

Daily & Woods, P.L.L.C.
P.O. Box 1446
Fort Smith, Arkansas 72902

*Admin -
Wendy*

(479) 782-0361
Federal ID No. 71-0042030

CITY OF FORT SMITH
PO Box 1908
Fort Smith, AR 72902

December 10, 2013

Inv #: 215119
Matter: City-General

RE: General Legal Services

DATE	DESCRIPTION	HOURS	RATE	AMOUNT	TMKPR
Nov-01-13	Re: Planning. Memo from Mr. Chavis; review deed regarding Park Meadow subdivision; memo to Mr. Chavis	0.30	\$137.50	41.25	JLC
	Re: Agenda Items. Review and approve agenda items	0.20	\$137.50	27.50	JLC
	Re: Fire Department. Reviewed test records of Firemen Girvin, Norwood, and Gourly; received and reviewed e-mail from Ms. Kaelin regarding 11/6 grievance hearing; phone conference with Ms. Kaelin regarding same (2); phone conference with Assistant Chief Bigler; prepared for grievance hearings	5.60	\$137.50	770.00	WRW
	Re: Police Department. Received and reviewed FOIA Complaint; phone conference with Chief Lindsey regarding same; phone call to Sgt. Grubbs	1.00	\$137.50	137.50	WRW
Nov-04-13	Re: Fire Department. Office conference with Assistant Chief Bigler and several other firefighters in preparation for 11/6 grievance hearings; phone conference with Assistant Chief Bigler regarding release of information; continued to prepare for 11/6 hearings	2.60	\$137.50	357.50	WRW
	Re: Police Department. Phone conference with Chief Lindsey regarding FOIA; office conference with Captain Jarrard Copeland regarding same; received and reviewed internal investigation file of Captain Alan Haney	1.80	\$137.50	247.50	WRW
	Re: United Financial Insurance Co. Letter from Attorney Carson with amended complaint	0.80	\$137.50	110.00	JLC

	for declaratory judgment; letter to Attorney Carson, Attorney Moll and Mr. Gosack				
	Re: Campbell. Conference with Attorney Carson	0.30	\$137.50	41.25 ✓	JLC
	Re: Campbell v. City. Review and analyze complaint; legal research; draft and edit motion to dismiss (3 pages); draft brief in support of motion to dismiss (6 pages); telephone conference with Mr. Jones; telephone conference with Sgt. Grubbs; receive and study EEOC documents re related Wendall Sampson charge; conference with Attorney Canfield; conference with Attorney Wade; letter from Mr. Jones; review SWTR article	5.90	\$137.50	811.25 ✓	DMC
Nov-05-13	Re: Agenda Items. Attend board of directors meeting	0.80	\$137.50	110.00	JLC
	Re: Temporary Buildings. Conference with Mr. Bailey	0.10	\$137.50	13.75	JLC
	Re: Campbell. Review complaint; conferences with Attorney Carson; review statute; conference with Attorney Wade	1.10	\$137.50	151.25 ✓	JLC
	Re: Board/Prayer. Conference with Attorney Wade; review updates; memo to Mr. Gosack	0.40	\$137.50	55.00	JLC
	Re: Budget. Review budget letter	0.10	\$137.50	13.75	JLC
	Re: Police Department. Received and reviewed e-mail from Detective Smithson regarding FOIA request; phone conference with Chief Lindsey, Sgt. Grubbs and Detective Smithson; reviewed records of investigation concerning Captain Haney	1.60	\$137.50	220.00	WRW
	Re: City Administrator. Legal research regarding prayer at legislative meetings	0.60	\$137.50	82.50	WRW
	Re: Matthew Campbell v. City of FS. Received and reviewed e-mail from Sgt. Grubbs regarding opinion of Attorney General on privacy interest; received and reviewed e-mail from Ms. Emily Haney; phone conference with Sgt. Grubbs	1.40	\$137.50	192.50	WRW
	Re: Fire Department. Continued to prepare for 11/6 grievance hearings	1.00	\$137.50	137.50	WRW
	Re: RAM Outdoor. Telephone conference with Clerk; review file; letter to Ms. Gard and Mr. Bailey; review hearing transcript; letter to Attorney Allison	1.50	\$137.50	206.25	RRB

	Re: Campbell v. City. Further draft and edit motion to dismiss (3 pages) and brief (6 pages); legal research; draft and edit answer (7 pages); telephone conference with Sgt. Grubbs; telephone conference with Chief Lindsey	3.30	\$137.50	453.75 ✓	DMC
Nov-06-13	Re: Planning - Temporary Buildings. Review materials and code; legal research; dictate draft of ordinance	3.20	\$137.50	440.00	JLC
	Re: Campbell. Legal research regarding attorneys fee standard under FOIA; conferences with Attorneys Wade and Carson; proofread motion to dismiss and answer	2.80	\$137.50	385.00 ✓	JLC
	Re: Fire Department. Received and reviewed e-mails regarding possible continuance of Mr. Sharonne Norwood's grievance; phone conference with Chairman Sexton regarding same; attended grievance hearings and presented Fire Department's position	4.70	\$137.50	646.25	WRW
	Re: Campbell v. City of FS. Conference with Attorneys Canfield and Carson regarding Answer to Complaint; exchanged e-mails with City Administrator Ray Gosack regarding contact with Attorney Campbell	1.40	\$137.50	192.50 ✓	WRW
	Re: Campbell v. City. Further draft and revise answer, motion to dismiss, and brief; conferences with Attorney Canfield; multiple telephone conferences with Chief Lindsey; multiple telephone conferences with Sgt. Grubbs; conferences with Attorneys Canfield and Wade; letter to clerk; letter to Attorneys Canfield and Wade; letter to Chief Lindsey and Sgt. Grubbs	6.60	\$137.50	907.50 ✓	DMC
	Re: Berry. Revise Motion to Compel and Supporting Brief; revise Pretrial Disclosure Sheet; review medical records of Brandon Davis from the VA; letter to Attorney Blankenship regarding Brandon Davis' medical records	3.20	\$137.50	440.00	CTR
	Re: CDBG/LAH. E-mail from Mr. Jennings; telephone conference with Attorney Self	0.40	\$137.50	55.00 ✓	RRB
	Re: RAM Outdoor. Receive and review letter from Judge Fitzhugh; update file	0.20	\$137.50	27.50	RRB
Nov-07-13	Re: Planning. Complete draft; memo to Mr. Bailey	0.90	\$137.50	123.75	JLC
	Re: Campbell. Memo from Attorney Carson; memo to Attorney Carson; conference with Chief Lindsey and Attorneys Wade and	1.40	\$137.50	192.50 ✓	JLC

Carson; conferences with Attorney Wade and Carson

Re: Police Department. Office conference with Chief Lindsey, Attorney Canfield and Carson regarding FOIA request

1.00 \$137.50 137.50 WRW

Re: Berry v. Davis. Worked on file in preparation for trial

0.50 \$137.50 68.75 WRW

Re: Fire Department. Received and reviewed e-mail from Court Reporter Bland with transcript of decisions of Civil Service Commission on 11/6/13; received and reviewed e-mail from Ms. Lindsey Kaelin regarding Court Reporter's statement

0.90 \$137.50 123.75 WRW

Re: Civil Service Commission. Received and reviewed e-mail from Chairman Chip Sexton regarding retest

0.20 \$137.50 27.50 WRW

Re: Campbell v. City. Conference with Chief Lindsey and Attorneys Canfield and Wade; telephone conference with Chief Lindsey; telephone call to Sgt. Grubbs; receive and study 11/5 FOIA request; two telephone conferences with Sgt. Grubbs; receive and study 37 pages of e-mail correspondence re various City employees and Attorney Campbell; receive and study 30 pages of correspondence from Sgt. Grubbs re various communications in FSPD and with Attorney Campbell; receive and study additional documents for FOIA production (approx. 1/4 inch thick); telephone conference with Attorney Campbell; letter to Attorney Campbell; draft request to Attorney General re FOIA requests from Mr. Campbell; letter from Attorney Campbell

7.50 \$137.50 1,031.25 ✓ DMC

Re: Berry. Continue revising Motion to Compel; continue revising Pretrial Disclosure Sheet

1.80 \$137.50 247.50 CTR

Nov-08-13 Re: Property. Telephone conference with Mr. Gosack regarding authority to make real property decisions

0.20 \$137.50 27.50 JLC

Re: Whirlpool. Telephone conference with Attorney Jones regarding draft of indemnity agreement

0.20 \$137.50 27.50 ✓ JLC

Re: Campbell v. City. Multiple telephone conferences with Sgt. Grubbs; three telephone conferences with Chief Lindsey; receive and study Times Record FOIA; two telephone conferences with Attorney Campbell; conferences with Attorneys

6.10 \$137.50 838.75 ✓ DMC

	Canfield and Wade; letter to Attorney Campbell; review requested records				
	Re: Fire Department. Phone conference with Chief Richards regarding Civil Service Commission hearings	0.40	\$137.50	55.00	WRW
	Re: Police Department. Phone conference with Detective Smithson regarding Sgt. Don Bailes' possible appeal to Civil Service Commission; phone conference with Captain Jarrard Copeland regarding same	0.90	\$137.50	123.75	WRW
	Re: Campbell v City of Fort Smith. Office conference with Attorney Canfield and Carson	0.40	\$137.50	55.00	WRW
	Re: Berry v. Davis. Worked on proposed jury instructions	0.50	\$137.50	68.75	WRW
Nov-11-13	Re: Campbell. Conference with Attorney Carson	0.10	\$137.50	13.75	JLC
	Re: Berry. Research regarding Jury Instructions in § 1983 cases	2.60	\$137.50	357.50	CTR
	Re: Campbell v. City. Letter from Attorney Campbell; telephone call to Attorney Campbell; telephone conference with court clerk; conference with Attorney Canfield	0.50	\$137.50	68.75	DMC
Nov-12-13	Re: City Clerk. Received and reviewed e-mail from Clerk Gard regarding amending cleanup lien ordinance; phone conference with Clerk Gard regarding same (2)	0.90	\$137.50	123.75	WRW
	Re: Berry v. Davis. Worked on file; reviewed 8th Circuit's model instructions	0.80	\$137.50	110.00	WRW
	Re: Campbell v. City. Two telephone conferences with Attorney Campbell; telephone conference with Sgt. Grubbs	0.70	\$137.50	96.25	DMC
Nov-13-13	Re: Police Department. Phone conference with Sgt. Dawn Sprayberry regarding subpoena for Thacker hearing; conference with Major Pitts regarding death of James Fulbright; phone conference with Sgt. Grubbs regarding FOIA request from Times Record	0.80	\$137.50	110.00	WRW
	Re: Campbell v. City of FS. Office conference with Attorney Carson regarding dismissal order	0.20	\$137.50	27.50	WRW
	Re: Civil Service Commission. Received and reviewed e-mail from Ms. Lindsey Kaelin regarding proposed rule change	0.20	\$137.50	27.50	WRW
	Re: Agenda. Reviewed and approved proposed agenda item	0.10	\$137.50	13.75	WRW

	Re: Police Department. Multiple telephone conferences with Sgt. Sprayberry regarding subpoena in criminal matter in Oklahoma	0.70	\$137.50	96.25	CTR
	Re: Tornado Siren. Review file; telephone conference with Mr. Merechka; telephone conference with Captain Ranells; telephone conference with Mr. Mickle	0.80	\$137.50	110.00	RRB
	Re: RAM Outdoor. Telephone conference with Mr. Bailey	0.20	\$137.50	27.50	RRB
	Re: CDBG/LAH. Telephone conference with Attorney Self; telephone conference with Mr. Jennings	0.30	\$137.50	41.25 ✓	RRB
	Re: CDBG/Hughes. Telephone conference with Mr. Jennings	0.20	\$137.50	27.50 ✓	RRB
	Re: Campbell v. City. Receive and study proposed order from Attorney Campbell; draft and edit substitute order; two letters to Attorney Campbell; letter from Attorney Campbell; conference with Attorney Wade	0.90	\$137.50	123.75 ✓	DMC
Nov-14-13	Re: Planning. Memo from Mr. Chavis; review plat; memo to Mr. Chavis	0.40	\$137.50	55.00	JLC
	Re: CDBG. Review and approve execution of agreement with children's emergency service center	0.20	\$137.50	27.50 ✓	JLC
	Re: Airport. Memo from Attorney Carson; memo to Attorney Moll and Mr. Gosack; memos from Attorney Moll, Mr. Gosack, police department and Mr. Bahsoon	0.70	\$137.50	96.25	JLC
	Re: Business Code. Memo from Ms. Rice with request for opinion from commission chairman; telephone conference with city clerk; review pertinent provisions of business code; dictate opinion; memo to Ms. Kimbrough	1.60	\$137.50	220.00	JLC
	Re: Sanitation - Compactor. Review transaction documents; approve opinion letter	0.40	\$137.50	55.00	JLC
	Re: Whirlpool. Telephone conference with Ms. Arnold regarding Whirlpool employee	0.20	\$137.50	27.50 ✓	JLC
	Re: Berry. Exchange e-mails with Detective Smithson regarding addresses for Defendants' witnesses; telephone conference with Detective Smithson; continue drafting and revising Pretrial Disclosure Sheet	2.70	\$137.50	371.25	CTR
	Re: Tornado Siren. Telephone conference with Mr. Whitlock regarding survey estimate; e-mail from Mr. Whitlock; e-mail to Captain	1.20	\$137.50	165.00	RRB

	Ranells; telephone conference with Captain Ranells; e-mail from Captain Ranells; e-mail to Mr. Whitlock; e-mail to Captain Ranells; e-mail from Mr. Whitlock				
	Re: Campbell v. City. Receive and study City response to Times Record FOIA request; telephone conference with Sgt. Grubbs	0.30	\$137.50	41.25 ✓	DMC
Nov-15-13	Re: Parks - Tower. Telephone conference with Mr. Alsup	0.40	\$137.50	55.00	JLC
	Re: Airport Claim. Memo to Attorney Carson; memo from Attorney Carson	0.30	\$137.50	41.25	JLC
	Re: Agenda Items. Approve multiple agenda items; review information regarding transit facility construction contract; amend resolution and memo to Mr. Savage and Mr. Gosack; memos from Mr. Savage and Mr. Gosack; memo to Mr. Savage and Mr. Gosack	1.20	\$137.50	165.00	JLC
	Re: Berry. Make final changes to Defendants' Pretrial Disclosure Sheet	0.30	\$137.50	41.25	CTR
Nov-18-13	Re: Civil Service Commission (Bales). Received and reviewed several e-mails regarding 12/5 trial; phone conference with Chief Lindsey; phone conference with Detective Smithson; phone call to Attorney Campbell; phone conference with Chairman Sexton	1.90	\$137.50	261.25	WRW
	Re: Berry v. Davis. Reviewed Pre-trial Disclosure Sheet of Plaintiff	0.40	\$137.50	55.00	WRW
	Re: Police Department. Phone conference with Major Dean Pitts regarding police substation	0.40	\$137.50	55.00	WRW
	Re: Fire Department. Phone conference with Ass't Fire Chief Bigler regarding report	0.40	\$137.50	55.00	WRW
	Re: Storm Water Detention. Memo from Mr. Chavis; review plat and deed; letter to Mr. Chavis	0.40	\$137.50	55.00	JLC
	Re: Lien Foreclosures. Letter from Attorney Coleman to Judge Fitzhugh requesting dismissal of action	0.10	\$137.50	13.75	JLC
	Re: CDBG/LAH. Telephone conference with Attorney Self	0.20	\$137.50	27.50 ✓	RRB
	Re: Berry. Receive and review Plaintiffs' Pre-Trial Disclosure Sheet; continue working on Jury Instructions; research Jury Instructions from Eighth Circuit on failure to train or supervise; research case law on appealing denial of summary judgment	5.10	\$137.50	701.25	CTR

Nov-19-13	Re: Civil Service Commission (Bales). Received and reviewed e-mails from Chairman Sexton and Attorney Campbell regarding 12/5 trial; received and reviewed e-mail from Chief Lindsey regarding subpoenas; phone conference with Detective Smithson	1.40	\$137.50	192.50	WRW
	Re: Agenda Items. Attend board of directors meeting	0.80	\$137.50	110.00	JLC
	Re: HOME/Johnson. Telephone conference with Judge Fitzhugh	0.20	\$137.50	27.50 ✓	RRB
	Re: Berry. Continue drafting Jury Instructions; continue research on appealing the denial of a motion for summary judgment based on qualified immunity	1.80	\$137.50	247.50	CTR
Nov-20-13	Re: Parks - Cell Tower. Telephone call from Mr. Alsup; review Smith lease agreement; mark up agreement and send to Mr. Alsup with e-mail list of items	2.20	\$137.50	302.50	JLC
	Re: Civil Service Commission (Bales). Office conference with Captain Jarrard Copeland and Detective Smithson; received and reviewed Captain Hammonds' recommendation	2.90	\$137.50	398.75	WRW
	Re: Berry. Continue drafting Jury Instructions; research federal caselaw on appealability of order denying motion for summary judgment based on qualified immunity	1.60	\$137.50	220.00	CTR
	Re: HOME/McKinney. Letter from Attorney Dyke; review file	0.30	\$137.50	41.25 ✓	RRB
	Re: Campbell v. City. Telephone call to Attorney Campbell; telephone call to Chief Lindsey	0.30	\$137.50	41.25 ✓	DMC
Nov-21-13	Re: Berry. Conference with Attorneys Wade and Roe	0.40	\$137.50	55.00 ✓	JLC
	Re: Airport. Letters from Attorney Carson regarding depositions of FBI agents with file regarding airport incident	0.10	\$137.50	13.75	JLC
	Re: Berry. Receive and review Order Denying Motion for Summary Judgment; conference with Attorneys Canfield and Wade; review federal rules of appellate procedure regarding filing notice of appeal; letter to Sgt. Sprayberry; e-mail to Administrator Gosack and Chief Lindsey	3.30	\$137.50	453.75	CTR

	Re: HOME/McKinney. Telephone conference with Attorney Dyke	0.20	\$137.50	27.50 ✓	RRB
Nov-22-13	Re: Civil Service Commission (Bales). Phone conference with Captain Copeland and Detective Smithson regarding 12/5 trial; phone conference with Ms. Lindsey Kaelin; phone conference with Chief Lindsey; office conference with Captain Copeland and Detective Smithson; phone conference with Attorney Campbell	3.50	\$137.50	481.25	WRW
	Re: Human Resources. Received and reviewed e-mail from Ms. Lindsey Kaelin regarding transcript of Fire Department grievance hearings; phone conference with Ms. Kaelin regarding same	0.70	\$137.50	96.25	WRW
	Re: Transit. Memo to Mr. Savage; review resolution; memo to Mr. Savage	0.10	\$137.50	13.75	JLC
	Re: Berry. Review letter to Mr. Gosack and Chief Lindsey; conferences with Attorney Wade and Attorney Roe	0.40	\$137.50	55.00	JLC
	Re: Agenda Items. Approve agenda items	0.10	\$137.50	13.75	JLC
	Re: Transit. Memo from Mr. Savage; amend and approve resolution; memo to Mr. Savage	0.70	\$137.50	96.25	JLC
	Re: Parks - River West Trail. Telephone conference with Mr. Alsup; review engineering contract; telephone conference with Mr. Alsup	1.00	\$137.50	137.50	JLC
	Re: Parks - Cell Tower. Two telephone conferences with Mr. Alsup regarding term and indemnity amendments	0.20	\$137.50	27.50	JLC
	Re: Civil Service Commission (Bales). Continued to review investigator's notes; letter to Atty Campbell; phone conference with Detective Smithson; received and reviewed e-mails from Chairman Sexton regarding subpoena	2.90	\$137.50	398.75	WRW
	Re: Berry v. Davis. Worked on file	0.80	\$137.50	110.00	WRW
	Re: Berry. Research federal case law regarding appealing denial of Motion for Summary Judgment based on qualified immunity; revise letter to City Administrator Gosack and Chief Lindsey; conference with Attorney Wade; e-mail from Chief Lindsey and Administrator Gosack	6.40	\$137.50	880.00	CTR
	Re: HOME/McKinney. E-mail from Attorney Dyke; review file; telephone conference with Attorney Dyke	0.50	\$137.50	68.75 ✓	RRB

Nov-25-13	Re: Civil Service Commission (Bales). Office conference with Chief Lindsey; office conference with Captain Copeland and Detective Smithson; phone conference with Human Resources	3.40	\$137.50	467.50	WRW
	Re: Berry v. Davis. Worked on file	0.40	\$137.50	55.00	WRW
	Re: Berry. Telephone conference with Attorney Blankenship; continue researching and review Federal Rules of Appellate Procedure and Eighth Circuit local rules; continue researching federal case law regarding appealing denial of Motion for Summary Judgment	3.30	\$137.50	453.75	CTR
	Re: Phillip Taylor. Receive and review letter from Ms. Kincy; telephone conference with Attorney Taylor; letter from Attorney Taylor	0.60	\$137.50	82.50	RRB
	Re: Police Department. Memo from Attorney Carson regarding Campbell litigation; memo to Attorney Carson	0.10	\$137.50	13.75	JLC
	Re: Agenda Items. Review 2014 pay ordinance; memo to Mr. Jones; approve multiple items; memo from Mr. Savage; telephone call to Mr. Savage; amend rate schedule ordinance; memo to Mr. Savage	0.90	\$137.50	123.75	JLC
	Re: Campbell v. City. Receive and study entered order of dismissal; letter to Attorneys Canfield and Wade; letter from Attorney Wade; letter from Attorney Canfield; letter to Attorney Wade	0.40	\$137.50	55.00	DMC
Nov-26-13	Re: Civil Service Commission (Bales). Phone conference with Ms. Lindsey Kaelin regarding 12/5 trial; office conference with Detective Smithson; received and reviewed motion in limine and e-mail from Chairman Sexton; e-mail to Chairman Sexton	1.60	\$137.50	220.00	WRW
	Re: Agenda. Reviewed and approved several proposed agenda items; received and reviewed-mail from City Administrator Gosack regarding rules for brain storming	0.40	\$137.50	55.00	WRW
	Re: Berry. Receive and review letter from Attorney Blankenship regarding settlement proposal; e-mail to Administrator Gosack, Chief Lindsey and Brandon Davis; e-mail from Brandon Davis; telephone conference with District Court Clerk's office; e-mail from Chief Lindsey and Administrator Gosack; e-mail to Administrator Gosack; file Notice of Appeal with District clerk; letter to Attorney Blankenship	3.10	\$137.50	426.25	CTR

	Re: HOME/Johnson. Receive and review letter from Judge Fitzhugh; review file; telephone conference with Clerk; letter to Clerk; prepare Motion for Default Judgment; prepare Brief in Support; letter to Clerk	1.40	\$137.50	192.50 ✓	RRB
	Re: Sanitation. Memo from Mr. Hopper; review engineering contract; memo to Mr. Hopper	0.80	\$137.50	110.00	JLC
	Re: Agenda Items. Telephone conference with Engineer Meeker	0.10	\$137.50	13.75	JLC
Nov-27-13	Re: Berry. Telephone conference with Judge Marschewski's office	0.20	\$137.50	27.50	CTR
	Re: Agenda Items. Approve multiple agenda items; telephone conference with city clerk; amend resolution; conference with Attorney Wade	0.40	\$137.50	55.00	JLC
	Re: Civil Service Commission (Bales). Received and reviewed e-mail from Corporal Matt Holloway; phone conference with Corporal Holloway	0.90	\$137.50	123.75	WRW
	Re: Berry v. Davis. Worked on file	0.50	\$137.50	68.75	WRW
	Re: Agenda. Reviewed and approved several proposed agenda items	0.30	\$137.50	41.25	WRW
	Re: Campbell v. City. Review information from Attorney Campbell; letter to Mr. Gosack and Chief Lindsey; letter to Mr. Jones	0.30	\$137.50	41.25 ✓	DMC
	Re: CDBG/LAH. E-mail from Mr. Jennings; place telephone call to Attorney Self (left message); e-mail to Mr. Jennings	0.30	\$137.50	41.25 ✓	RRB
	Re: Phillip Taylor. Receive and review Motion, proposed Order and letter from Attorney Taylor; receive and review letter from Attorney Shue; update file	0.50	\$137.50	68.75	RRB
Nov-30-13	Re: Police Department. Reviewed copies of e-mails produced as result of FOIA request from Attorney Matt Campbell	1.40	\$137.50	192.50	WRW
	Total Fees	158.70		<u>\$21,821.25</u>	

EXPENSES INCURRED:

Nov-01-13	04489	Expense Recovery	Photocopy Expense - Fire Department (3 grievances)	24.00
Nov-02-13	46093	Sebastian County Clerk	Re: HOME/Bridgewater. Copies from clerk's office 10/8/13	11.25 ✓

Nov-03-13	04494	Expense Recovery	Photocopy Expense - Re Addisen Entmeier. Printing 2474 pages of FOIA documents	371.10
Nov-04-13	04491	Expense Recovery	Photocopy Expense Re: Agenda Items.	17.55
	04492	Expense Recovery	Photocopy Expense -- Fire Department (grievances)	12.80
Nov-05-13	46101	National Depo	Re: Berry. Invoice # STL191172. Deposition fee for Michael Lyman	700.00
	04495	Expense Recovery	Photocopy Expense - Fire Department (grievances)	7.00
Nov-07-13	46113	Legal Assist	Reporting Fire Department grievance hearings 11/6/13	500.00
Nov-15-13	AmEx	American Express	Re: Berry v. Davis. Lodging for Atty Roe & Detective Smithson (of FSPD) in Columbia, MO for depositions 10/18/13	189.26
	AmEx	American Express	Re: Berry v. Davis. IACP model policies	18.50
	AmEx	American Express	Re: Berry v. Davis. PACER charges for 3rd quarter	61.20
	AmEx	American Express	Re: Guy Barnes. PACER charges for 3rd quarter	1.00
Nov-19-13	04502	Expense Recovery	Photocopy Expense Re: Agenda Items.	24.15
Nov-21-13	46153	Legal Assist	Transcript of Fire Department grievance hearings 11/6/13	453.50
Nov-22-13	04503	Expense Recovery	Photocopy Expense - Civil Service Commission (Bales)	6.00
	04504	Expense Recovery	Telephone Expense - Civil Service Commission (Bales)	1.00
Nov-26-13	46163	Clerk, U.S. District Court	Re: Berry. Filing fee for Notice of Appeal	455.00

Total Expenses \$2,853.31

Total Fees & Expenses \$24,674.56 ✓

TIMEKEEPER SUMMARY:

			Hours	Rate	Amount
CTR	Colby T. Roe	Partner	36.10	\$137.50	\$4,963.75
DMC	Douglas M. Carson	Partner	32.80	\$137.50	\$4,510.00
JLC	Jerry L. Canfield	Partner	27.10	\$137.50	\$3,726.25
RRB	Robert R. Briggs	Partner	9.00	\$137.50	\$1,237.50
WRW	Wyman R. Wade, Jr.	Partner	53.70	\$137.50	\$7,383.75

4204-219 = 2,853.31

4204-108 = 21,821.25

24,674.56 ⊕

City of Fort Smith, Arkansas Clearing Account

VEN #: 002642

INVOICE NO.	DATE	DESCRIPTION	DISCOUNT	NET AMOUNT
215120	12/10/2013			1,845.68
215122	12/10/2013			357.50
				2,203.18

Memo:

Check #: 175281

000007

Clearing Account

PO Box 1908
Fort Smith, AR 72902

BANCORPSOUTH
FORT SMITH, ARKANSAS

81-38
829

DATE:
12/26/2013

CHECK #:
175281

PAY

\$2,203.18
AST AST AST DOLLAR TWO CEN TWO ZERO THREE PER ONE EIGHT AST AST AST

VOID AFTER 90 DAYS

COPY

TO
THE
ORDER
OF

DAILY AND WOODS PLLC
PO BOX 1446
FORT SMITH, AR 72902

Ray Borack
Karl [Signature]

⑈0000175281⑈ ⑆082900380⑆ 6400043383⑈

REQUEST FOR PAYMENT

2612

\$ 357.50

DATE: December 13, 2013

PROGRAM Water and Sewer

CODE NUMBER 8211-077

8211-118

INVOICE NUMBER 215122 99-01-M \$233.75

99-01-M \$123.75

PAY TO: Daily & Woods, P.L.L.C.

P.O. Box 1446 6505 CIP

Fort Smith, AR 72902

EXPLANATION: Legal - Lake Fort Smith, Project 99-01 & Watershed acquisition for LFS,

Project 99-01

Service date: 11-19-13 to 11-25-13

THE ABOVE INVOICE HAS BEEN RECEIVED BY THIS OFFICE AND RECOMMENDATION FOR PAYMENT IS MADE BY THE UNDERSIGNED:

DEPARTMENT HEAD

FINANCE DIRECTOR

CITY ADMINISTRATOR

[Handwritten Signature]
[Handwritten Signature] 12/18/13

12-16-13

Rec'd
12-12-13

Daily & Woods, P.L.L.C.
P.O. Box 1446
Fort Smith, Arkansas 72902

(479) 782-0361
Federal ID No. 71-0042030

CITY OF FORT SMITH
P.O. Box 1908
Fort Smith, AR 72902

RECEIVED

December 10, 2013

DEC 12 2013

Inv #: 215122
Matter: City-Lake

UTILITY DEPARTMENT

RE: Lake Fort Smith Project

DATE	DESCRIPTION	HOURS	RATE	AMOUNT	TMKPR
Nov-19-13	Re: SBS. Receive letter from SBS with notice of appeal; prepare figures for settlement offer; dictate draft letter to SBS; memo to Mr. Gosack and Mr. Parke; memos from Mr. Gosack and Mr. Parke	1.40	\$137.50	192.50 ✓	JLC
Nov-20-13	Re: SBS. Conference with Attorney Canfield re SBS appeal from latest order	0.20	\$137.50	27.50 ✓	DMC
Nov-20-13	Re: SBS. Complete and send letter to Attorney Lar	0.10	\$137.50	13.75 ✓	JLC
Nov-25-13	Re: Collins. Receive and review e-mail from Mr. Guthrie and obituary for Charles Collins; review file; telephone conference with Mr. Guthrie; review additional information from Mr. Guthrie and revised affidavit	0.90	\$137.50	123.75 ✓	RRB
Total Fees		2.60		\$357.50 ✓	
Total Fees & Expenses				\$357.50	

8211-077
99-01-M
Water shed
8211-118
99-01-M

TIMEKEEPER SUMMARY:

			Hours	Rate	Amount
DMC	Douglas M. Carson	Partner	0.20	\$137.50	\$27.50
JLC	Jerry L. Canfield	Partner	1.50	\$137.50	\$206.25
RRB	Robert R. Briggs	Partner	0.90	\$137.50	\$123.75

REQUEST FOR PAYMENT

2612

\$ 1,845.68

DATE: December 16, 2013

PROGRAM Water and Sewer

CODE NUMBER 5501-219

INVOICE NUMBER 215120

PAY TO: Daily & Woods, P.L.L.C.

P.O. Box 1446

Fort Smith, AR 72902

EXPLANATION: Legal

Service date: 11-01-13 to 11-27-13

THE ABOVE INVOICE HAS BEEN RECEIVED BY THIS OFFICE AND RECOMMENDATION FOR PAYMENT IS MADE BY THE UNDERSIGNED:

DEPARTMENT HEAD

FINANCE DIRECTOR

CITY ADMINISTRATOR

[Handwritten signature]
[Handwritten signature] 12/18/13

12-17-13

Rec'd
12-12-13

Daily & Woods, P.L.L.C.
P.O. Box 1446
Fort Smith, Arkansas 72902

(479) 782-0361
Federal ID No. 71-0042030

James
RECEIVED

UTILITY DEPARTMENT

CITY OF FORT SMITH
PO Box 1908
Fort Smith, AR 72902

December 10, 2013

Inv #: 215120
Matter: City-Utility

RE: Utilities

DATE	DESCRIPTION	HOURS	RATE	AMOUNT	TMKPR
Nov-01-13 5501-219	Re: Rockfish. Review pending (3 sets) of motions; conference with Attorney Roe; attend hearing of motions; letter from Attorney Delay; conference with Mr. Parke	3.20	\$137.50	440.00	JLC ✓
5501-219	Re: Rockfish. Prepare for motions hearing; attend and participate in motions hearing; conference with Attorney Canfield; e-mail from Attorney Smith regarding Stone Bay's payment of franchise taxes; e-mail to Mr. Steve Parke	3.10	\$137.50	426.25	CTR ✓
Nov-04-13 5501-219	Re: DOJ/EPA. Memo from Attorney Cherup acknowledging receipt of city draft materials; organize file	0.60	\$137.50	82.50 ✓	JLC ✓
8165-023 06-04	Re: Jeffrey. Prepare for scheduled meeting; travel to and from utility offices; participate in settlement meeting with Mr. Parke, Mr. Guthrie, Attorney Bequette and Attorney Filyaw; work on draft of settlement letter; e-mail from Attorney Bequette	7.20	\$137.50	990.00	RRB ✓
Nov-05-13 8165-023 06-04	Re: Jeffrey Estate. Conference with Attorney Briggs regarding settlement/trial preparations discussion	0.20	\$137.50	27.50	JLC ✓
5501-219	Re: DOJ/EPA. Memo from Attorney Cherup; memo to Mr. Gosack and Mr. Parke; memo regarding climate from Ms. Cherup; memo to Mr. Gosack and Mr. Parke; memos from Mr. Gosack and Mr. Parke	0.70	\$137.50	96.25 ✓	JLC ✓
8165-023 06-04	Re: Jeffrey. E-mail from Mr. Parke; review file; conference with Attorney Canfield	0.50	\$137.50	68.75	RRB ✓

08-07 8164-006	Re: Chaffee Crossing/Chaffee Crossing Development. Telephone conference with Attorney Riedel; review file; telephone conference with Attorney Reidl	0.50	\$137.50	68.75	RRB ✓
Nov-06-13 5501-219	Re: EPA/DOJ. Prepare and send response to Attorney Cherup scheduling meetings for December 11 and 12	0.30	\$137.50	41.25 ✓	JLC ✓
08-07 8164-006	Re: Chaffee Crossing/Chaffee Crossing Development. Receive and review proposed Order and letter from Attorney Riedel; update file	0.30	\$137.50	41.25	RRB /
8165-023 06-04	Re: Jeffrey. Receive and review e-mail and document from Mr. Parke regarding Brett Peters; e-mail to Mr. Parke; telephone conference with Mr. Guthrie; work on settlement letter	1.20	\$137.50	165.00	RRB ✓
Nov-07-13 5501-219	Re: DOJ/EPA. Memo from Attorney Cherup regarding affordability analysis; memo to Messrs. Gosack, Dingman and Parke	0.40	\$137.50	55.00 ✓	JLC ✓
5501-219	Re: Rockfish. Review orders from Judge Tabor; conference with Attorney Roe; memo from Mr. Parke	0.30	\$137.50	41.25	JLC ✓
5501-219	Re: Rockfish. Receive and review e-mail from Attorney Smith; e-mail to Mr. Steve Parke; receive and review Order denying all parties' Motions for Summary Judgment	0.20	\$137.50	27.50	CTR ✓
09-04 8165-022	Re: Sunnymede/Hernandez. E-mail from Attorney Miller; revise Subordination Agreement; e-mail to Attorney Miller	0.60	\$137.50	82.50	RRB ✓
8165-023 06-04	Re: Jeffrey. Letter to Mr. Parke, Mr. Guthrie and Attorney Filyaw; receive and review drawings and e-mails from Mr. Guthrie	0.80	\$137.50	110.00	RRB ✓
08-07 8164-006	Re: Chaffee Crossing/Chaffee Crossing Development. Receive and review letter from Attorney Carson; work on revisions to discovery responses; update file	3.50	\$137.50	481.25	RRB ✓
Nov-08-13 5501-219	Re: Rockfish. Telephone conference with Mr. Parke	0.10	\$137.50	13.75	JLC ✓
5501-219	Re: DOJ/EPA. Memos from Mr. Parke and Mr. Gosack; letter to Attorney Cherup; multiple memos to and from Attorney Cherup; telephone conference with Mr. Parke	0.80	\$137.50	110.00 ✓	JLC ✓
8165-023 06-04	Re: Jeffrey. Telephone conference with Mr. Guthrie; amend offer letter; e-mail from Mr. Parke; e-mail from Mr. Guthrie	1.00	\$137.50	137.50	RRB ✓
Nov-11-13 5501-219	Re: DOJ/EPA. Memos from Attorney Cherup	0.10	\$137.50	13.75 ✓	JLC ✓

5501-219	Re: Rockfish. Conference with Attorney Roe	0.10	\$137.50	13.75	JLC ✓
8165-023 06-04	Re: Jeffrey. E-mail from Attorney Filyaw; review file; review discovery responses	0.80	\$137.50	110.00	RRB ✓
Nov-12-13 5501-219	Re: EPA/DOJ. Memos from Mr. Parke; memos to Attorney Cherup; telephone conference with Attorney Cherup; memo to Mr. Parke	0.80	\$137.50	110.00 ✓	JLC ✓
8164-006 08-07	Re: Chaffee Crossing/Chaffee Crossing Development. Receive and review letter to Attorney Carson; work on additional revisions to discovery responses; update file	2.60	\$137.50	357.50	RRB ✓
Nov-14-13 8164-006 08-07	Re: Chaffee Crossing/Chaffee Crossing Development. Receive and review e-mail and Sketch from Attorney Carson; e-mail to Mr. Guthrie	0.50	\$137.50	68.75	RRB ✓
Nov-18-13 5501-219	Re: DOJ/EPA. Telephone call from Mr. Gosack; memo to Attorney Cherup	0.30	\$137.50	41.25 ✓	JLC ✓
8164-006 08-07	Re: Chaffee Crossing/Chaffee Crossing Development. E-mail from Mr. Guthrie	0.10	\$137.50	13.75	RRB ✓
09-04 8165-022	Re: Sunnymede/Hernandez. Receive and review executed Subordination Agreement and letter from Attorney Miller	0.20	\$137.50	27.50	RRB ✓
5501-219 Nov-19-13	Re: DOJ/EPA. Memo from and memo to Mr. Parke	0.10	\$137.50	13.75 ✓	JLC ✓
Nov-20-13 5501-219	Re: DOJ/EPA. Telephone conference with Attorney Cherup; memo to Mr. Gosack; telephone conference with Mr. Parke	0.70	\$137.50	96.25 ✓	JLC ✓
09-04 8165-022	Re: Sunnymede/Hernandez. Review file; letter to Mr. Guthrie	0.40	\$137.50	55.00	RRB ✓
8165-023 06-04	Re: Jeffrey. Review packet of information relative to 2 bridges provided by Mr. Peters; telephone conference with Mr. Guthrie	0.90	\$137.50	123.75	RRB ✓
Nov-21-13 8165-010 10-01	Re: Project 10-01-E1. Telephone conference with Mr. Guthrie; review letter to landowner; telephone conference with Mr. Guthrie; review final form; telephone call to Mr. Guthrie	0.50	\$137.50	68.75	JLC ✓
5501-219	Re: DOJ/EPA. Letter from Attorney Cherup with tolling agreement; memo to Mr. Gosack; memos to and from consultants with schedules for December 10-13; receive and review financial capability guidance; memo to Mr. Parke; memo from Mr. Parke	1.10	\$137.50	151.25 ✓	JLC ✓
09-04 8165-022	Re: Sunnymede/Hernandez. Receive and review e-mail from Attorney Miller	0.10	\$137.50	13.75	RRB ✓

8165-022 09-04	Re: Sunnymede/Hernandez. E-mail to Mr. Guthrie; e-mail to Attorney Miller	0.20	\$137.50	27.50	RRB /
Nov-22-13 12-12 8165-016	Re: Mill Creek/Westbrook Development. Telephone conference with Mr. Guthrie	0.20	\$137.50	27.50	RRB /
8165-023 06-04	Re: Jeffrey. Telephone conference with Mr. Guthrie	0.20	\$137.50	27.50	RRB /
12-12 8165-016	Re: Mill Creek. Memo from Mr. Parke regarding negotiations with Mr. Beam	0.10	\$137.50	13.75	JLC /
Nov-26-13 8165-023 06-04	Re: Jeffrey. Telephone conference with Mr. Guthrie	0.20	\$137.50	27.50	RRB /
8165-014 12-13	Re: Sunnymede/Roberts. Review file; prepare Motion for Default Judgment; prepare Brief in support; letter to Clerk	1.20	\$137.50	165.00	RRB /
8165-014 12-13	Re: Sunnymede/Roberts. Receive and review document from Clerk; update file	0.10	\$137.50	13.75	RRB /
Nov-27-13 5501-219	Re: DOJ/EPA. Review article regarding application of Iowa League of Cities decision	0.20	\$137.50	27.50 ✓	JLC
8165-014 12-13	Re: Sunnymede/Roberts. Review file; edit and proofread pleadings	0.50	\$137.50	68.75	RRB /
Total Fees		37.70		\$5,183.75 ✓	

EXPENSES INCURRED:

Nov-12-13	04498	Expense Recovery	Telephone Expense Re: EPA/DOJ.	1.50 ✓
Nov-14-13	46137	FedEx 5501-219	Re EPA. Shipment to Dept of Justice 10/31	40.93 ✓
Nov-15-13	04499	Expense Recovery	Photocopy Expense re: Chaffee Crossing/Chaffee Crossing	36.90
	12-04	8164-002	Development. Copies of appraisals	
Nov-20-13	04501	Expense Recovery 5501-219	Telephone Expense Re: EPA/DOJ.	2.00 ✓

Total Expenses

\$81.33 ✓

Total Fees & Expenses

\$5,265.08 ✓

TIMEKEEPER SUMMARY:

CTR	Colby T. Roe	Partner	Hours	Rate	Amount
			3.30	\$137.50	\$453.75
	Jerry L. Canfield	Partner	10.60	\$137.50	\$1,457.50
	Robert R. Briggs	Partner	23.80	\$137.50	\$3,272.50
2012 SUT WW	8165-016	12-12	\$1,845.68 ✓		
2012 SUT WW	8165-023	06-04	\$41.25 ✓		
2012 SUT Water	8164-000	08-07	\$1,787.50 ✓		
2012 SUT WW	8165-022	09-04	\$1,031.25 ✓		
2012 SUT WW	8165-010	10-01	\$206.25 ✓		
2012 SUT WW	8165-010	10-01	\$68.75 ✓		
2012 SUT WW	8165-010	10-01	\$247.50		
2012 SUT WW	8165-014	12-13	\$		
2012 SUT Water	8164-002	12-04	\$36.90		
				=	5,265.08

City of Fort Smith, Arkansas
Clearing Account

DEC 2013

VEN #: 002642

INVOICE NO.	DATE	DESCRIPTION	DISCOUNT	NET AMOUNT
215178	01/07/2014			11,400.55
215179	01/07/2014			7,681.45
215179	01/07/2014			27.50
215180	01/07/2014			206.25
215182	01/07/2014			27.50
				19,343.25

Memo: _____ Check #: 175924

000012

Clearing Account

PO Box 1908
Fort Smith, AR 72902

BANCORPSOUTH
FORT SMITH, ARKANSAS

81-38
829

DATE: 01/16/2014
CHECK #: 175924

PAY *****\$19,343.25*****

VOID AFTER 90 DAYS

TO
THE
ORDER
OF

DAILY AND WOODS PLLC
PO BOX 1446
FORT SMITH, AR 72902

COPIED
Ray Borack
Kara Bushnell

⑈0000175924⑈ ⑆082900380⑆ 6400043383⑈

REQUEST FOR PAYMENT

2642

Amount: \$11,400.55

Date: January 8, 2014

Program Number: 4204-108 \$10,560.00
 4204-219 840.55

Code Number:

Pay To: **Daily & Woods, P.L.L.C.**
 P.O. Box 1446
 Fort Smith, AR 72902

Explanation: Legal Services.

**THE ABOVE INVOICE HAS BEEN RECEIVED BY THIS OFFICE AND RECOMMEN-
DATION FOR PAYMENT IS MADE BY THE UNDERSIGNED:**

2013 JAN 9 PM 1:48
PURCHASING AGENT
OFFICE OF THE CITY CLERK

DEPARTMENT HEAD: _____

DIVISION DIRECTOR: _____

FINANCE DIRECTOR: _____

CITY ADMINISTRATOR: _____ *Joe Dujin*

PURCHASING AGENT: _____ *Phil [Signature] 1-8-14*
1-10-14

EO

1099

Daily & Woods, P.L.L.C.
P.O. Box 1446
Fort Smith, Arkansas 72902

(479) 782-0361
Federal ID No. 71-0042030



CITY OF FORT SMITH
PO Box 1908
Fort Smith, AR 72902

January 7, 2014

Inv #: 215178
Matter: City-General

RE: General Legal Services

DATE	DESCRIPTION	HOURS	RATE	AMOUNT	TMKPR
Dec-02-13	Re: Civil Service Commission (Bales). Office conference with Detective Smithson and Captain Jarrard Copeland regarding 12/4 trial	1.00	\$137.50	137.50	WRW
	Re: Berry v. Davis. Worked on file	0.50	\$137.50	68.75	WRW
	Re: Real Property. Memo from Mr. Gosack; legal research; prepare and send opinion memo to Mr. Gosack	1.40	\$137.50	192.50	JLC
	Re: Berry. Telephone conference with Judge Dawson's office regarding Order staying proceedings; continue researching federal rules of appellate procedure; review Order from Judge Marschewski denying as moot Defendants' Motion to Compel	1.10	\$137.50	151.25	CTR
	Re: HSBC Bank v. City of FS (Phillips). Phone conference with Circuit Clerk regarding dismissal order; received and reviewed dismissal order; letter to Clerk Gard	0.50	\$137.50	68.75	WRW
	Re: Police Department. Phone conference with Sgt. Daniel Grubbs regarding FOIA request (Rowe); legal research regarding same	0.80	\$137.50	110.00	WRW
	Re: Phillip Taylor. Telephone call with Judge Tabor; letter to Judge Tabor	0.30	\$137.50	41.25	RRB
	Re: CDBG/Johnson. Telephone call with clerk; telephone call with Times Record	0.30	\$137.50	41.25 ✓	RRB
	Re: Tornado Siren. Email from Mr. Whitlock; telephone call with Captain Ranells; email	0.60	\$137.50	82.50	RRB

	from Captain Ranells; email to Captain Ranells				
	Re: Entmeier v. City. Conference with Attorney Wade	0.10	\$137.50	13.75	DMC
	Re: Samspon v. City. Letter from Mr. Jones	0.10	\$137.50	13.75	DMC
Dec-03-13	Re: Civil Service Commission (Bales). Exchanged e-mails with Chairman Sexton and Chief Lindsey regarding material requested by Attorney Campbell; phone conference with Chief Lindsey; office conference with Detective Smithson; received and reviewed e-mail from Ms. Lindsey Kaelin regarding 12/5 trial; phone conference with Detective Smithson (2); continued to prepare for trial; phone conference with Sgt. Sprayberry; received and reviewed e-mail from Attorney Campbell	3.30	\$137.50	453.75	WRW
	Re: Berry v. Davis. Reviewed Order of Stay; letter to Captain Jarrard Copeland regarding same	0.70	\$137.50	96.25	WRW
	Re: Agenda Items. Review prior report in preparation for meeting; attend board of directors meeting	2.40	\$137.50	330.00	JLC
	Re: CDBG. Review and approve Bost school flooring agreement; deliver to CDBG	0.20	\$137.50	27.50 ✓	JLC
	Re: UDO - Land Use Change. Conference with Ms. Andrews and Mr. Bailey; prepare discussion points document; proofread and amend document	2.70	\$137.50	371.25	JLC
	Re: Berry. Receive and review Order staying proceedings; e-mail to Captain Copeland	0.40	\$137.50	55.00	CTR
	Re: Entmeier v. City. Conference with Attorney Wade	0.30	\$137.50	41.25 ✓	DMC
Dec-04-13	Re: Civil Service Commission (Bales). Received and reviewed e-mail from Attorney Campbell regarding audio recording; phone conference with Detective Smithson regarding same; phone conference with Chief Lindsey; phone conference with Captain Copeland; phone conference with Attorney Campbell; e-mail to Chairman Sexton regarding weather; continued to prepare for 12/5 trial	2.80	\$137.50	385.00	WRW
	Re: Planning. Complete and send discussion document to Mr. Bailey	0.20	\$137.50	27.50	JLC
	Re: Berry. Receive and review Scheduling Order from Circuit Clerk	0.10	\$137.50	13.75	CTR

	Re: Phillip Taylor. Receipt and review of order from Judge Tabor; update file	0.10	\$137.50	13.75	RRB
	Re: Tornado Siren. Exchange emails with Captain Ranells; review file; letter to Mr. Whitlock	0.50	\$137.50	68.75	RRB
Dec-05-13	Re: Civil Service Commission (Bales). Phone conference with Chairman Sexton; phone conference with Chief Lindsey; phone conference with Captain Jamie Hammond; attended hearing to present City's position; received and reviewed e-mail from Ms. Lindsey Kaelin; post hearing conference with Chief Lindsey	5.10	\$137.50	701.25	WRW
	Re: Berry v. Davis. Office conference with Attorney Roe regarding appeal timeline and strategy	0.70	\$137.50	96.25	WRW
	Re: Berry. Conference with Attorney Wade; prepare appearance forms for filing	2.10	\$137.50	288.75	CTR
	Re: Entmeier v. City. Letter from Ms. Lowrimore; letter to Ms. Lowrimore; receive and study settlement check; letter to Attorney Campbell	0.50	\$137.50	68.75 ✓	DMC
Dec-08-13	Re: Fire Department. Received and reviewed e-mail from Chief Richards regarding request for medical report; reviewed report	0.70	\$137.50	96.25	WRW
	Re: Civil Service Commission (Bales). Exchanged e-mails with Chairman Sexton; received e-mail from Court Reporter Bland regarding transcript of decision and received statement	0.60	\$137.50	82.50	WRW
	Re: SRCA. Received and reviewed e-mail from City Administrator Gosack regarding leases with SRCA	0.30	\$137.50	41.25	WRW
Dec-09-13	Re: Civil Service Commission (Bales). Paid Court Reporter Bland	0.20	\$137.50	27.50	WRW
	Re: Fire Department. Phone conference with Chief Richards regarding request for release of medical records; phone conference with Attorney John Beasley regarding same	0.70	\$137.50	96.25	WRW
	Re: SRCA. Reviewed leases for retirement centers; phone conference with City Administrator Gosack regarding same	0.90	\$137.50	123.75	WRW
	Re: Berry. Telephone conference with Clerk of Court of Appeals office; draft designation of appendix; telephone conference with Attorney Blankenship's office; e-mail from Attorney Blankenship; draft waiver of transcript; begin	4.30	\$137.50	591.25	CTR

	drafting statement of issues; draft notice of intent to file joint appendix				
Dec-10-13	Re: Police Department. Received and reviewed e-mail from Captain Ranells regarding MMPi; legal research regarding same; phone conference with Mr. Richard Jones; phone conference with Captain Ranells; received and reviewed e-mail from Major Pitts	2.00	\$137.50	275.00	WRW
	Re: Berry v. Davis. Worked on documents to be filed with 8th Circuit for appeal	0.60	\$137.50	82.50	WRW
	Re: Agenda Meeting. Approve multiple items	0.20	\$137.50	27.50	JLC
	Re: FOIA. Memo from City Clerk; memo to Mr. Nkokheli	0.10	\$137.50	13.75	JLC
	Re: Berry. Revise designation of joint appendix	1.10	\$137.50	151.25	CTR
Dec-11-13	Re: Berry. Conference with Attorney Wade regarding designation of joint appendix; revise certificate of no transcript to be ordered	0.40	\$137.50	55.00	CTR
	Re: Tornado Siren. Receipt and review of Access Easement draft from Mr. Whitlock; review file; revise easement; letter to Mr. and Ms. Merechka	0.60	\$137.50	82.50	RRB
Dec-12-13	Re: Berry v. Davis. Conference with Attorney Roe regarding joint appendix for appeal	0.50	\$137.50	68.75	WRW
	Re: Agenda Items. Approve multiple agenda items	0.30	\$137.50	41.25	JLC
	Re: Berry. E-mail to Sgt. Sprayberry regarding order standing proceedings	0.20	\$137.50	27.50	CTR
Dec-13-13	Re: Agenda Items. Complete review and approval of agenda items; conferences with Mr. Parke and Mr. Gosack	0.30	\$137.50	41.25	JLC
	Re: Berry. E-mail draft of designation of joint appendix to Attorney Blankenship; revise designation of joint appendix; telephone conference with District Court Clerk's office regarding conventionally filed exhibits	1.90	\$137.50	261.25	CTR
Dec-16-13	Re: Planning - Temporary Buildings. Conference with Mr. Bailey	0.70	\$137.50	96.25	JLC
	Re: Berry v. Davis. Conference with Attorney Roe regarding legal issues on appeal	0.60	\$137.50	82.50	WRW
	Re: Berry. Telephone conference with Attorney Blades regarding designation of joint appendix; continue drafting statement of	4.60	\$137.50	632.50	CTR

issues; telephone conference with Eighth Circuit Clerk's office; revise designation of joint appendix

Dec-17-13	Re: Police Department. Office conference with Captain Jarrard Copeland and Detective Greg Smithson regarding investigations by Professional Standards	1.10	\$137.50	151.25	WRW
	Re: Berry v. Davis. Worked on file	0.60	\$137.50	82.50	WRW
	Re: Agenda Items. Attend board of directors meeting	1.70	\$137.50	233.75	JLC
	Re: Berry. Telephone conference with Attorney Blankenship's office; e-mail from Attorney Blankenship's office regarding designation of joint appendix; file designation of joint appendix and statement of issues; review Eighth Circuit Court's local rules and federal rules of appellate procedure	1.60	\$137.50	220.00	CTR
Dec-18-13	Re: Civil Service Commission (Bales). Received and reviewed Commission's Order; phone conference with Chairman Sexton	1.00	\$137.50	137.50	WRW
	Re: Phillip Taylor. Telephone call with Ms. Kenzie	0.20	\$137.50	27.50	RRB
	Re: Berry. Research federal case law regarding factors in determining whether consent to search was voluntary	2.80	\$137.50	385.00	CTR
Dec-19-13	Re: FOIA. Telephone conference with Attorney Shue; telephone conference with Mr. Gosack	0.40	\$137.50	55.00	JLC
	Re: HSBC Bank v. City of Fort Smith (Phillips). Phone conference with Attorney Matt Smith regarding status; received and reviewed Order of Dismissal; closed file	0.80	\$137.50	110.00	WRW
	Re: Berry. Receive and review appearance form from Attorney Blades	0.10	\$137.50	13.75	CTR
Dec-20-13	Re: Agenda Items. Telephone conference with city clerk	0.10	\$137.50	13.75	JLC
	Re: Contracts - Worker Safety. Review memo from Mr. Parke	0.10	\$137.50	13.75	JLC
Dec-26-13	Re: RREF RB SBL-AR v. City of Fort Smith (1001 N. 37th). Received and reviewed memo from City Administrator Gosack regarding foreclosure complaint; reviewed complaint; prepared City's answer	1.00	\$137.50	137.50	WRW
	Re: Berry. Begin working on joint appendix	0.10	\$137.50	13.75	CTR

Dec-27-13	Re: Whirlpool. Memo from Mr. Gosack with ADEQ order	0.10	\$137.50	13.75 ✓	JLC
	Re: Entmeier v. City. Two conferences with Attorney Wade; review complaint; review prior correspondence with plaintiff's previous attorney	0.60	\$137.50	82.50 ✓	DMC
	Re: Sampson v. City. Letter from Mr. Jones; review Mr. Sampson's EEOC complaint; letter to Mr. Jones	0.30	\$137.50	41.25	DMC
Dec-28-13	Re: RREF FB SBL-AR v. City of Fort Smith (1001 N. 37th). Transmittal letter to circuit clerk; phone conference with Attorney Magness	0.50	\$137.50	68.75	WRW
	Re: Police Department. Received and reviewed e-mail from Major Mark Hallum regarding complaint filed by Matt Campbell against Captain Haney and complaint regarding Addison Entmeier	0.70	\$137.50	96.25	WRW
	Re: Entmeier v. City of Fort Smith. Reviewed complaint; office conference with Attorney Carson regarding lawsuit	0.80	\$137.50	110.00 ✓	WRW
	Re: Entmeier v. City. Receive and study complaint; office conference with Attorney Wade	0.50	\$137.50	68.75 ✓	DMC
Dec-30-13	Re: Police Department. Received and reviewed e-mail from Captain Jarrard Copeland regarding internal investigation (Haney)	0.30	\$137.50	41.25	WRW
	Re: Entmeier v. City. Phone conference with Captain Jarrard Copeland; e-mail to Major Hallum; phone conference with City Administrator Ray Gosack; office conference with Captain Copeland and Detective Smithson	1.80	\$137.50	247.50 ✓	WRW
	Re: City Clerk. Phone conference with Clerk Gard regarding ambulance fees (2); legal research regarding same	1.00	\$137.50	137.50	WRW
	Re: Agenda Items. Memo from Mr. Bahsoon; review and approve item	0.20	\$137.50	27.50	JLC
	Re: Entmeier. Conference with Attorney Wade	0.10	\$137.50	13.75 ✓	JLC
	Re: Ambulance. Telephone call from city clerk; two conferences with Attorney Wade	0.30	\$137.50	41.25	JLC
	Re: Whirlpool. Review consent administrative order	0.30	\$137.50	41.25 ✓	JLC

	Re: Home/Ramos. Receipt and review email and documents related to Notice of Foreclosure from Mr. Jennings; open file; conference with paralegal assistant	0.30	\$137.50	41.25 ✓	RRB
	Re: Home/Clark. Receipt and review email and documents related to Notice of Foreclosure from Mr. Jennings; open file; conference with paralegal assistant	0.30	\$137.50	41.25 ✓	RRB
	Re: CDBG/LAH. Telephone call with Mr. Jennings	0.20	\$137.50	27.50 ✓	RRB
Dec-31-13	Re: Entmeier v. City. Received and reviewed e-mail from Major Mark Hallum; reviewed investigation file of dispatch room; legal research regarding whistleblower statute; phone conference with Captain Copeland	4.20	\$137.50	577.50 ✓	WRW
	Re: Arvest Mortgage v. City of FS (9509 Bryn Mawr). Received and reviewed e-mail from Clerk Gard regarding foreclosure suit involving City <u>cleanup lien</u> ; opened file; worked on Answer to Complaint; transmittal letter to Circuit Clerk	1.80	\$137.50	247.50 ✓	WRW
	Re: Entmeier. Conference with Attorney Wade	0.20	\$137.50	27.50 ✓	JLC
	Re: Foreclosure. Memo from city clerk; conference with Attorney Wade	0.10	\$137.50	13.75 ✓	JLC
	Total Fees	76.80	\$10,560.00		

EXPENSES INCURRED:

Dec-02-13	04508	Expense Recovery	Photocopy Expense Re: Agenda Items.	52.50
Dec-03-13	46186	Times Record	Re: Sunnymede/Roberts. Publication of Warning Order, Order No. 233032	198.00
	04515	Expense Recovery	Telephone Expense - Civil Service Commission (Bales)	0.60
Dec-08-13	04517	Expense Recovery	Photocopy Expense - Fire Department	4.00
Dec-09-13	46207	Legal Assist	Re: Don Paul Bales. Appearance and Taking Testimony for Civil Service Commission on December 5, 2013	565.00
Dec-17-13	04520	Expense Recovery	Photocopy Expense Re: Agenda Items.	19.65
Dec-19-13	04522	Expense Recovery	Telephone Expense Re: HSBC Bank v City (Phillips)	0.80

Total Expenses

\$840.55

Total Fees & Expenses**\$11,400.55**

TIMEKEEPER SUMMARY:

			Hours	Rate	Amount
CTR	Colby T. Roe	Partner	20.80	\$137.50	\$2,860.00
DMC	Douglas M. Carson	Partner	2.40	\$137.50	\$330.00
JLC	Jerry L. Canfield	Partner	12.10	\$137.50	\$1,663.75
RRB	Robert R. Briggs	Partner	3.40	\$137.50	\$467.50
WRW	Wyman R. Wade, Jr.	Partner	38.10	\$137.50	\$5,238.75

$$4204-108 = 10,560.00$$

$$4204-219 = \underline{840.55}$$

$$\underline{\underline{11,400.55}}$$

✓

2642

2013
Exp

REQUEST FOR PAYMENT

\$ 206.25

DATE: January 9, 2014

PROGRAM Water and Sewer

CODE NUMBER 8211-077

INVOICE NUMBER 215180 99-01-M

PAY TO: Daily & Woods, P.L.L.C.


P.O. Box 1446 6505 CIP


Fort Smith, Arkansas 72902

EXPLANATION: Legal Fees

Service date: 12-01-13 to 12-24-13

THE ABOVE INVOICE HAS BEEN RECEIVED BY THIS OFFICE AND RECOMMENDATION FOR PAYMENT IS MADE BY THE UNDERSIGNED:

DEPARTMENT HEAD 

FINANCE DIRECTOR  1/10/14

CITY ADMINISTRATOR _____

1/10/14

Rec'd
1-8-14

RECEIVED

JAN 08 2014

UTILITY DEPARTMENT

Daily & Woods, P.L.L.C.
P.O. Box 1446
Fort Smith, Arkansas 72902

(479) 782-0361
Federal ID No. 71-0042030

Utilities

CITY OF FORT SMITH
P.O. Box 1908
Fort Smith, AR 72902

January 7, 2014

Inv #: 215180
Matter: City-Lake

8211-077
99-01-17

RE: Lake Fort Smith Project

DATE	DESCRIPTION	HOURS	RATE	AMOUNT	TMKPR
Dec-20-13	Re: SBS. Receive supersedeas request; conference with Attorney Carson	0.20	\$137.50	27.50 ✓	JLC
	Re: SBS. Receive and study Memorandum for Stay of Execution and supersedeas bond; conference with Attorney Canfield	0.30	\$137.50	41.25 ✓	DMC
Dec-24-13	Re: SBS. Receive and review record on appeal and motion for stay of execution of judgment and supersedeas bond; receive notice from clerk of court of filing of appeal and schedule of briefs; memo to Mr. Parke and Attorney Carson	0.90	\$137.50	123.75 ✓	JLC
	Re: SBS. Letter from Attorney Canfield to Mr. Parke	0.10	\$137.50	13.75 ✓	DMC
	Total Fees	1.50		\$206.25 ✓	
	Total Fees & Expenses			\$206.25	

TIMEKEEPER SUMMARY:

			Hours	Rate	Amount
DMC	Douglas M. Carson	Partner	0.40	\$137.50	\$55.00
JLC	Jerry L. Canfield	Partner	1.10	\$137.50	\$151.25

REQUEST FOR PAYMENT

\$ 27.50

DATE: January 8, 2014

PROGRAM #: 7756-000-1105

PAY TO: Daily & Woods, P.L.L.C. #002642
P.O. Box 1446
Fort Smith, AR 72902

EXPLANATION: Legal services and expenses for the month of December 2013 are as follows :
7756-000-1105 12-90-A) = \$27.50

THE ATTACHED INVOICE HAS BEEN RECEIVED BY THIS OFFICE AND
RECOMMENDATION FOR PAYMENT IS MADE BY THE UNDERSIGNED:

DEPARTMENT HEAD: *Alan Fudge*

DIVISION DIRECTOR: _____

FINANCE DIRECTOR: _____

CITY ADMINISTRATOR: _____

PURCHASING AGENT: *Phil Saha 1-13-14*

0111
PURCHASING
2013 JAN 13 PM 10 33

1099

Daily & Woods, P.L.L.C.
P.O. Box 1446
Fort Smith, Arkansas 72902

(479) 782-0361
Federal ID No. 71-0042030

Engineering

CITY OF FORT SMITH
P.O. Box 1908
Fort Smith, AR 72902

January 7, 2014

Inv #: 215182
Matter: City-Street

RE: Street General Matters

DATE	DESCRIPTION	HOURS	RATE	AMOUNT	TMKPR
Dec-09-13	Re: 12-90-A. Review execution of contract documents; deliver to engineering	0.20	\$137.50	27.50	JLC
	Total Fees	0.20		<u>\$27.50</u>	
	Total Fees & Expenses			\$27.50	

17756-000

TIMEKEEPER SUMMARY:

			Hours	Rate	Amount
JLC	Jerry L. Canfield	Partner	0.20	\$137.50	\$27.50

APPROVED
BY *CS*

REQUEST FOR PAYMENT

2013
EOP

\$ 7,681.45

DATE: January 9, 2014

PROGRAM Water and Sewer

CODE NUMBER 5501-219

INVOICE NUMBER 215179

2642

PAY TO: Daily & Woods, P.L.L.C.

P.O. Box 1446

Fort Smith, Arkansas 72902

EXPLANATION: Legal Fees


Service date: 12-01-13 to 12-31-13

THE ABOVE INVOICE HAS BEEN RECEIVED BY THIS OFFICE AND RECOMMENDATION FOR PAYMENT IS MADE BY THE UNDERSIGNED:

DEPARTMENT HEAD

FINANCE DIRECTOR

CITY ADMINISTRATOR

 H. Busch 1/10/14

4/10/14

✓ Rec'd
1-8-14

Daily & Woods, P.L.L.C.
P.O. Box 1446
Fort Smith, Arkansas 72902

(479) 782-0361
Federal ID No. 71-0042030

CITY OF FORT SMITH
PO Box 1908
Fort Smith, AR 72902

January 7, 2014

Inv #: 215179
Matter: City-Utility

RE: Utilities

DATE	DESCRIPTION	HOURS	RATE	AMOUNT	TMKPR
Dec-02-13 5501-219	Re: DOJ/EPA. Review water environment foundation article regarding Iowa Cities decision; memo to Mr. Parke regarding affordability; memo from and memo to Attorney Cherup regarding tolling agreement; memo from Mr. Parke	0.50	\$137.50	68.75 ✓	JLC
8165-022 09-04	Re: Sunnymede/Hernandez. Telephone call with Mr. Guthrie; telephone call with Attorney Miller	0.30	\$137.50	41.25 ✓	RRB
Dec-03-13 5501-219	Re: DOJ/EPA. Memo from Mr. Parke; memo to Attorney Cherup; two memos from Attorney Cherup; forward to Mr. Parke	0.30	\$137.50	41.25 ✓	JLC
Dec-04-13 5501-219	Re: DOJ/EPA. Listen to affordability web cast presented by Water Environment Foundation; memo from and to Mr. Sandy	3.30	\$137.50	453.75 ✓	JLC
8165-010 10-01-	Re: B&B Properties. Conference with Attorney Roe; telephone conferences with Mr. Guthrie; review property report; telephone conferences with Mr. Parke and Mr. Dingman; prepare draft letter for staff use; telephone conference with Mr. Gosack; telephone conference with Mr. Parke	3.20	\$137.50	440.00 ✓	JLC
	Re: B & B Properties. Conference with Attorney Canfield; research real property records at Sebastian County Clerk's office regarding property of B & B Properties, LLC	0.70	\$137.50	96.25 ✓	CTR
8165-016 12-12	Re: Mill Creek. Telephone call with Mr. Guthrie	0.30	\$137.50	41.25 ✓	RRB
08-07 8164-006	Re: Chaffee Crossing/Chaffee Crossing Development. Email from Attorney Carson	0.10	\$137.50	13.75 ✓	RRB

8165-023 06-04	Re: Jeffrey. Review file; telephone call with Attorney Bequette	0.30	\$137.50	41.25 ✓	RRB
Dec-05-13	Re: Jeffrey Property. Conference with Attorney Briggs	0.20	\$137.50	27.50 ✓	JLC
8164-006 08-09	Re: Chaffee Crossing. Telephone call from Attorney Riedel; conference with Attorney Briggs	0.10	\$137.50	13.75 ✓	JLC
5501-219	Re: DOJ/EPA. Telephone conference with Mr. Parke; memo to Ms. Cherup; memos from and to Ms. Cherup regarding meetings and schedule	0.60	\$137.50	82.50 ✓	JLC
10-01 8165-010	Re: B&B Properties. Memos from Mr. Parke; review loan agreement; memo to Mr. Parke; telephone conference with Mr. Parke	0.60	\$137.50	82.50 ✓	JLC
8165-016 12-12	Re: Mill Creek/Westbrook Development. Receipt and review of intervention packet from Mr. Guthrie; draft Application/Petition for Exercise of Eminent Domain Power	1.20	\$137.50	165.00 ✓	RRB
	Re: Mill Creek/Viguet. Receipt and review of intervention packet from Mr. Guthrie; draft Application/Petition for Exercise of Eminent Domain Power	1.20	\$137.50	165.00 ✓	RRB
8165-023 06-04	Re: Jeffrey. Conference with Attorney Canfield	0.20	\$137.50	27.50 ✓	RRB
Dec-06-13 8165-010 10-01	Re: B&B Properties. Review multiple e-mail messages from Mr. Gosack and others regarding negotiations; memo from Mr. Parke	0.30	\$137.50	41.25 ✓	JLC
Dec-07-13 5501-219	Re: DOJ/EPA. Receive and review proposed agenda; memo from Attorney Cherup regarding schedule; memo from Attorney Cherup regarding financial information; letter from Attorney Cherup requesting engineering maps by December 20; multiple memos regarding negotiations meeting; memo from Mr. Parke	0.90	\$137.50	123.75 ✓	JLC
Dec-08-13 8165-010 10-01	Re: B&B Properties. Legal research regarding mortgages and liens and regarding "fair market value" definition; prepare letter to Mr. Gosack	1.40	\$137.50	192.50 ✓	JLC
Dec-09-13 5501-219	Re: DOJ/EPA. Telephone conference with Mr. Parke; memos regarding meeting preparation; telephone conference with Ms. Cherup; memos from Attorney Cherup; multiple memos with city staff	1.40	\$137.50	192.50 ✓	JLC

8165-010 10-01	Re: B&B Properties. Legal research; work on drafts (x2) of letter for board; telephone conference with Mr. Parke; multiple memos to and from city staff; conference with Attorneys Wade and Roe	1.80	\$137.50	247.50 ✓	JLC
	Re: B&B Properties. Conference with Attorney Canfield; research whether evidence of mortgage amount or materialmen's liens is relevant evidence in an eminent domain matter	0.70	\$137.50	96.25 ✓	CTR
Dec-10-13 5501-219	Re: DOJ/EPA. Review affordability information and telephone conference with Mr. Sandy; review drafts of proposed consent decree in preparation for meeting; attend meeting of city representatives	8.10	\$137.50	1,113.75 ✓	JLC
8165-010 10-01	Re: B&B Properties. Telephone conference with Mr. Dingman; attend board meeting; conferences with Mr. Gosack and Mr. Parke	0.70	\$137.50	96.25 ✓	JLC
8211-118 99-01-M	Re: Lake Properties. Memo from Mr. Guthrie; memo to Mr. Guthrie; memo from Mr. Guthrie	0.20	\$137.50	27.50 ✓	JLC
8165-023 06-04	Re: Jeffrey. Receipt and review of letter from Attorney Bequette; telephone call with Mr. Guthrie	0.30	\$137.50	41.25 ✓	RRB
Dec-11-13 5501-219	Re: DOJ/EPA. Prepare for and attend first day of meetings of City, DOJ, EPA, National EPA, Regional EPA, ADEQ and Attorney General representatives	11.00	\$137.50	1,512.50 ✓	JLC
8165-023 06-04	Re: Jeffrey. Telephone call with Mr. Guthrie	0.20	\$137.50	27.50 ✓	RRB
Dec-12-13 5501-219	Re: DOJ/EPA. Prepare for and attend second day of meetings; review San Antonio appendices	10.50	\$137.50	1,443.75 ✓	JLC
8165-023 06-04	Re: Jeffrey. Telephone call with Mr. Guthrie; conference with Mr. Guthrie; travel to subject property; telephone call with Attorney Bequette	2.20	\$137.50	302.50 ✓	RRB
Dec-13-13 8165-010 10-01	Re: B&B Properties. Telephone conference with Mr. Guthrie; conference with Mr. Parke	0.20	\$137.50	27.50 ✓	JLC
550-219	Re: DOJ/EPA. Attend third day of meetings; office conferences with Attorney Roe	8.50	\$137.50	1,168.75 ✓	JLC
8165-022 09-04	Re: Sunnymede/Hernandez. Receipt and review of check from Mr. Guthrie; review file; letter to Attorney Miller	0.30	\$137.50	41.25 ✓	RRB
Dec-14-13 5501-219	Re: DOJ/EPA. Memo from Mr. Parke with Shreveport CD; memo from Mr. Sandy with affordability forms and information	0.30	\$137.50	41.25 ✓	JLC

Dec-16-13 08-07 8164-006	Re: Chaffee Crossing/Chaffee Crossing Development. Telephone call with Attorney Reidl	0.20	\$137.50	27.50 ✓	RRB
8165-016 12-12	Re: Mill Creek/Westbrook Development. Review and proofread pleading; telephone call with Mr. Guthrie; telephone call with Mr. Ghan	0.80	\$137.50	110.00 ✓	RRB
	Re: Mill Creek/Viguet. Review pleadings and file; telephone call with Mr. Guthrie; edit pleadings	0.60	\$137.50	82.50 ✓	RRB
8165-023 06-04	Re: Jeffrey. Several telephone calls with Mr. Guthrie; emails from Mr. Guthrie	0.50	\$137.50	68.75 ✓	RRB
Dec-17-13 5501-219	Re: DOJ/EPA. Review notes and drafts and prepare list of "assignments"; memo from Mr. Dillon with his list; conference with Mr. Parke; letter from Attorney Cherup with list from DOJ/EPA; memo to Attorney Cherup; memos from and to Attorney Cherup regarding tolling agreement	3.40	\$137.50	467.50 ✓	JLC
8165-023 06-04	Re: Jeffrey. Several telephone calls with Mr. Guthrie; receipt and review sketch and email from Mr. Guthrie; telephone call with Attorney Filyaw; telephone call with Attorney Bequette	1.20	\$137.50	165.00 ✓	RRB
8165-016 12-12	Re: Mill Creek/Westbrook Development. Telephone call with Mr. Ghan; conference with paralegal assistant regarding research	0.30	\$137.50	41.25 ✓	RRB
Dec-18-13 5501-219	Re: DOJ/EPA. Memo from Attorney Donnellan of DOJ; telephone call to city clerk; letter to Attorney Donnellan with executed tolling agreement; memo from and memo to Mr. Parke regarding meeting	0.50	\$137.50	68.75 ✓	JLC
8165-016 12-12	Re: Mill Creek/Viguet. Receipt and review of documents from Mr. Parke; review file; prepare filing fee; prepare civil cover sheet; prepare summons (x2); letter to clerk	1.00	\$137.50	137.50 ✓	RRB
	Re: Mill Creek/Westbrook Development. Receipt and review of documents from Mr. Parke; review file; prepare filing fee; prepare civil cover sheet; research Secretary of State website; prepare summons; letter to clerk; telephone call with Mr. Ghan	1.10	\$137.50	151.25 ✓	RRB
8165-023 06-04	Re: Jeffrey. Telephone call with Attorney Bequette; telephone call with Mr. Guthrie; telephone call with Attorney Filyaw	0.50	\$137.50	68.75 ✓	RRB
Dec-20-13 5501-219	Re: DOJ/EPA. Review e-mail discussion regarding procedures of flow monitoring; review e-mail discussion of extending and running of model; memo to city clerk regarding executed tolling agreement; memo from Mr.	4.40	\$137.50	605.00 ✓	JLC

Miles regarding standard for modeling analysis; memo from Mr. Jackson regarding metering locations

8164-006 08-07	Re: Chaffee Crossing/Chaffee Crossing Development. Telephone call with Attorney Riedel; receipt and review letter and prepared order from Attorney Riedel; update file	0.40	\$137.50	55.00 ✓	RRB
8165-016 12-12	Re: Mill Creek/Viguet. Receipt and review certified mail receipts (x2); prepare affidavit for service; letter to clerk	0.30	\$137.50	41.25 ✓	RRB
	Re: Mill Creek/Westbrook Development. Email from Mr. Ghan; update file	0.20	\$137.50	27.50 ✓	RRB
5501-219 Dec-24-13	Re: DOJ/EPA. Letter from Attorney Cherup; organize documents into meeting file	0.30	\$137.50	41.25 ✓	JLC
	Re: DOJ/EPA. Receive executed tolling agreement; letter to city clerk; review Shreveport consent decree	1.20	\$137.50	165.00 ✓	JLC
8165-016 12-12	Re: Mill Creek/Viguet. Receipt and review of documents from Clerk; update file; exchange emails with Mr. Guthrie	0.30	\$137.50	41.25 ✓	RRB
	Re: Mill Creek/Westbrook Development. Receipt and review documents from clerk; update file	0.10	\$137.50	13.75 ✓	RRB
8164-006 08-07	Re: Chaffee Crossing/Chaffee Crossing Development. Telephone call with Attorney Carson	0.20	\$137.50	27.50 ✓	RRB
5501-219 Dec-31-13	Re: DOJ/EPA. Memo from Attorney Cherup; memo to Attorney Cherup	0.10	\$137.50	13.75 ✓	JLC
8165-016 12-12	Re: Mill Creek/Viguet. Telephone call with Mr. Guthrie; message from Mr. Griffin; review file; letter to Mr. Viguet	0.60	\$137.50	82.50 ✓	RRB
8165-023 06-04	Re: Jeffrey. Telephone call with Mr. Guthrie	0.20	\$137.50	27.50 ✓	RRB
Total Fees		80.50		\$11,068.75 ✓	

EXPENSES INCURRED:

5501-219 Dec-13-13	04519	Expense Recovery	Photocopy Expense Re: DOJ/EPA.	77.70 ✓
8165-016 12-12	46234	Sebastian County Circuit Clerk	Re: Mill Creek/Viguet. Filing fee	165.00
	46235	Sebastian County Circuit Clerk	Re: Mill Creek/Westbrook. Filing fee	165.00
	46240	Sebastian County Clerk	Re: Mill Creek/Viguet. Recording Lis Pendens	40.00
	46241	Sebastian County Clerk	Re: Mill Creek/Westbrook. Recording Lis Pendens	40.00

8165-016
12-12

04526 Expense Recovery
04526 Expense Recovery

Re: Mill Creek/Viguet. Postage Expense - 2 certified mail @ 11.52 each
Re: Mill Creek/Westbrook. Postage Expense - certified mail

Total Expenses

\$522.26 ✓

Total Fees & Expenses

\$11,591.01 ✓

TIMEKEEPER SUMMARY:

			Hours	Rate	Amount
CTR	Colby T. Roe	Partner	1.40	\$137.50	\$192.50
JLC	Jerry L. Canfield	Partner	64.00	\$137.50	\$8,800.00
RRB	Robert R. Briggs	Partner	15.10	\$137.50	\$2,076.25

5501-219

\$ 7,681.45

2012 SUT WW 8165-022 09-04
2012 SUT WW 8165-010 10-01
2012 SUT WW 8165-016 12-12
2012 SUT WW 8165-023 06-04

\$ 82.50
\$ 1,320.00
\$ 1,544.56
\$ 797.50
\$ 137.50
\$ 27.50

2012 SUT Water 8164-006 08-07
6505 CIP 8211-118 99-01

Total

\$ 11,591.01 ✓

REQUEST FOR PAYMENT

2642 2013 Exp

\$ 27.50

DATE: January 9, 2014

PROGRAM Water and Sewer

CODE NUMBER 8211-118

INVOICE NUMBER 215179 99-01-M

PAY TO: Daily & Woods, P.L.L.C.

P.O. Box 1446 6505 CIP

Fort Smith, Arkansas 72902

EXPLANATION: Legal Fees

Service date: 12-01-13 to 12-31-13

THE ABOVE INVOICE HAS BEEN RECEIVED BY THIS OFFICE AND RECOMMENDATION FOR PAYMENT IS MADE BY THE UNDERSIGNED:

DEPARTMENT HEAD

FINANCE DIRECTOR

CITY ADMINISTRATOR

[Handwritten Signature] 1/10/14

1/10/14

✓ Rec'd
1-8-14

Daily & Woods, P.L.L.C.
P.O. Box 1446
Fort Smith, Arkansas 72902

(479) 782-0361
Federal ID No. 71-0042030

CITY OF FORT SMITH
PO Box 1908
Fort Smith, AR 72902

January 7, 2014

Inv #: 215179
Matter: City-Utility

RE: Utilities

DATE	DESCRIPTION	HOURS	RATE	AMOUNT	TMKPR
Dec-02-13 5501-219	Re: DOJ/EPA. Review water environment foundation article regarding Iowa Cities decision; memo to Mr. Parke regarding affordability; memo from and memo to Attorney Cherup regarding tolling agreement; memo from Mr. Parke	0.50	\$137.50	68.75 ✓	JLC
8165-022 09-04	Re: Sunnymede/Hernandez. Telephone call with Mr. Guthrie; telephone call with Attorney Miller	0.30	\$137.50	41.25 ✓	RRB
Dec-03-13 5501-219	Re: DOJ/EPA. Memo from Mr. Parke; memo to Attorney Cherup; two memos from Attorney Cherup; forward to Mr. Parke	0.30	\$137.50	41.25 ✓	JLC
Dec-04-13 5501-219	Re: DOJ/EPA. Listen to affordability web cast presented by Water Environment Foundation; memo from and to Mr. Sandy	3.30	\$137.50	453.75 ✓	JLC
8165-010 10-01-	Re: B&B Properties. Conference with Attorney Roe; telephone conferences with Mr. Guthrie; review property report; telephone conferences with Mr. Parke and Mr. Dingman; prepare draft letter for staff use; telephone conference with Mr. Gosack; telephone conference with Mr. Parke	3.20	\$137.50	440.00 ✓	JLC
	Re: B & B Properties. Conference with Attorney Canfield; research real property records at Sebastian County Clerk's office regarding property of B & B Properties, LLC	0.70	\$137.50	96.25 ✓	CTR
8165-016 12-12	Re: Mill Creek. Telephone call with Mr. Guthrie	0.30	\$137.50	41.25 ✓	RRB
08-07 8164-006	Re: Chaffee Crossing/Chaffee Crossing Development. Email from Attorney Carson	0.10	\$137.50	13.75 ✓	RRB

8165-023 06-04	Re: Jeffrey. Review file; telephone call with Attorney Bequette	0.30	\$137.50	41.25 ✓	RRB
Dec-05-13	Re: Jeffrey Property. Conference with Attorney Briggs	0.20	\$137.50	27.50 ✓	JLC
8164-006 08-07	Re: Chaffee Crossing. Telephone call from Attorney Riedel; conference with Attorney Briggs	0.10	\$137.50	13.75 ✓	JLC
5501-219	Re: DOJ/EPA. Telephone conference with Mr. Parke; memo to Ms. Cherup; memos from and to Ms. Cherup regarding meetings and schedule	0.60	\$137.50	82.50 ✓	JLC
10-01 8165-010	Re: B&B Properties. Memos from Mr. Parke; review loan agreement; memo to Mr. Parke; telephone conference with Mr. Parke	0.60	\$137.50	82.50 ✓	JLC
8165-016 12-12	Re: Mill Creek/Westbrook Development. Receipt and review of intervention packet from Mr. Guthrie; draft Application/Petition for Exercise of Eminent Domain Power	1.20	\$137.50	165.00 ✓	RRB
	Re: Mill Creek/Viguet. Receipt and review of intervention packet from Mr. Guthrie; draft Application/Petition for Exercise of Eminent Domain Power	1.20	\$137.50	165.00 ✓	RRB
8165-023 06-04	Re: Jeffrey. Conference with Attorney Canfield	0.20	\$137.50	27.50 ✓	RRB
Dec-06-13 8165-010 10-01	Re: B&B Properties. Review multiple e-mail messages from Mr. Gosack and others regarding negotiations; memo from Mr. Parke	0.30	\$137.50	41.25 ✓	JLC
Dec-07-13 5501-219	Re: DOJ/EPA. Receive and review proposed agenda; memo from Attorney Cherup regarding schedule; memo from Attorney Cherup regarding financial information; letter from Attorney Cherup requesting engineering maps by December 20; multiple memos regarding negotiations meeting; memo from Mr. Parke	0.90	\$137.50	123.75 ✓	JLC
Dec-08-13 8165-010 10-01	Re: B&B Properties. Legal research regarding mortgages and liens and regarding "fair market value" definition; prepare letter to Mr. Gosack	1.40	\$137.50	192.50 ✓	JLC
Dec-09-13 5501-219	Re: DOJ/EPA. Telephone conference with Mr. Parke; memos regarding meeting preparation; telephone conference with Ms. Cherup; memos from Attorney Cherup; multiple memos with city staff	1.40	\$137.50	192.50 ✓	JLC

8165-010 10-01	Re: B&B Properties. Legal research; work on drafts (x2) of letter for board; telephone conference with Mr. Parke; multiple memos to and from city staff; conference with Attorneys Wade and Roe	1.80	\$137.50	247.50 ✓	JLC
	Re: B&B Properties. Conference with Attorney Canfield; research whether evidence of mortgage amount or materialmen's liens is relevant evidence in an eminent domain matter	0.70	\$137.50	96.25 ✓	CTR
Dec-10-13 5501-219	Re: DOJ/EPA. Review affordability information and telephone conference with Mr. Sandy; review drafts of proposed consent decree in preparation for meeting; attend meeting of city representatives	8.10	\$137.50	1,113.75 ✓	JLC
8165-010 10-01	Re: B&B Properties. Telephone conference with Mr. Dingman; attend board meeting; conferences with Mr. Gosack and Mr. Parke	0.70	\$137.50	96.25 ✓	JLC
8211-118 99-01-M	Re: Lake Properties. Memo from Mr. Guthrie; memo to Mr. Guthrie; memo from Mr. Guthrie	0.20	\$137.50	27.50 ✓	JLC
8165-023 06-04	Re: Jeffrey. Receipt and review of letter from Attorney Bequette; telephone call with Mr. Guthrie	0.30	\$137.50	41.25 ✓	RRB
Dec-11-13 5501-219	Re: DOJ/EPA. Prepare for and attend first day of meetings of City, DOJ, EPA, National EPA, Regional EPA, ADEQ and Attorney General representatives	11.00	\$137.50	1,512.50 ✓	JLC
8165-023 06-04	Re: Jeffrey. Telephone call with Mr. Guthrie	0.20	\$137.50	27.50 ✓	RRB
Dec-12-13 5501-219	Re: DOJ/EPA. Prepare for and attend second day of meetings; review San Antonio appendices	10.50	\$137.50	1,443.75 ✓	JLC
8165-023 06-04	Re: Jeffrey. Telephone call with Mr. Guthrie; conference with Mr. Guthrie; travel to subject property; telephone call with Attorney Bequette	2.20	\$137.50	302.50 ✓	RRB
Dec-13-13 8165-010 10-01	Re: B&B Properties. Telephone conference with Mr. Guthrie; conference with Mr. Parke	0.20	\$137.50	27.50 ✓	JLC
550-219	Re: DOJ/EPA. Attend third day of meetings; office conferences with Attorney Roe	8.50	\$137.50	1,168.75 ✓	JLC
8165-022 09-04	Re: Sunnymede/Hernandez. Receipt and review of check from Mr. Guthrie; review file; letter to Attorney Miller	0.30	\$137.50	41.25 ✓	RRB
Dec-14-13 5501-219	Re: DOJ/EPA. Memo from Mr. Parke with Shreveport CD; memo from Mr. Sandy with affordability forms and information	0.30	\$137.50	41.25 ✓	JLC

Dec-16-13 08-07 8164-006	Re: Chaffee Crossing/Chaffee Crossing Development. Telephone call with Attorney Reidl	0.20	\$137.50	27.50 ✓	RRB
8165-016 12-12	Re: Mill Creek/Westbrook Development. Review and proofread pleading; telephone call with Mr. Guthrie; telephone call with Mr. Ghan	0.80	\$137.50	110.00 ✓	RRB
	Re: Mill Creek/Viguet. Review pleadings and file; telephone call with Mr. Guthrie; edit pleadings	0.60	\$137.50	82.50 ✓	RRB
8165-023 06-04	Re: Jeffrey. Several telephone calls with Mr. Guthrie; emails from Mr. Guthrie	0.50	\$137.50	68.75 ✓	RRB
Dec-17-13 5501-219	Re: DOJ/EPA. Review notes and drafts and prepare list of "assignments"; memo from Mr. Dillon with his list; conference with Mr. Parke; letter from Attorney Cherup with list from DOJ/EPA; memo to Attorney Cherup; memos from and to Attorney Cherup regarding tolling agreement	3.40	\$137.50	467.50 ✓	JLC
8165-023 06-04	Re: Jeffrey. Several telephone calls with Mr. Guthrie; receipt and review sketch and email from Mr. Guthrie; telephone call with Attorney Filyaw; telephone call with Attorney Bequette	1.20	\$137.50	165.00 ✓	RRB
8165-016 12-12	Re: Mill Creek/Westbrook Development. Telephone call with Mr. Ghan; conference with paralegal assistant regarding research	0.30	\$137.50	41.25 ✓	RRB
Dec-18-13 5501-219	Re: DOJ/EPA. Memo from Attorney Donnellan of DOJ; telephone call to city clerk; letter to Attorney Donnellan with executed tolling agreement; memo from and memo to Mr. Parke regarding meeting	0.50	\$137.50	68.75 ✓	JLC
8165-016 12-12	Re: Mill Creek/Viguet. Receipt and review of documents from Mr. Parke; review file; prepare filing fee; prepare civil cover sheet; prepare summons (x2); letter to clerk	1.00	\$137.50	137.50 ✓	RRB
	Re: Mill Creek/Westbrook Development. Receipt and review of documents from Mr. Parke; review file; prepare filing fee; prepare civil cover sheet; research Secretary of State website; prepare summons; letter to clerk; telephone call with Mr. Ghan	1.10	\$137.50	151.25 ✓	RRB
8165-023 06-04	Re: Jeffrey. Telephone call with Attorney Bequette; telephone call with Mr. Guthrie; telephone call with Attorney Filyaw	0.50	\$137.50	68.75 ✓	RRB
Dec-20-13 5501-219	Re: DOJ/EPA. Review e-mail discussion regarding procedures of flow monitoring; review e-mail discussion of extending and running of model; memo to city clerk regarding executed tolling agreement; memo from Mr.	4.40	\$137.50	605.00 ✓	JLC

Miles regarding standard for modeling analysis; memo from Mr. Jackson regarding metering locations

8164-006 08-07	Re: Chaffee Crossing/Chaffee Crossing Development. Telephone call with Attorney Riedel; receipt and review letter and prepared order from Attorney Riedel; update file	0.40	\$137.50	55.00 ✓	RRB
8165-016 12-12	Re: Mill Creek/Viguet. Receipt and review certified mail receipts (x2); prepare affidavit for service; letter to clerk	0.30	\$137.50	41.25 ✓	RRB
8165-016 12-12	Re: Mill Creek/Westbrook Development. Email from Mr. Ghan; update file	0.20	\$137.50	27.50 ✓	RRB
5501-219 Dec-24-13	Re: DOJ/EPA. Letter from Attorney Cherup; organize documents into meeting file	0.30	\$137.50	41.25 ✓	JLC
5501-219 Dec-27-13	Re: DOJ/EPA. Receive executed tolling agreement; letter to city clerk; review Shreveport consent decree	1.20	\$137.50	165.00 ✓	JLC
8165-016 12-12	Re: Mill Creek/Viguet. Receipt and review of documents from Clerk; update file; exchange emails with Mr. Guthrie	0.30	\$137.50	41.25 ✓	RRB
8165-016 12-12	Re: Mill Creek/Westbrook Development. Receipt and review documents from clerk; update file	0.10	\$137.50	13.75 ✓	RRB
8164-006 08-07	Re: Chaffee Crossing/Chaffee Crossing Development. Telephone call with Attorney Carson	0.20	\$137.50	27.50 ✓	RRB
5501-219 Dec-31-13	Re: DOJ/EPA. Memo from Attorney Cherup; memo to Attorney Cherup	0.10	\$137.50	13.75 ✓	JLC
8165-016 12-12	Re: Mill Creek/Viguet. Telephone call with Mr. Guthrie; message from Mr. Griffin; review file; letter to Mr. Viguet	0.60	\$137.50	82.50 ✓	RRB
8165-023 06-04	Re: Jeffrey. Telephone call with Mr. Guthrie	0.20	\$137.50	27.50 ✓	RRB
Total Fees		80.50	\$11,068.75	✓	

EXPENSES INCURRED:

5501-219 Dec-13-13	04519	Expense Recovery	Photocopy Expense Re: DOJ/EPA.	77.70 ✓
8165-016 12-12	46234	Sebastian County Circuit Clerk	Re: Mill Creek/Viguet. Filing fee	165.00
	46235	Sebastian County Circuit Clerk	Re: Mill Creek/Westbrook. Filing fee	165.00
	46240	Sebastian County Clerk	Re: Mill Creek/Viguet. Recording Lis Pends	40.00
	46241	Sebastian County Clerk	Re: Mill Creek/Westbrook. Recording Lis Pends	40.00

8165-016
12-12

04526 Expense Recovery
04526 Expense Recovery

Re: Mill Creek/Viguet. Postage 23.04
Expense - 2 certified mail @ 11.52 each
Re: Mill Creek/Westbrook. Postage 11.52
Expense - certified mail

Total Expenses

\$522.26 ✓

Total Fees & Expenses

\$11,591.01 ✓

TIMEKEEPER SUMMARY:

			Hours	Rate	Amount
CTR	Colby T. Roe	Partner	1.40	\$137.50	\$192.50
JLC	Jerry L. Canfield	Partner	64.00	\$137.50	\$8,800.00
RRB	Robert R. Briggs	Partner	15.10	\$137.50	\$2,076.25

5501-219 \$ 7,681.45
 2012 SUT WW 8165-022 09-04 \$ 82.50
 2012 SUT WW 8165-010 10-01 \$ 1,320.00
 2012 SUT WW 8165-016 12-12 \$ 1,544.56
 2012 SUT WW 8165-023 06-04 \$ 797.50
 \$ 137.50
 2012 SUT Water 8164-006 08-07 \$ 27.50
 6505 CIP 8211-118 99-01 \$

Total \$ 11,591.01 ✓