



PaulHastings

PAUL, HASTINGS, JANOFISKY & WALKER LLP  
515 South Flower Street, 25<sup>th</sup> Floor, Los Angeles, CA 90071-2228  
telephone 213-683-6000 / facsimile 213-627-0705 / internet www.paulhastings.com

Atlanta/ Beijing/ Brussels/ Chicago/ Hong Kong/ London/ Los Angeles/ Milan/ New York/  
Orange County/ Palo Alto/ Paris/ San Diego/ San Francisco/ Shanghai/ Tokyo/ Washington, D.C.

RECEIVED  
FEB 05 2008  
MONROE COUNTY ATTORNEY

Monroe County  
P.O. Box 1026  
Key West, FL 33041-1026

January 9, 2008

Attn: Suzanne Hutton

Please refer to  
Invoice Number: 1666127  
PHJ&W Tax ID No. 95-2209675

**SUMMARY SHEET**

**Collins Litigation**

PHJ&W LLP File# 58551-00002  
Derek E. Smith

Legal fees for professional services  
for the period ending December 31, 2007

\$37,642.50

**Current Fees and Costs Due**

**\$37,642.50**

**Prior Balance Due**

**\$10,781.86**

**Total Balance Due**

**\$48,424.36**

**Note the change in the Wiring Instructions**

**Wiring Instructions:**

Bank of America  
ABA # 0260-0959-3  
CHIPS Address: 0959  
Swift Code: BOFAUS3N  
100 West 33<sup>rd</sup> Street  
New York, New York 10001  
Account Number: 14599-04796  
Account Name: Paul, Hastings, Janofsky & Walker LLP  
Comment: Please refer to the invoice number listed above.

**Remittance Address:**

Paul, Hastings, Janofsky & Walker LLP  
515 South Flower Street  
25th Floor  
Los Angeles, CA 90071-2228

Refer all questions to Carol Brich at (213) 683-5039, or carolbrich@paulhastings.com.

PaulHastings

PAUL, HASTINGS, JANOFSKY & WALKER LLP  
515 South Flower Street, 25<sup>th</sup> Floor, Los Angeles, CA 90071-2228  
telephone 213-683-6000 / facsimile 213-627-0705 / internet www.paulhastings.com

Atlanta/ Beijing/ Brussels/ Chicago/ Hong Kong/ London/ Los Angeles/ Milan/ New York/  
Orange County/ Palo Alto/ Paris/ San Diego/ San Francisco/ Shanghai/ Tokyo/ Washington, D C

Monroe County  
P.O. Box 1026  
Key West, FL 33041-1026

Attn: Suzanne Hutton

January 9, 2008

Please refer to  
Invoice Number: 1666127  
PHJ&W Tax ID No. 95-2209675

---

**REMITTANCE COPY**

**Collins Litigation**

PHJ&W LLP File# 58551-00002

Derek E. Smith

Legal fees for professional services  
for the period ending December 31, 2007

\$37,642.50

**Current Fees and Costs Due**

**\$37,642.50**

**Prior Balance Due**

**\$10,781.86**

**Total Balance Due**

**\$48,424.36**

**Note the change in the Wiring Instructions**

**Wiring Instructions:**

Bank of America  
ABA # 0260-0959-3  
CHIPS Address: 0959  
Swift Code: BOFAUS3N  
100 West 33<sup>rd</sup> Street  
New York, New York 10001  
Account Number: 14599-04796  
Account Name: Paul, Hastings, Janofsky & Walker LLP  
Comment: Please refer to the invoice number listed above.

**Remittance Address:**

Paul, Hastings, Janofsky & Walker LLP  
515 South Flower Street  
25th Floor  
Los Angeles, CA 90071-2228

Refer all questions to Carol Brich at (213) 683-5039, or carolbrich@paulhastings.com.

---

REMITTANCE COPY (cont.)

Summary of Prior Balance Due

<u>Invoice</u> <u>Date</u>	<u>Invoice</u> <u>Number</u>	<u>Amount</u>	<u>Payments/</u> <u>Trust Appl.</u>	<u>Credits</u>	<u>Balance Due</u>
08/26/05	1464942	\$53,896.41	\$52,389.67	\$1,398.36	\$108.38
02/28/06	1501314	\$15,908.11	\$10,255.00	\$5,238.32	\$414.79
05/25/06	1521785	\$31,759.56	\$31,235.00	\$203.20	\$321.36
11/22/06	1562726	\$16,386.06	\$13,248.74	\$2,768.62	\$368.70
12/29/06	1572329	\$10,777.43	\$8,533.48	\$1,778.75	\$465.20
02/28/07	1586369	\$3,804.08	\$3,609.66	\$24.82	\$169.60
05/30/07	1608121	\$38,307.71	\$37,410.22	\$248.16	\$649.33
12/10/07	1658377	\$8,284.50	\$0.00	\$0.00	\$8,284.50
<b>Total Prior Due</b>					<b>\$10,781.86</b>
<b>Balance Due</b>					<b>\$48,424.36</b>

PaulHastings

PAUL, HASTINGS, JANOFSKY & WALKER LLP  
515 South Flower Street, 25<sup>th</sup> Floor, Los Angeles, CA 90071-2228  
telephone 213-683-6000 / facsimile 213-627-0705 / internet www.paulhastings.com

Atlanta/ Beijing/ Brussels/ Chicago/ Hong Kong/ London/ Los Angeles/ Milan/ New York/  
Orange County/ Palo Alto/ Paris/ San Diego/ San Francisco/ Shanghai/ Tokyo/ Washington, D.C.

Monroe County  
P.O. Box 1026  
Key West, FL 33041-1026

Attn: Suzanne Hutton

January 9, 2008

Please refer to  
Invoice Number: 1666127  
PHJ&W Tax ID No. 95-2209675

FOR PROFESSIONAL SERVICES RENDERED  
for the period ending December 31, 2007

**Collins Litigation**

**\$37,642.50**

<u>Date</u>	<u>Timekeeper</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
12/06/07	Derek V. Howard	Leave messages for and review messages from J. Mattson and J. Glogau regarding extension of time; conferences with S. Moore regarding answer brief	1.00	315.00	315.00
12/07/07	Derek V. Howard	Review message from and conference with S. Moore regarding extension of time for filing of answer brief; prepare answer brief	5.00	315.00	1,575.00
12/10/07	Derek V. Howard	Review Appellants' initial brief and shepardize cases cited therein	7.10	315.00	2,236.50
12/11/07	Derek V. Howard	Shepardize cases cited in Appellants' initial brief	7.00	315.00	2,205.00
12/13/07	Derek V. Howard	Review message from S. Moore regarding answer brief; review record to continue preparation of fact section	4.00	315.00	1,260.00
12/14/07	Derek V. Howard	Prepare answer brief and leave message for S. Moore regarding same	7.00	315.00	2,205.00

<u>Date</u>	<u>Timekeeper</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
12/16/07	Derek V. Howard	Review Appellants' motions for summary judgment and memoranda of law to determine consistency in argumentation regarding application of Penn Central factors; prepare answer brief	6.10	315.00	1,921.50
12/17/07	Derek V. Howard	Review and respond to correspondence from J. Glogau regarding answer brief; prepare same	5.50	315.00	1,732.50
12/18/07	Derek V. Howard	Review correspondence from and prepare correspondence to S. Moore regarding status of answer brief and transcript of M. Conaway deposition, review same and incorporate into facts portion of answer brief; conduct additional record review	6.50	315.00	2,047.50
12/19/07	Derek V. Howard	Conference with S. Moore and E. Moran regarding answer brief; legal research regarding whether extinguished taking claims can be revived by later concessions of their occurrence by government	6.20	315.00	1,953.00
12/20/07	Derek V. Howard	Legal research regarding Appellants' assertion that the does not consider a landowner's investment-backed expectations as to per se takings; review record and prepare facts portion of answer brief	8.80	315.00	2,772.00

<u>Date</u>	<u>Timekeeper</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
12/21/07	Derek V. Howard	Legal research regarding whether caselaw recognizes Appellants' so-called "per se, as applied regulatory takings" and whether alleged deprivations of all economic value tested under Penn Central	6.10	315.00	1,921.50
12/22/07	Derek V. Howard	Review voice messages from S. Moore regarding answer brief and prepare same	6.50	315.00	2,047.50
12/26/07	Derek V. Howard	Review voice messages from S. Moore regarding answer brief and prepare same	5.10	315.00	1,606.50
12/27/07	Derek V. Howard	Review voice message and correspondence from, prepare correspondence to, and conference with S. Moore regarding answer brief; prepare same; review correspondence from E. Moran and affidavit of M. Conaway attached thereto	5.60	315.00	1,764.00
12/28/07	Derek V. Howard	Prepare answer brief and review voice messages from and conference with S. Moore and E. Moran regarding same; review filings sent by S. Moore to incorporate into facts portion of answer brief	7.20	315.00	2,268.00

<u>Date</u>	<u>Timekeeper</u>	<u>Description</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
12/29/07	Derek V. Howard	Review draft of argument regarding ripeness prepared by S. Moore and incorporate into answer brief; conference with S. Moore regarding same; legal research regarding scope of appellate court's review, relief requested by Appellants and judicial recusals; prepare answer brief	9.60	315.00	3,024.00
12/30/07	Derek V. Howard	Review Clerk's approval of motion for extension of time to file answer brief; review correspondence from S. Moore regarding discussion of Appellants' reliance on Lucas in answer brief; legal research regarding citations to Lucas as "facial" case; prepare answer brief	8.00	315.00	2,520.00
12/31/07	Derek V. Howard	Prepare correspondence to and review correspondence from S. Moore regarding answer brief; prepare same	7.20	315.00	2,268.00
<b>Total Fees</b>			<b>119.50</b>		<b>\$37,642.50</b>

**Timekeeper Summary**

Derek V. Howard 119.50 hours at \$315.00

*OK  
 M  
 2/28/8*

<b>Current Fees and Costs Due</b>	<b>\$37,642.50</b>
<b>Prior Balance Due</b>	<b>\$10,781.86</b>
<b>Total Balance Due</b>	<b>\$48,424.36</b>