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RESOLUTION NO. 2011-68

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 WHITE & CASE, FOR THE SERVICES OF JUSTICE RAOUL CANTERO IN PALMER TRINITY V. VILLAGE OF PALMETTO BAY-APPELLATE MATTER; IN THE AMOUNT OF \$33,339.50; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Village Council of the Village of Palmetto Bay authorizes the use of the services of White & Case in the appellate litigation filed by Palmer Trinity Private School against the Village of Palmetto Bay; and,

WHEREAS, the firm of White & Case, submitted its statements to the village for legal services rendered, and costs advanced, for the period ending September 30, 2011, in the amount of \$33,339.50; and,

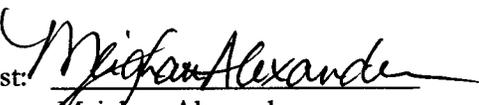
WHEREAS, the amounts are reasonable and were necessarily incurred.

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 White & Case, in the total amount of \$33,339.50, copies of which are attached, are approved for payment.

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

PASSED and ADOPTED this 7th day of November, 2011.

Attest: 
Meighan Alexander
Village Clerk


Shelley Stanczyk
Mayor

APPROVED AS TO FORM:


Eve A. Boutsis,
FIGUEREDO & BOUTSIS, P.A.,
As Office of the Village Attorney

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FINAL VOTE AT ADOPTION:

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



Village of Palmetto Bay
 Attn: Ron E. Williams, Village Manager
 Village Hall
 9705 E. Hibiscus Street
 Palmetto Bay, FL 33157

White & Case LLP
 Southeast Financial Center, Suite 4900
 200 South Biscayne Boulevard
 Miami, Florida 33131-2352

Federal Identification Number 13-5805970

October 18, 2011
 Invoice No. 986038

REMITTANCE COPY

re: PALMER TRINITY SCHOOL
 Ref. No. 1580701-0002

FOR PROFESSIONAL SERVICES RENDERED in connection with the above-referenced matter for the period ending September 30, 2011	\$	32,172.50
COSTS AND DISBURSEMENTS		1,167.00
TOTAL	\$	33,339.50
OUTSTANDING STATEMENT(S) *		8,758.82
TOTAL DUE	\$	<u>42,098.32</u>

* PLEASE DISREGARD IF PAID

PAYMENT INSTRUCTIONS

This invoice is due upon receipt. Wire or ACH payment should be made to the account of White & Case LLP, Account No. 301177137265 at JPMorgan Chase, 270 Park Avenue, New York, NY 10017 (ABA No. 021-000021/Swift Code: CHASUS33). For proper crediting the wire/ACH must reference 1580701-0002 VILLAGE OF PALMETTO BAY.

Alternatively, payment can be made by check to "White & Case LLP" as payee, referencing 1580701-0002 VILLAGE OF PALMETTO BAY on the face of the check, and mailing the check to our Remittance Address: WHITE & CASE LLP, 23802 Network Place, Chicago, IL 60673-1238.

Village of Palmetto Bay
Attn: Ron E. Williams, Village Manager
Village Hall
9705 E. Hibiscus Street
Palmetto Bay, FL 33157

re: PALMER TRINITY SCHOOL
Ref. No. 1580701-0002

FOR PROFESSIONAL SERVICES RENDERED in connection with the
above-referenced matter for the period ending September 30, 2011 as follows:

09/01/11	Review motion to enforce mandate and petition for certiorari; review transcript of hearing; review documents in appendix to petition; telephone conversation with R. Boutsis re: responding to issues on appeal; attend shade meeting of Village Council.	R CANTERO	8.80	5,500.00
09/01/11	E-mail correspondence with R. Cantero re: Appendix; office conference with R. Cantero and telephone conference with E. Boutsis re: shade meeting; preparation for and attendance at attorney-client session at Palmetto Bay.	E GOLDENBERG	5.60	2,352.00
09/01/11	Review, Code and Scan key documents to Case Management Database.	D ESTRABAO	.70	42.00
09/02/11	Telephone conversation with E. Boutsis re: responding to issues on appeal, approaching PT re: settlement; Review legal files; telephone conversation with E. Mehta re: several issues.	R CANTERO	1.20	750.00
09/02/11	E-mail correspondence with R. Cantero re: response to motion to enforce mandate; office conference re: same.	E GOLDENBERG	.70	294.00
09/08/11	Review and revise motion to consider PT's filing as a new petition for certiorari or for extension of time; exchange emails with E. Mehta and S. Price re: settlement negotiations.	R CANTERO	1.20	750.00
09/08/11	Review, Code and Scan key documents to Case Management Database.	D ESTRABAO	.30	18.00
09/09/11	E-mail correspondence with R. Cantero re: motion to relinquish jurisdiction; drafted motion to relinquish jurisdiction.	E GOLDENBERG	2.10	882.00

Re PALMER TRINITY SCHOOL
Ref. No. 1580701-0002

09/09/11	Review, Code and Scan key documents to Case Management Database.	D ESTRABAO	.20	12.00
09/13/11	Continued work on motion to relinquish jurisdiction; research for response to motion to enforce mandate.	E GOLDENBERG	1.60	672.00
09/14/11	Receive and review response to motion to consider filing as a petition for certiorari; review and revise draft motion to relinquish jurisdiction.	R CANTERO	.80	500.00
09/14/11	E-mail correspondence with R. Cantero and E. Boutsis; office conference with E. Coppolecchia; research for response to motion to enforce mandate.	E GOLDENBERG	2.30	966.00
09/14/11	Coded and Scanned key documents to Case Management Database. Updated pleading and correspondence indexes and organized files.	K GONZALEZ	.40	24.00
09/15/11	Continued research for response to motion to enforce mandate; prepared outline for same.	E GOLDENBERG	2.60	1,092.00
09/15/11	Coded and Scanned key documents to Case Management Database. Updated pleading and correspondence indexes and organized files.	K GONZALEZ	.30	18.00
09/15/11	Review, Code and Scan key documents to Case Management Database.	D ESTRABAO	.40	24.00
09/16/11	Continued work on outline for response to motion; research for same; e-mail correspondence and office conference with E. Coppolecchia.	E GOLDENBERG	4.10	1,722.00
09/16/11	Meet with E. Goldenberg to discuss draft response.	E K COPPOLECCHIA	.40	86.00
09/19/11	Receive and review order on motion to consider filing as a petition for certiorari; calendar dates for response; email to E. Boutsis re: order; telephone conversation with E. Boutsis and B. Pariser re: possibilities of settlement.	R CANTERO	.70	437.50

Re PALMER TRINITY SCHOOL
Ref. No. 1580701-0002

09/19/11	Coded and Scanned key documents to Case Management Database. Updated pleading and correspondence indexes and organized files.	K GONZALEZ	.30	18.00
09/20/11	Meeting with D. Gersten to discuss possibilities of settlement.	R CANTERO	1.80	1,125.00
09/20/11	E-mail correspondence with E. Boutsis and R. Cantero re: order denying motion to treat as new cert. petition.	E GOLDENBERG	.50	210.00
09/20/11	Research re: whether presence of one neutral arbiter on panel is sufficient to remove cloud of perceived impartiality.	E K COPPOLECCHIA	2.10	451.50
09/20/11	Review, Code and Scan key documents to Case Management Database.	D ESTRABAO	.20	12.00
09/21/11	E-mail correspondence with E. Coppolecchia and R. Cantero; research on due process issues.	E GOLDENBERG	2.30	966.00
09/21/11	Research re: whether presence of an a majority of neutral arbiters is sufficient for due process; research re: jennings and ex parte communications; research re: interpretation of competent substantial evidence.	E K COPPOLECCHIA	3.80	817.00
09/22/11	Meeting with E. Goldenberg to discuss arguments for response to petition for certiorari.	R CANTERO	.50	312.50
09/22/11	Research re: whether presence of an a majority of neutral arbiters is sufficient for due process; research re: jennings and ex parte communications; research re: interpretation of competent substantial evidence.	E K COPPOLECCHIA	4.10	881.50
09/23/11	Research re: response to motion to enforce mandate.	E K COPPOLECCHIA	2.60	559.00
09/26/11	Draft response to Petitioner's motion to enforce mandate.	E K COPPOLECCHIA	10.00	2,150.00
09/27/11	Telephone conversation with E. Boutsis re: staff approval of permits.	R CANTERO	.20	125.00

09/27/11	Office conference with E. Coppolecchia; reviewed draft response to motion to enforce mandate.	E GOLDENBERG	1.40	588.00
09/27/11	Draft response to Petitioner's motion to enforce mandate.	E K COPPOLECCHIA	7.60	1,634.00
09/27/11	Revise draft response to motion to enforce mandate.	E K COPPOLECCHIA	.30	64.50
09/28/11	Reviewed and edited response to motion to enforce mandate; office conference with E. Coppolecchia.	E GOLDENBERG	3.60	1,512.00
09/28/11	Revise response to Petitioner's motion to enforce mandate.	E K COPPOLECCHIA	5.40	1,161.00
09/29/11	Reviewed, drafted and edited response to motion to enforce mandate; research for same; e-mail correspondence with R. Cantero.	E GOLDENBERG	8.20	3,444.00

TOTAL PROFESSIONAL FEES \$ 32,172.50

COSTS AND DISBURSEMENTS

Computer Legal Research	927.70
Photocopying	163.94
Postage	7.86
Facsimile	67.50

TOTAL COSTS AND DISBURSEMENTS \$ 1,167.00

TOTAL \$ 33,339.50

OUTSTANDING STATEMENT(S) * 8,758.82

TOTAL DUE \$ 42,098.32

* PLEASE DISREGARD IF PAID