

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

Meeting Date: 3/21/07 - MAR

Division: County Attorney

Bulk Item: Yes xx No

Staff Contact Person: Bob Shillinger /x3470

AGENDA ITEM WORDING:

Approval of payment to Greenberg Traurig, P.A. in the amount of \$33,391.87 as payment for professional legal services on behalf of Monroe County in *Florida Keys Citizens Coalition & Last Stand v. DCA and Monroe County*, DOAH Case Number 06-2449GM.

ITEM BACKGROUND: David Jordan of Greenberg, Traurig, has been defending the County in the above-referenced administrative challenge to the ordinances enacting the Tier system. The final administrative hearing began in February 2007. It should conclude by March 16, 2007.

PREVIOUS RELEVANT BOCC ACTION:

9/20/2006 BOCC approved contract with Greenberg Traurig, P.A.

CONTRACT/AGREEMENT CHANGES:

N/A

STAFF RECOMMENDATIONS:

Approval

TOTAL COST: \$33,391.87

BUDGETED: Yes xx No

COST TO COUNTY: \$33,391.87

SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes No xx

AMOUNT PER MONTH _____ **Year** _____

APPROVED BY: County Atty OMB/Purchasing Risk Management

DOCUMENTATION: Included xx Not Required

DISPOSITION: _____

AGENDA ITEM # _____

Greenberg Traurig

RECEIVED

MAR 09 2007

MONROE COUNTY ATTORNEY

Invoice No.: 1832227
File No. : 094192.010200
Bill Date : March 5, 2007

Monroe County Attorney Office
P.O. Box 1026
Key West, Florida 33040

Attn: Robert Shillinger
Esquire

INVOICE

Re: Tier Map LDR Litigation
Claim #: D0A062449GM

Legal Services through February 28, 2007:

Total Fees: \$ 28,697.75

Expenses:

Business Meals	125.45
Conference Calls	4.88
Deposition/Court Reporters	1,475.00
Federal Express Charges	10.99
Local Travel	64.00
Messenger Services	327.95
Photocopy Charges	0.90
Telephone Expenses	1.30
Travel and Lodging Out of town	2,683.65

Total Expenses: \$ 4,694.12

Current Invoice: \$ 33,391.87

Previous Balance (see attached statement): \$ 36,708.38

Total Amount Due: \$ 70,100.25

OK
3/9/7
MS

DLJ:FLD
Tax ID: 59-1270754

Greenberg Traurig

Invoice No.: 1832227
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DLJ:FLD
Tax ID: 59-1270754

Greenberg Traurig

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Account Statement

<u>Date</u>	<u>Invoice #</u>	<u>Fees Due</u>	<u>Expenses Due</u>	<u>Other Due</u>	<u>Total Due</u>
12/06/06	1775507	3,197.00	1.00	0.00	3,198.00
01/10/07	1798041	3,441.00	21.90	0.00	3,462.90
02/13/07	1819680	29,698.00	349.48	0.00	30,047.48
	Totals:	\$ 36,336.00	\$ 372.38	\$ 0.00	\$ 36,708.38

DLJ:FLD
Tax ID: 59-1270754

Description of Professional Services Rendered:

<u>DATE</u>	<u>TIMEKEEPER</u>	<u>DESCRIPTION</u>	<u>HOURS</u>	<u>AMOUNT</u>
02/01/07	Michelle Beal	Laptop review and program setup for use at hearing.	0.20	33.00
02/01/07	David L. Jordan	Travel to return to Tallahassee from Marathon; exchange emails with R Grosso and R Hartsell re: new exhibit list; prepare Conaway questions; exchange emails with R Shillinger re: missing LDR pages	8.90	2759.00
02/02/07	Michelle Beal	Review hearing preparations with H. Hatcher and D. Jordan; confirm status of plans for boxes.	0.30	49.50
02/02/07	Paralegal Clerk	Prepare boxes of hearing materials to be shipped to Miami for hearing. Meet with M. Beal regarding laptop prepared for D. Jordan. Familiarize David Jordan with laptop for use during hearing and save Greenberg Traurig contacts for use while traveling.	3.00	225.00
02/02/07	David L. Jordan	Meet with M Conaway to prepare for testimony; exchange emails with R Shillinger re: missing pages from LDRs; exchange emails with R Shine re: trial preparation; exchange emails with R Grosso and R Hartsell re: trial exhibits	9.50	2945.00
02/04/07	David L. Jordan	Tel call from R Shine re: trial preparation and coordination; revision of witness questions	4.50	1395.00
02/05/07	Paralegal Clerk	Draft email to D. Jordan regarding use of laptop. Draft email to Greenberg Traurig Miami office services manager concerning courier service for transferral of boxes containing hearing materials.	0.75	56.25
02/05/07	David L. Jordan	Travel to Miami; meet with M Conaway to prepare testimony; meet with R Shillinger, A Trivette, R Shine & R Jetton to discuss trial strategy and order of presentation; review trial exhibits	11.20	3472.00
02/06/07	David L. Jordan	Preparation of questions for Dr. Calvo; travel to Dade County Courthouse; commence final hearing; commence testimony of M Conaway; meet with Dr Calvo to prepare his testimony	13.40	4154.00
02/07/07	David L. Jordan	Final hearing; travel to and from Dade Courthouse; finish M Conaway testimony; testimony of Dr Calvo; commence testimony of A Trivette	9.40	2914.00
02/08/07	David L. Jordan	Final hearing; travel to and from Dade Courthouse; finish testimony of A Trivette	10.00	3100.00
02/09/07	David L. Jordan	Final hearing; travel and from Dade Courthouse; commence testimony of C Kruer; supervise preparation of exhibits for transport to Tallahassee	7.50	2325.00
02/10/07	David L. Jordan	Travel from Miami to Tallahassee	4.70	1457.00
02/12/07	David L. Jordan	Receipt of trial exhibits from Miami; inspection to assure that all ALJ exhibits are transmitted to DOAH; exchange emails with R Shine, R Shillinger and R Grosso re: scheduling last 3 days of hearing; telephone conference with A Trivette and M Conaway re: scheduling remainder of hearing	2.10	651.00

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Description of Professional Services Rendered

02/13/07	David L. Jordan	Travel to and from DCA: meeting with R Shine re: cross examination for C Kruer and rebuttal testimony; exchange emails with R Shine and R Grosso re: dates for conclusion of hearing; tel calls to R Grosso, M Conaway & A Trivette re: dates for conclusion of hearing	3.80	1178.00
02/14/07	David L. Jordan	Exchange emails with R Shine and R Grosso re: scheduling hearing; telephone call to A Trivette and R Shillinger re: availability for hearing; telephone call to court reporter re: expedited transcript for Kruer	0.50	155.00
02/15/07	David L. Jordan	Exchange emails with R Shine and R Grosso re: scheduling last days of final hearing; submit order for transcript of Kruer testimony; telephone call with R Shillinger and A Trivette re: conversation with C Turner about pending ORC for EAR-based amendments; telephone call to R Shine re: ORC	2.10	651.00
02/16/07	David L. Jordan	Telephone calls with R Shine and R Shillinger re: Tier Map issues raised by draft ORC; travel to and from DCA, meet with R Shine to examine and discuss portion of draft ORC dealing with Tier Maps; telephone call with R Shine to R Shillinger	3.10	961.00
02/20/07	David L. Jordan	Exchange emails and telephone calls to R Shine and R Shillinger re: ORC for EAR based amendments	0.70	217.00

Total Time:
Total Fees:

95.65

\$ 28,697.75

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Description of Expenses Billed:

<u>DATE</u>	<u>DESCRIPTION</u>		<u>AMOUNT</u>
01/29/07	VENDOR: FedEx INVOICE#: 866776754 DATE: 2/2/2007 Tracking #799077314412; From: Bernard Reed, Greenberg Traurig, 101 East College, Tallahassee, FL 32301; To: Dr. Ricardo Calvo, Hdr Engineeringinc., Suite 250, Tampa, FL 33607	\$	10.99
01/29/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070006 DATE: 2/1/2007 TYPE: Parking and Tolls; REASON: Client Billable-TAL-Env-Shareholder; DATE: 01/29/07 - Parking charges while traveling to Key West to attending meetings with/for client.	\$	24.00
01/29/07	VENDOR: Adams, Gerald INVOICE#: IN020207 DATE: 2/7/2007 Messenger Service Req.'d on 01/29/07 by Jordan, David L. from , Gt-Tallahassee to Dept. Of Administrative Hearing, 2505 Appalachee Parkway - File Ref. 094192.010200,	\$	20.00
01/29/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070006 DATE: 2/1/2007 TYPE: Car Rental; REASON: Client Billable-TAL-Env-Shareholder; DATE: 01/29/07 - Car rental charges while traveling in Key West attending meetings for/with client.	\$	157.80
01/29/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070006 DATE: 2/1/2007 TYPE: Hotel - Non Meals; REASON: Client Billable-TAL-Env-Shareholder; DATE: 01/29/07 - Hotel charges while traveling in Key West attending meetings.	\$	498.45
01/29/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070006 DATE: 2/1/2007 TYPE: Airfare; REASON: Client Billable-TAL-Env-Shareholder; DATE: 01/29/07 - Airfare charges to travel to Key West to attend meetings with/for clients.	\$	535.60
01/30/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070006 DATE: 2/1/2007 TYPE: Business Meals; REASON: Client Billable-TAL-Env-Shareholder; DATE: 01/30/07 - Business meal while traveling in Key West attending business meetings with/for client.; ATTENDEES: David L Jordan	\$	19.42
01/31/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070006 DATE: 2/1/2007 TYPE: Business Meals; REASON: Client Billable-TAL-Env-Shareholder; DATE: 01/31/07 - Business meal while traveling in Key West attending meetings with/for clients.; ATTENDEES: David L Jordan	\$	37.19
02/01/07	Copy; 6 Page(s) by 009459	\$	0.90
02/01/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070006 DATE: 2/1/2007 TYPE: Gas; REASON: Client Billable-TAL-Env-Shareholder; DATE: 02/01/07 - Gas charges for rental car while traveling in Key West attending meetings with/for clients.	\$	16.89
02/05/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070007 DATE: 2/12/2007 TYPE: Parking and Tolls; REASON: Client Billable-TAL-Env-Shareholder; DATE: 02/05/07 - Parking while traveling to Miami attending hearing.	\$	40.00
02/05/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070007 DATE: 2/12/2007 TYPE: Hotel - Non Meals; REASON: Client Billable-TAL-Env-Shareholder; DATE: 02/05/07 - Hotel charges while traveling in Miami attending hearing.	\$	945.81

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Description of Expenses Billed

02/05/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070007 DATE: 2/12/2007 TYPE: Airfare; REASON: Client Billable-TAL-Env-Shareholder; DATE: 02/05/07 - Travel to Miami to attend hearing.	\$	511.10
02/06/07	VENDOR: EXEC2000 Courier Systems INVOICE#: I32688 DATE: 2/10/2007 Messenger Service from Greenberg Traurig to Dcch - Carlos M Peraza 094192.010200 CM	\$	139.95
02/07/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070007 DATE: 2/12/2007 TYPE: Business Meals; REASON: Client Billable-TAL-Env-Shareholder; DATE: 02/07/07 - Business meal while traveling in Miami attending hearing.; ATTENDEES: David L Jordan	\$	16.10
02/08/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070007 DATE: 2/12/2007 TYPE: Business Meals; REASON: Client Billable-TAL-Env-Shareholder; DATE: 02/08/07 - Business meal while traveling in Miami attending hearing.; ATTENDEES: David L Jordan	\$	46.39
02/08/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070007 DATE: 2/12/2007 TYPE: Business Meals; REASON: Client Billable-TAL-Env-Shareholder; DATE: 02/08/07 - Business meal while traveling in Miami attending hearing.; ATTENDEES: David L Jordan	\$	6.35
02/09/07	VENDOR: EXEC2000 Courier Systems INVOICE#: I32688 DATE: 2/10/2007 Messenger Service from Greenberg Traurig to Greenberg Traurig Gth - Carlos M Peraza 094192.010200 CM	\$	108.00
02/10/07	VENDOR: Jordan, David L. INVOICE#: C051000501732070007 DATE: 2/12/2007 TYPE: Taxi/Car Service; REASON: Client Billable-TAL-Env-Shareholder; DATE: 02/10/07 - Cab service to Miami Airport.	\$	18.00
02/14/07	VENDOR: SoundPath Conferencing Services, LLC INVOICE#: GT021407 DATE: 2/14/2007 Conferencing Services Invoice Date 070130 User DLJ Client Code 094192 Matter Code 010200	\$	4.88
02/14/07	VENDOR: Adams, Gerald INVOICE#: IN021607 DATE: 2/16/2007 Messenger Service Req.'d on 02/14/07 by Reed, Bernard S. from , Gt-Tallahassee to Dept. Of Administrative Hearing, 500 Appalachee Parkway - File Ref. 094192.010200,	\$	20.00
02/14/07	VENDOR: Adams, Gerald INVOICE#: IN021607 DATE: 2/16/2007 Messenger Service Req.'d on 02/14/07 by Reed, Bernard S. from , Gt-Tallahassee to Dept. Of Community Affairs, 2555 Shumard Oaks Blvd. - File Ref. 094192.010200,	\$	20.00
02/14/07	VENDOR: Adams, Gerald INVOICE#: IN021607 DATE: 2/16/2007 Messenger Service Req.'d on 02/14/07 by Reed, Bernard S. from , Gt-Tallahassee to Dept. Of Administrative Hearing, 500 Appalachee Parkway - File Ref. 094192.010200,	\$	20.00
02/16/07	Telephone; 3052923470 from Ext. 3361 KEYS FL	\$	1.30
02/19/07	VENDOR: Official Reporting Service, Inc.; INVOICE#: 00015600; DATE: 2/19/2007 - Re: Florida Keys Citizens Coalition v Dept. of Community Affair 06-2449 GM on 02/09/07; Hearing taken before hearing officer Donal Alexander	\$	1,475.00
Total Expenses:		\$	4,694.12