easement agreement; attention and advised staff on public hearing advertising deadlines; telephone conference with Mr. Ed Silva and Ms. Olga Cadaval regarding library project and hearing schedule; communications with Mr. Scott Silver regarding zoning hearing on easement agreement (modification of site plan); telephone conference with Ms. Weintraub regarding same; telephone conference with Mr. Damian Williams regarding permitting; attention to Deering advertising and agenda item; telephone conference with Mr. Silva regarding same; provided Jennings "warning."	1.70	314.50
1/30/2008	EAB	Telephone conference with Mr. MacDowell, Mr. Jerry Proctor, Ms. Alex Deas; attended meeting with OCCPI and Mr. Tucker Gibbs with Ms. Arleen Weintraub and Mr. Efren Nunez; and prepared PBVC zoning item; meetings with Mr. Ron Williams, Mr. Ed Silva, Ms. Olga Cadaval, Ms. Meighan Rader regarding advertisements associated with both projects, deadlines, and requirements.	4.00	740.00
1/31/2008	EAB	Telephone conference with Mr. Silva regarding zoning and sign regulations (re: Baptist Church); telephone conferences with Mr. Nunez regarding easement and site plan modification for PBVC; analyzed AU and EU-M zoning districts and continued to revise the staff recommendation re: Palmer Trinity; communications with Mr. MacDowell, Mr. Proctor, Ms. Deas regarding advertisement on Palmer Trinity; telephone conference with Ms. Deas regarding	3.50	647.50

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same; communications with Mr. MacDowell regarding master plan; and communications with Mr. Nunez regarding local schools (population and size).

1/31/2008	EAB	Revised FT&I ordinance and memorandum; revised water restriction ordinance; provided direction to Ms. Cadaval and Mr. Nunez regarding PBVC advertising and site plan.	2.00	370.00
2/1/2008	EAB	Analyzed site plan; continued drafting analysis with Mr. Nunez; and inquiries to Mr. MacDowell, Mr. Proctor, and Ms. Deas regarding same.	5.50	1,017.50
2/4/2008	EAB	Revised draft zoning application; meeting with Ms. Weintraub and Mr. Nunez regarding continuing draft zoning application; and drafted procedures and disclosure requirements for zoning application.	5.00	925.00
2/5/2008	EAB	Attended meeting with CP Shelley Stanczyk regarding parking in FT&I and other pending items.	2.60	481.00
2/5/2008	EAB	Meetings with Mr. Williams, Ms. Weintraub, and Mr. Nunez to finalize Palmer Trinity analysis; telephone conference with Mr. McDowell regarding same.	6.00	1,110.00
2/6/2008	EAB	Meeting with Ms. Weintraub, Mr. Silva, Ms. Cadaval, and Mr. Nunez to finalize PBVC easement agenda item; finalized drafting district boundary change zoning ordinance (Palmer Trinity); follow up on political signs and zoning item; and telephone conferences with Ms. Weintraub and Ms. Cornice Patterson regarding Coradino and review of traffic plan.	6.00	1,110.00
2/11/2008	EAB	Meeting with Mr. Williams, Mr. Silva, Ch. Pruitt, and Ms. Weintraub regarding SWM School and noise; attention to Palmer Application; meeting with Mr. Williams, Mr. Nunez, Ms. Patterson and Ms. Weintraub regarding Palmer; communications with Mr. Tucker; attention to special event sign at Cape Cutler; attention to political advertising signs; and follow up with Ms. Weintraub regarding agenda items.	4.30	795.50
2/12/2008	EAB	Attention to easement agreement, attachments, resolution and memorandum for agenda; follow up on inquiry by CP Stanczyk.	1.40	259.00
2/19/2008	EAB	Worked with Ms. Weintraub to finalize agenda items.	4.50	832.50
2/20/2008	EAB	Finalized all agenda items, exhibits re: PT matter; meeting with PT representatives and Ms. Weintraub; meeting with Mr. Williams regarding same.	8.00	1,480.00
2/21/2008	EAB	Attention to PT application and procedures; telephone conference with Ms. Patterson regarding PW analysis regarding PT; and telephone conference with Mr. MacDowell and Ms. Deas.	2.70	499.50
2/21/2008	EAB	Telephone conference with Mr. Silva and follow up on Wachovia agreement; and attention to parks agreements, including PB Pk Center easement agreement.	0.70	129.50
2/24/2008	EAB	Prepared for P&Z agenda; telephone conferences with council regarding same.	5.50	1,017.50

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2/25/2008	EAB	Continued legal research on zoning, appeals, issues, due process, equal protection, etc; telephone conferences with Ms. Weintraub, Mr. Silva, Mr. Silver, Mr. Williams, and Village Council; meeting with Mayor Flinn; telephone conference with Mr. Corrodino; telephone conference with VM Linda Robinson; and telephone conference with CP Stanczy; meeting with Mayor Flinn.	8.00	1,480.00
2/25/2008	EAB	Attended Planning and Zoning hearing.	5.00	925.00
2/26/2008	EAB	Follow up on Planning and Zoning agenda and Palmer Trinity matter (1.0). Telephone conference with Mayor Eugene Flinn (.2 no charge).	1.00	185.00
				<hr/>
			Total Professional Services	15,062.00

Rate Summary

Eve A. Boutsis	81.10 hours at \$185.00/hr	15,003.50
Susan Snavelly	0.90 hours at \$ 65.00/hr	58.50
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Total hours:	82.00	15,062.00

2/26/2008	Disbursements incurred - 2.0%	301.24
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Payments and Credits

2/13/2008	Check No. 7082	9,112.68
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Sub-total Payments:		9,112.68

For Professional Services	15,062.00
For Disbursements Incurred	301.24
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Current Balance:	15,363.24
Previous Balance:	13,056.51
Payments - Thank you	9,112.68
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Total Due	19,307.07

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

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NAGIN GALLOP FIGUEREDO^{PA}*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

February 26, 2008
 Matter ID: 0293-004
 Code Enforcement
 Invoice Number 19495

			Hours	Amount
2/6/2008	EAB	Communications with attorney for Citimortgage regarding temporary injunction request in response to unsafe structure filing; telephone conference with Mr. Ed Silva regarding same; email communications with Sterns Weaver regarding injunction request and compliance; telephone conference with Mr. Milechewski regarding code compliance matter; drafted letter enclosing subpoenas to Mr. Richard Doody; conference with Mr. Luis Carcamo and Ms. Arleen Weintraub regarding permits, abandoned right-of-way and code violations.	1.00	185.00
2/7/2008	EAB	Attention to RTS/Comcast matter and prepared memorandum regarding same.	0.20	37.00
2/8/2008	EAB	Attention to Southwood matter; telephone conference with Mr. Silva regarding same; attention to survey matter and setbacks.	0.40	74.00
2/11/2008	EAB	Telephone conference with Ms. Horner regarding code compliance.	0.40	74.00
2/12/2008	HJM	Telephone conference with Mr. Ed Silva regarding unsafe structure status.	0.20	37.00
2/12/2008	HJM	Reviewed file; commenced preparing response to motion for temporary injunction.	3.60	666.00
2/12/2008	EAB	Attention to Attorney Stern's injunction request; follow up with Mr. Ed Silva regarding same.	0.30	55.50
2/19/2008	HJM	Telephone conference with Mr. Silva regarding unsafe structure.	0.20	37.00
2/19/2008	EAB	Prepared for and attended special master hearing; follow up on after action on agenda items (Ludiovici matter).	3.50	647.50
2/19/2008	SS	Telephone discussion with Rose of David Stern's office concerning special master hearing on 7760 NW 138th property; and telephone discussion with Ms. Boutsis.	0.20	13.00
2/20/2008	HJM	Continued preparing responses to motion for temporary injunction.	1.00	185.00
2/20/2008	EAB	Attention to water restrictions; and communications with Mr.	0.40	74.00

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

		Ludovici; and telephone conference with Mr. Ira Rubin regarding telephonic hearing.		
2/21/2008	EAB	Communications with Mr. Ludovici and special master regarding pending items.	0.60	111.00
2/22/2008	HJM	Continued preparing response to emergency petition for temporary injunction; continued conducting legal research and reviewing attachments.	2.50	462.50
2/22/2008	EAB	Meeting with Mr. Ludovici and Mr. Nadwicke relating to compliance; and attention to Salas appeal/mitigation concerns.	1.10	203.50
2/25/2008	HJM	Continued revising and editing response to emergency petition for injunctive relief.	2.20	407.00
2/25/2008	HJM	Continued conducting legal research on elements for emergency injunctive relief.	1.80	333.00
2/26/2008	EAB	Telephone conference with Ms. Horner and Mr. Maliszewski.	0.30	55.50
Total Professional Services				3,657.50

Rate Summary

H. James Montalvo	11.50 hours at \$185.00/hr	2,127.50
Eve A. Boutsis	8.20 hours at \$185.00/hr	1,517.00
Susan Snavely	0.20 hours at \$ 65.00/hr	13.00
	Total hours: 19.90	3,657.50

Disbursements

2/6/2008	Federal Express - delivery to Richard Doody	15.82
2/8/2008	Federal Express - delivery to Eve Boutsis	18.65
2/26/2008	Disbursements incurred - 2.0%	73.15

Payments and Credits

2/13/2008	Check No. 7082	2,781.54
	Sub-total Payments:	2,781.54

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CONFIDENTIAL - ATTORNEY/CLIENT PRIVILEGE

For Professional Services	3,657.50
For Disbursements Incurred	107.62
Current Balance:	<u>3,765.12</u>
Previous Balance:	3,820.83
Payments - Thank you	2,781.54
Total Due	<u>4,804.41</u>

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

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NAGIN GALLOP FIGUEREDO^{PA.}

Attorneys & Counselors

18001 Old Cutler Road, Suite 556

Miami, Florida 33157

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.

February 26, 2008

Mayor

Matter ID: 0293-019

Village of Palmetto Bay

Village of Palmetto

8950 SW 152nd Street

Invoice Number 19496

Palmetto Bay, Florida 33157

			Hours	Amount
2/1/2008	EAB	Attention to order on motion for judgment on pleadings; communications with Ms. Nina Boniske regarding same; communications with council regarding same; and telephone conference with Mayor Eugene Flinn (.2 no charge).	0.30	55.50
2/8/2008	EAB	Attention to judicial notice; communications with Mr. Bruce Rogow, Ms. Boniske, Mr. John Hearn and attempted to coordinate conference call; communications with Village Council regarding same.	0.70	129.50
2/8/2008	SS	Reviewed notice of hearing received on request for judicial notice; telephone call to Mr. Craig Collier's office to request copy of motion, which was not received with notice; checked court docket sheet.	0.20	13.00
2/12/2008	EAB	Telephone conference with Mr. Rogow.	0.30	55.50
2/12/2008	SS	Telephone call to Clerk and Judge Trawick's judicial assistant to inquire about whether the Court received a motion on request for judicial notice; attended conference call with Ms. Boutsis, Mr. Rogow, and Ms. Boinske concerning status of matter and upcoming research and motions to be filed.	0.70	45.50
2/22/2008	EAB	Communications with Ms. Boniske regarding same.	0.40	74.00
2/22/2008	SS	E-mail to Ms. Cynthia Gunther concerning motion on request for judicial notice; obtained and reviewed request for judicial notice; provided documents referred to in request for judicial notice to Mr. Montalvo for review; added motion to database.	0.40	0.00
			Total Professional Services	373.00

Rate Summary

Eve A. Boutsis	1.70 hours at \$	185.00/hr	314.50
Susan Snavelly	0.40 hours at \$	0.00/hr	0.00

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Susan Snavely 0.90 hours at \$ 65.00/hr 58.50

Total hours: 3.00

Payments

2/13/2008

Payment Check No. 7082 3,463.94

Sub-total Payments: 3,463.94

For Professional Services 373.00

For Disbursements Incurred 0.00

Current Balance: 373.00

Previous Balance: 3,463.94

Payments - Thank you 3,463.94

Total Due 373.00

Invoice Number: 19496

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NAGIN GALLOP FIGUEREDO^{PA}

Attorneys & Counselors

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Miami, Florida 33157

Telephone: (305) 854-5353

Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.

February 26, 2008

Mayor

Matter ID: 0293-020

Village of Palmetto Bay

HSBC Bank USA v. Hope and

8950 SW 152nd Street

Invoice Number 19497

Palmetto Bay, Florida 33157

			Hours	Amount
2/26/2008	HJM	Conducted lengthy conference with Mr. Stephen Nagin and Mr. Henry Kaplan regarding viability of constitutional claim.	1.00	185.00

Total Professional Services 185.00

Rate Summary

H. James Montalvo	1.00 hours at \$	185.00/hr	185.00
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Total hours: 1.00

Payments

1/24/2008	Payment	Check No.: 6996	15.56
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Sub-total Payments: 15.56

Payment is due upon receipt. Please notify us within 10 days of receipt 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.

For Professional Services	185.00
For Disbursements Incurred	0.00
Current Balance:	<hr/> 185.00
Previous Balance:	48.06
Payments - Thank you	15.56
Total Due	<hr/> 217.50

Invoice Number: 19497

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NAGIN GALLOP FIGUEREDO^{RA}

Attorneys & Counselors

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Miami, Florida 33157

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Facsimile: (305) 854-5351

Eugene P. Flinn, Jr.

February 26, 2008

Mayor

Matter ID: 0293-022

Village of Palmetto Bay

VPB v. MDC - Charter

8950 SW 152nd Street

Invoice Number 19498

Palmetto Bay, Florida 33157

			Hours	Amount
1/23/2008	SS	Reviewed all memorandums in file; edited and reformatted memorandums.	0.00	0.00
1/24/2008	SS	Reviewed public records request, compared Village request to Miami Lakes request; reviewed Clerk's response and spreadsheet.	0.00	0.00
1/25/2008	SS	Continued review of memorandums related to potential claims in complaint; edited and formatted memorandums.	0.00	0.00
1/29/2008	HJM	Received and reviewed revisions to draft of complaint by Mr. Nagin.	0.00	0.00
1/30/2008	SS	Created memorandum outlining changes and edits to latest draft of complaint.	0.00	0.00
1/31/2008	SS	Worked on additional revisions to draft complaint; prepared redlined version of draft complaint at Mr. Nagin's request.	0.00	0.00
2/1/2008	HSK	Study revised complaint received from Steph nagin, work on recommendations and revisions, telephone conference with Steph Nagin and telephone conference with Steph Nagin, Eve Boutsis, Jim Montavalo and Susan Snavely in re complaint against MDC	4.70	869.50
2/1/2008	HJM	Conducted litigation conference with Mr. Nagin, Mr. Boutsis and Mr. Kaplan.	0.00	0.00
2/1/2008	HJM	Prepared additional revisions to complaint draft; reviewed file.	0.00	0.00
2/1/2008	EAB	Attended group meeting on strategy and counts of complaint.	0.00	0.00
2/1/2008	SS	Attended conference call with Mr. Nagin, Ms. Boutsis, Mr. Montalvo and Mr. Kaplan to discuss status of draft complaint and related issues; searched for color coded version matrix comparing Article 9 of municipal charters; e-mails to Mr. Nagin; began review of documents sent by Clerk in response to public records request to find any reference to methodology or criteria used to determine mitigation charges for municipalities. (1.5 No Charge).	1.10	71.50
2/4/2008	SS	Continued review of Clerk's response to public records request.	6.20	403.00
2/5/2008	HSK	Work on preparation of revisions to complaint; in re VPB vs. MDC	1.50	277.50

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2/5/2008	SS	Completed review of Clerk's response to public records request; summarized findings and forwarded pertinent documents for review.	3.50	227.50
2/6/2008	HSK	Work on preparation of revisions to complaint and addition of new count for mandamus, intra-office conferences with Eve Boutsis and Jim Montavalo; in re VPB vs. MDC. (.5 No Charge).	6.40	1,184.00
2/6/2008	SS	Worked on further revisions and reformatting of draft complaint.	0.00	0.00
2/7/2008	HSK	Work on revision of complaint; in re VPB v. MDC	3.60	666.00
2/7/2008	SS	Worked on edits to draft complaint and re-formatted; e-mail to Mr. Nagin advising status of progress on draft complaint.	0.00	0.00
2/8/2008	HSK	Work on redrafting of counts to complaint; preparation of correspondence and correspondence; intra-office conference with Susan Snavely; in re VPB v.MDC. (.5 No Charge).	2.30	425.50
2/8/2008	SS	Continued to work on edits to draft complaint and reformatted.	0.00	0.00
2/11/2008	SS	Reviewed Mr. Nagin's changes to draft complaint; coordinated telephone conference between Mr. Nagin and Mr. Kaplan to discuss complaint; telephone discussion with Mr. Nagin.	0.40	26.00
2/12/2008	HSK	Work on redrafting of complaint; in re VPB v. MDC	6.00	1,110.00
2/12/2008	HJM	Received and reviewed draft of complaint from Henry Kaplan; reviewed file.	3.00	555.00
2/12/2008	HJM	Conducted conference with Henry Kaplan regarding allegations of unjust enrichment count.	0.30	55.50
2/13/2008	HSK	Work on draft complaint, review suggested revisions, telephone and intra-office discussions with Steph Nagin, Jim Montavalo and Susan Snavely; in re VPB v. MDC	4.80	888.00
2/13/2008	HJM	Participated in conference call with Stephen Nagin, Henry Kaplan and Susan Snavely.	3.00	555.00
2/13/2008	HJM	Reviewed and edited complaint.	1.00	185.00
2/13/2008	SEN	Edited latest draft Complaint; participated in teleconference with Mr. Kaplan, Mr. Montalvo, and Ms. Snavely in the late morning concerning my proposed edits to the "Triggering Events" definition (based on various documents which refer to the term), Mr. Kaplan's proposed additional claim for Mandamus to Correct Ministerial Error, and various refinements to the draft Complaint; during the teleconference I engaged everyone in a discussion about the theme of the proposed Complaint, and the patent unfairness of the actions by the County that raise Constitutional questions not covered by Mr. Rogow's parallel proceeding; continued editing the document and e-mailed latest revised draft to Ms. Snavely (for filing in ProLaw database and distribution to team members; prepared revised definition of the UMSA and e-mailed to team (copying Ms. Boutsis); participated in afternoon teleconference with Mr. Kaplan,	4.90	906.50

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		Mr. Montalvo, and Ms. Snavelly and further edited the draft with the team; received and reviewed Mr. Montalvo's proposed additional Unjust Enrichment Count, edited same, and e-mailed to Ms. Snavelly for distribution to the team; made further edits to draft and e-mailed to Ms. Snavelly (for filing in ProLaw database and distribution to team members); continued to think about strategy and language for best expressing the theme of the proposed case. [5.4 Hours. (0.5 hours No Charge - courtesy discount).]		
2/13/2008	SS	Attended and participated in teleconference with Mr. Nagin, Mr. Kaplan, and Mr. Montalvo to discuss edits and theories of draft complaint; received additional assignments.	0.00	0.00
2/14/2008	HSK	Work on complaint; telephone conferences and intra-office conferences with Steph Nagin, Jim Montavalo and Susan Sanvelly; in re VPB v. MDC	5.50	1,017.50
2/14/2008	HJM	Participated in telephone conference with Mr. Nagin, Mr. Kaplan and Ms. Snavelly regarding draft of complaint.	0.00	0.00
2/14/2008	HJM	Reviewed revised complaint.	0.00	0.00
2/14/2008	SEN	Two teleconferences (morning and then continued in the afternoon) with legal team to review and refine factual allegations, clarify Exhibits, and to discuss legal theories underlying the Counts; revised draft Complaint accordingly during the teleconference. Post teleconference, e-mailed latest revised draft to legal team.	4.50	832.50
2/14/2008	SS	Worked on edits to draft complaint pursuant to Mr. Nagin's instructions; attended and participated in teleconference with Mr. Nagin and Mr. Kaplan (Mr. Montalvo later joined call) to discuss draft complaint.	0.00	0.00
2/15/2008	HSK	Work on preparation of complaint, telephone and intra-office conferences with Steph Nagin, Jim Montavalo and Susan Snavelly; in re complaint for VPB v. MDC	0.00	0.00
2/15/2008	HJM	Participated in teleconference with Mr. Nagin, Mr. Kaplan and Ms. Snavelly regarding revising complaint; reviewed file.	0.00	0.00
2/15/2008	SEN	Lengthy and lively afternoon teleconference with legal team to continue discussing legal theory and its limitations with respect to calculations or ministerial errors reflected in Exhibit F; reviewed Complaint factual allegations and assigned additional factual research and checks to Mr. Kaplan and Ms. Snavelly; e-mailed latest revised draft to legal team. [Ms. Snavelly advised she is unavailable to participate on Saturday due to prior obligation.] Post teleconference, modified the theory to divide-up and to reflect three separate theories for recovery (ministerial errors, or flawed model, or deliberate attempt to evade or avoid obligations) and e-mailed the suggested edit to the legal team members.	2.60	481.00
2/15/2008	SS	Worked on edits to format and substance of complaint; attended telephone conference with Mr. Nagin, Mr. Kaplan, and Mr.	0.00	0.00

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		Montalvo; received additional assignments.		
2/16/2008	HSK	Continued work on preparation of complaint, telephone and intra-office conferences with Steph Nagin and Jim Montavalo	3.70	684.50
2/16/2008	HJM	Conducted lengthy telephone conference with Mr. Nagin and Mr. Kaplan regarding revisions to draft of complaint.	0.00	0.00
2/16/2008	SEN	Reviewed and revised language in several paragraphs of the Complaint; participated in three-hour teleconference with Mr. Montalvo and Mr. Kaplan; post-teleconference cleaned-up legacy language, created several sub-heads for consideration, and e-mailed revised draft to legal team in advance of teleconference scheduled for Monday morning (President's Day).	3.50	647.50
2/18/2008	HSK	Continued work on preparation of complaint, telephone conferences and intra-office conferences with Steph Nagin, Jim Montavalo and Susan Snavelly; in re complaint for VPB v. MDC	4.50	832.50
2/18/2008	HJM	Attended telephone conference with Mr. Nagin, Mr. Kaplan and Ms. Snavelly regarding revisions to complaint.	0.00	0.00
2/18/2008	SEN	Participated with Mr. Kaplan and Ms. Snavelly in a lengthy teleconference, during which I assigned to Ms. Snavelly, additional citation checks, parallelism checks, creation by of an Exhibit List to attach to the Complaint, and renumbering of paragraphs; revised theory of the case and damages to encompass four rather than three forms of misconduct by defendant (all as reflected in a revised draft paragraph 48); re-ordered sequence of the Counts [to move "Mandamus" to Count V, and to restructure portions of the remaining Counts]; discussed effect of the changes on the remaining portions of the draft Complaint; took a break for Mr. Kaplan to check Exhibits and to review the many changes to the draft, as well as to provide a suitable time in the afternoon for Mr. Montalvo to participate in the discussion on Counts IV and V, specifically; e-mailed revised, corrected draft to the legal team, per discussion during the morning teleconference.	2.70	499.50
2/18/2008	SEN	Participated in afternoon teleconference [1.0] with Mr. Kaplan, Mr. Montalvo, and Ms. Snavelly to review edits previously made during the morning teleconference that impact further claims, and to discuss Mandamus Count and potential Count for "unconstitutional" acts or actions by the County; e-mailed "clean" re-draft based on the morning teleconference; reviewed Florida law on pleading "punitive" damages; reviewed e-mail from Ms. Snavelly that attached the Shands v. Beech decision on elements of a claim in Florida law on "unjust enrichment;" reviewed examples of cases e-mailed by Ms. Snavelly in which a court has used the words "shocks the conscience" (and composed e-mail to Ms. Snavelly requesting additional research in other contexts, aside from the damages context).	1.70	314.50
2/18/2008	SS	Performed Lexis database research on "shocking the conscious" cases; attended and participated in teleconference with Mr. Nagin	7.40	481.00

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		and Mr. Kaplan on further revisions to draft complaint; created chart of exhibits; worked on additional revisions to complaint.		
2/19/2008	HSK	Continued work on preparation of complaint; legal research into constitutional issues and support for general allegations in complaint; intra-office conferences with Susan Snavelly; in re VPB v. MDC	5.10	943.50
2/19/2008	EAB	Attention to and follow up on complaint.	0.70	0.00
2/19/2008	SS	Continued to work on revisions to draft complaint; additional Lexis database research on "shock the conscious" cases, pursuant to Mr. Nagin's instructions.	2.90	188.50
2/20/2008	HJM	Received and reviewed latest revision of complaint from Mr. Henry Kaplan.	0.00	0.00
2/20/2008	SS	Worked on draft complaint and exhibits; assisted Mr. Kaplan with additional complaint revisions; performed internet research to obtain information concerning Cutler Bay being "revenue neutral" and researched resolutions to make sure correct information is asserted in complaint.	2.30	149.50
2/21/2008	SS	Copied exhibit to draft complaint and organized working documents.	0.00	0.00
2/22/2008	HJM	Continued conducting legal research regarding the viability of a claim under the Florida arbitration.	1.50	277.50
2/22/2008	EAB	Legal research on quo warranto.	2.00	370.00
2/22/2008	SS	Circulated Mr. Nagin's comments to various memoranda concerning claims and issues on draft complaint; edited quo warranto research memorandum and sent to team for review.	0.00	0.00
			Total Professional Services	16,125.00

Rate Summary

Henry S. Kaplan	48.10 hours at \$	185.00/hr	8,898.50
H. James Montalvo	8.80 hours at \$	185.00/hr	1,628.00
Stephen E. Nagin	19.90 hours at \$	185.00/hr	3,681.50
Eve A. Boutsis	0.70 hours at \$	0.00/hr	0.00
Eve A. Boutsis	2.00 hours at \$	185.00/hr	370.00
Susan Snavelly	23.80 hours at \$	65.00/hr	1,547.00

Total hours: 103.30

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Expenses

1/7/2008	Database Legal research	113.85
1/8/2008	Database Legal research	198.67
1/9/2008	Conference Call	53.50
1/9/2008	Database Legal research	46.30
1/10/2008	Database Legal research	55.02
1/10/2008	Database Legal research	42.68
1/10/2008	Mileage - Dade County Elections Department	12.96
1/16/2008	Database Legal research	29.85
1/25/2008	Database Legal research	47.83
1/29/2008	Database Legal research	116.65
2/26/2008	Photocopies for the month of February.	101.75

Sub-total Expenses: 819.06

Payments

2/13/2008	Payment	Check No. 7082	9,931.94
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Sub-total Payments: 9,931.94

For Professional Services 16,125.00

For Disbursements Incurred 819.06

Current Balance: 16,944.06

Previous Balance: 9,931.94

Payments - Thank you 9,931.94

Total Due 16,944.06

Invoice Number: 19498

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