

**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

April 8, 2014

Inv #: 215453  
Matter: City-General

**RE:** General Legal Services

<b>DATE</b>	<b>DESCRIPTION</b>	<b>HOURS</b>	<b>RATE</b>	<b>AMOUNT</b>	<b>TMKPR</b>
Mar-01-14	Re: Bales v. City. Review discovery requests to various defendants; draft portion of responses to requests for production to Chief Lindsey	1.50	\$140.00	210.00	DMC
Mar-03-14	Re: Berry v. Davis. Worked on Reply Brief	2.30	\$140.00	322.00	WRW
	Re: RREF RB SBL v. City. Received and reviewed motion filed by Attorney Magness	0.30	\$140.00	42.00	WRW
	Re: Berry. Continue revising reply brief; legal research on federal case law on issues of voluntary consent to search; review addendum to include cites in brief; telephone conference with Ms. Lisenby with Eighth Circuit Clerk's office	4.70	\$140.00	658.00	CTR
Mar-04-14	Re: Bales v. McCabe. Received and reviewed e-mail from Attorney Campbell regarding legal representation for Ms. McCabe; received and reviewed e-mail from Mr. Jeff Arnold of Times Record; phone conference with City Administrator Gosack	0.90	\$140.00	126.00	WRW
	Re: Berry v. Davis. Worked on Reply Brief	1.30	\$140.00	182.00	WRW
	Re: Mill Creek Interceptor (Project No. 12-12-C1). Received and approved contracts	0.40	\$140.00	56.00	WRW
	Re: Fire Department. Received and reviewed letter from Attorney Kannett regarding Irene McGhee; phone conference with Attorney Kannett; phone conference with Chief Richards	0.80	\$140.00	112.00	WRW

	Re: RREF RB SBL v City (1001 North 37th Street). Received and reviewed Court Order	0.10	\$140.00	14.00	WRW
	Re: Downtown Development. Phone conference with City Administrator Gosack regarding Court Street agreement; worked on draft of agreement; e-mail to Ms. Jayne Hughes regarding property owners; phone conference with Ms. Hughes	1.70	\$140.00	238.00	WRW
	Re: Administration. Review Agenda for March 4, 2014 meeting; travel to and attend Board of Director's Meeting	1.20	\$140.00	168.00	RRB
	Re: 7904 S. 25th St./Mille. Receive and review documents and email from Ms. Gard related to foreclosure and probate; research assessment records; email to Ms. Gard	0.80	\$140.00	112.00	RRB
	Re: Berry. Make final revisions to reply brief; telephone conference with Ms. Lisenby with Eighth Circuit Clerk's office	2.30	\$140.00	322.00	CTR
	Re: Bales v. City. Draft responses to discovery requests to Chief Lindsey; telephone conference with Chief Lindsey's assistant; telephone conference with Capt. Copeland	1.60	\$140.00	224.00	DMC
Mar-05-14	Re: RAM Outdoor. Receive and review letter from Attorney Gaston; update file	0.10	\$140.00	14.00	RRB
	Re: Downtown Development. Continued to work on proposed Court Street agreement	0.40	\$140.00	56.00	WRW
	Re: Berry v. Davis. Letter to Captain Copeland regarding Reply Brief	0.30	\$140.00	42.00	WRW
	Re: Bales v. McCabe. Receive and study e-mail from Attorney Campbell to Directors	0.20	\$140.00	28.00	DMC
Mar-06-14	Re: Downtown. Two conferences with Attorney Wade	0.20	\$140.00	28.00	JLC
	Re: Bales v. McCabe. Received and reviewed e-mail from City Administrator Gosack regarding communications from Attorney Campbell; phone conference with Mr. Gosack regarding same	0.80	\$140.00	112.00	WRW
	Re: Court Street. Received and reviewed e-mails from Ms. Jayne Hughes regarding property owners; revised draft of agreement	0.90	\$140.00	126.00	WRW
	Re: RAM Outdoor. Receive and review letter from Judge Fitzhugh; update file	0.10	\$140.00	14.00	RRB
	Re: CDBG/Hart. Email from Mr. Jennings	0.10	\$140.00	14.00	RRB

	Re: Bales v. City. Telephone conference with Capt. Copeland; legal research; draft and edit reply brief; three telephone conferences with Chief Lindsey; two telephone conferences with Ms. Lowrimore; two telephone calls to Attorney Campbell; review letter from Attorney Campbell to Mr. Gosack; letter from Attorney Campbell; telephone conference with Mr. Gosack; work on responses to plaintiffs' discovery requests	6.40	\$140.00	896.00	DMC
	Re: Entmeier v. City. Telephone conference with Capt. Copeland	0.10	\$140.00	14.00	DMC
	Re: Bales v. McCabe. Telephone conference with Mr. McCabe; telephone conference with Ms. McCabe; work on answer	0.40	\$140.00	56.00	DMC
Mar-07-14	Re: Court Street. Exchanged e-mails with Ms. Jayne Hughes regarding proposed agreement; worked on said agreement	0.80	\$140.00	112.00	WRW
	Re: Bales v McCabe. Phone conference with City Administrator Gosack; received and reviewed e-mail from Mr. Gosack	0.80	\$140.00	112.00	WRW
	Re: Police Department. Conferences with Attorney Wade regarding defamation allegation and contact with representatives of city	0.30	\$140.00	42.00	JLC
	Re: Downtown - Court Street. Revise agreement with property owners; conference with Attorney Wade	1.00	\$140.00	140.00	JLC
	Re: Bales v. McCabe. Legal research; office conference with Ms. McCabe; draft and edit answer (7 pages)	2.40	\$140.00	336.00	DMC
	Re: Bales v. City. Two telephone conferences with Ms. Lowrimore; two telephone calls to Attorney Campbell; receive and study plaintiffs' response and brief in support of response to motion to dismiss	1.40	\$140.00	196.00	DMC
Mar-10-14	Re: Court Street. Exchanged e-mails with Ms. Jayne Hughes regarding proposed agreement; revised agreement	0.60	\$140.00	84.00	WRW
	Re: Sanitation. Memo from Mr. Hopper; review documents regarding gun club lease and waste sales	0.40	\$140.00	56.00	JLC
	Re: Financial. Telephone call from Ms. Gard	0.10	\$140.00	14.00	JLC
	Re: CDBG/Hart. Email to Mr. Jennings	0.10	\$140.00	14.00	RRB
	Re: Phillip Taylor. Receive and review letter from Attorney Shue; update file	0.10	\$140.00	14.00	RRB

	Re: Bales v. City. Further draft and edit responses to requests for production to Chief Lindsey; draft and edit responses to interrogatories to Chief Lindsey; conference with Chief Lindsey; letter to Attorney Campbell; letter from Attorney Campbell to court coordinator; letter from Attorney Campbell to judge	3.90	\$140.00	546.00	DMC
Mar-11-14	Re: Engineering. Reviewed e-mail from Mr. Ron Teeter regarding Whalen property; phone conference with Mr. Stan Leasure regarding same; reviewed records from Massard Project; phone call to Mr. Ron Teeter	1.40	\$140.00	196.00	WRW
	Re: City Clerk. Legal research regarding Clerk's duties; phone call to Clerk Gard	0.80	\$140.00	112.00	WRW
	Re: Court Street. Received and reviewed e-mail from Ms. Jayne Hughes regarding legal descriptions	0.20	\$140.00	28.00	WRW
	Re: Bales v. McCabe. Reviewed e-mail from Attorney Campbell; phone conference with City Administrator Gosack regarding contacts by Attorney Campbell	0.50	\$140.00	70.00	WRW
	Re: Sanitation. Conference with Mr. Nkokheli and Mr. Hopper regarding recycle program, gun club and composting operation	0.80	\$140.00	112.00	JLC
	Re: Bales v. City. Telephone conference with Attorney Campbell; two letters from Attorney Campbell	0.30	\$140.00	42.00	DMC
Mar-12-14	Re: Engineering. Phone conference with Mr. Ron Teeter regarding claim by the Whalens	0.30	\$140.00	42.00	WRW
	Re: Court Street. Received and reviewed e-mail from Ms. Jayne Hughes with legal descriptions; continued to revise proposed agreement	0.90	\$140.00	126.00	WRW
	Re: City Clerk. Phone call with Clerk Gard's office (2)	0.40	\$140.00	56.00	WRW
	Re: Bales v. City. Phone conference with Attorney Steve Sharum regarding Sgt. Dewey Young	0.50	\$140.00	70.00	WRW
	Re: Bales v. McCabe. Worked on file	0.70	\$140.00	98.00	WRW
	Re: Court Street. Conference with Attorney Wade	0.10	\$140.00	14.00	JLC
	Re: Court Clerk. Conference with Attorney Wade	0.10	\$140.00	14.00	JLC

	Re: Whirlpool. Telephone conference with Mr. Gosack	0.10	\$140.00	14.00	JLC
	Re: Berry. Telephone conference with Brandon Davis	0.20	\$140.00	28.00	CTR
	Re: Phillip Taylor. Telephone call with Circuit Clerk; letter to Circuit Clerk; additional letter to Clerk	0.40	\$140.00	56.00	RRB
	Re: Bales v. City. Two letters from Attorney Campbell; letter to Attorney Campbell; draft and edit responses to interrogatories to Capt. Copeland; draft and edit responses to requests for production to Capt. Copeland; office conference with Capt. Copeland; draft and edit responses to discovery requests to Capt. Haney; letter from Mr. Gosack; telephone conference with Mr. Gosack	6.70	\$140.00	938.00	DMC
	Re: ERISA. Letter from Mr. Jones	0.10	\$140.00	14.00	DMC
Mar-13-14	Re: Agenda Items. Approve agenda items; memo to Mr. Snodgrass; telephone call from and memo from Mr. Snodgrass; amend resolution regarding Riverside acquisition; approve and amend additional items; telephone conference with Ms. Andrews	0.90	\$140.00	126.00	JLC
	Re: FCRA. Memo from Mr. Gosack with letter from Mr. Ivy; memo to Attorney Wade; conference with Attorney Wade	0.40	\$140.00	56.00	JLC
	Re: City Clerk. Phone conference with Clerk Gard regarding Clerk's duties	0.30	\$140.00	42.00	WRW
	Re: City Administrator. Received and reviewed e-mail from City Administrator Gosack regarding legislative priorities; legal research regarding Attorney General opinion on preferential bids; phone conference with Mr. Gosack	0.90	\$140.00	126.00	WRW
	Re: Agenda. Reviewed and approved proposed agenda item	0.10	\$140.00	14.00	WRW
	Re: Bales v. City. Phone conference with City Administrator Gosack	0.30	\$140.00	42.00	WRW
	Re: McClure Amphitheater. Reviewed AOG v. Mac Steel regarding transfer of property; phone conference with Clerk Gard regarding Amphitheater documents	0.70	\$140.00	98.00	WRW
Mar-14-14	Re: Fire Department. Phone conference with Chief Richards regarding new housing for	0.80	\$140.00	112.00	WRW

	Bost; office conference with Fire Marshal Rogers and Mr. Jimmy Deer regarding same				
	Re: McClure Amphitheater. Reviewed documents relating to McClure Amphitheater; letter to City Administrator Gosack regarding possible reconveyance to FCRA	1.00	\$140.00	140.00	WRW
	Re: Bales v. City. Worked on file	0.50	\$140.00	70.00	WRW
	Re: FCRA. Conference with Attorney Wade	0.20	\$140.00	28.00	JLC
	Re: RAM Outdoor. Receive and review order from Judge Fitzhugh; update file	0.10	\$140.00	14.00	RRB
	Re: Bales v. City. Review approximately 2,600 pages of documents; revise and finalize discovery responses from Capt. Copeland; revise and finalize discovery responses from Capt. Haney; 19 letters to Attorney Campbell re document production of various requested items; letter from Attorney Campbell	5.60	\$140.00	784.00	DMC
Mar-17-14	Re: Police Department. Memo from Mr. Gosack; conference with Attorneys Carson and Wade	0.20	\$140.00	28.00	JLC
	Re: Sanitation. Review regulations, ordinances and photos regarding tree service composting operation	0.30	\$140.00	42.00	JLC
	Re: Bales v. City. Worked on file; phone conference with City Administrator Gosack	0.80	\$140.00	112.00	WRW
	Re: McClure Amphitheater. Continued to work on letter to Mr. Gosack regarding possible reconveyance to FCRA	0.50	\$140.00	70.00	WRW
	Re: Civil Service Commission. Exchanged e-mails with Mr. Richard Jones regarding proposed rule changes	0.40	\$140.00	56.00	WRW
	Re: Bales v. City. Office conference with Captain Copeland; letter from Attorney Campbell to judge's docket coordinator; letter to docket coordinator; letter from docket coordinator; letter from Attorney Campbell to Mr. Gosack; letter from Mr. Gosack to Board members; telephone call from Captain Copeland	1.30	\$140.00	182.00	DMC
Mar-18-14	Re: Bales v. City. Conference with Attorney Carson regarding pending motion to compel and alleged defamation; received and reviewed e-mail from City Administrator Gosack; phone conference with Mr. Gosack; phone conference with Court Reporter Nancy Bland	1.50	\$140.00	210.00	WRW

	Re: Sanitation. Reviewed documents relating to composting by Juan's Tree Service; phone conference with Mr. Chuck Guillory regarding business permit; phone conference with Mr. Wally Bailey regarding zoning (2); received and reviewed business permit for Juan's	1.60	\$140.00	224.00	WRW
	Re: McClure Amphitheater. Legal research regarding land conveyance by municipality; continued working on legal opinion letter to Mr. Gosack	1.50	\$140.00	210.00	WRW
	Re: Building. Phone conference with Mr. Wally Bailey regarding Bost	0.60	\$140.00	84.00	WRW
	Re: Agenda Items. Attend board of directors meeting	0.60	\$140.00	84.00	JLC
	Re: Police Department. Conferences with Attorney Carson; telephone conference with Mr. Gosack	0.30	\$140.00	42.00	JLC
	Re: Amphitheater. Conference with Attorney Wade; legal research; amend opinion letter	0.40	\$140.00	56.00	JLC
	Re: Phillip Taylor. Work on Appellee's Brief	3.50	\$140.00	490.00	RRB
	Re: Bales v. City. Telephone conference with Mr. Gosack; letter from Mr. Gosack; telephone conference with Attorney Campbell; letter to Attorney Campbell; letter from Attorney Campbell	0.50	\$140.00	70.00	DMC
Mar-19-14	Re: Bales v. City. Received transcript of Bales' Civil Service Commission hearing; paid Court Reporter Bland	0.50	\$140.00	70.00	WRW
	Re: McClure Amphitheater. Continued legal research and working on opinion letter to Mr. Gosack	0.60	\$140.00	84.00	WRW
	Re: Sanitation. Received and reviewed e-mail from Mr. Bill Striplin regarding zoning classification for Juan's Tree Service compost operation; exchanged e-mails with Mr. Wally Bailey regarding business permit application by Juan's	1.20	\$140.00	168.00	WRW
	Re: City Administrator. Exchanged e-mails with City Administrator Gosack regarding proposed change to composition of animal advisory board	0.30	\$140.00	42.00	WRW
	Re: Bales v. City. Office conference with Capt. Copeland; further draft and revise responses to 70 requests for admissions; 12 letters between Attorney Campbell and Attorney Carson (including 6-page legal brief letter); letter from Capt. Copeland; review prior	5.80	\$140.00	812.00	DMC

	drafts of discovery responses of Lindsey, Copeland, and Haney for responses to FOIA requests; receive and study cell phone records; telephone call to Attorney Campbell; letter from Mr. Gosack; review recording of City Board meeting; review Attorney Campbell's demand for retraction or corrective statement; telephone call from Officer Barnes; letter to Mr. Gosack; two telephone conferences with Capt. Copeland				
	Re: Phillip Taylor. Work on Appellee's Brief	5.50	\$140.00	770.00	RRB
	Re: CDBG/LAH. Telephone call with Mr. Owen; place telephone call to Attorney Self (left message)	0.30	\$140.00	42.00	RRB
Mar-20-14	Re: Bales v. City. Phone conference with Captain Jarrard Copeland (3)	0.90	\$140.00	126.00	WRW
	Re: City Administrator. Phone conference with Mr. Jeff Dingman regarding construction manager	0.20	\$140.00	28.00	WRW
	Re: Phillip Taylor. Continue work on Appellee's Brief	7.50	\$140.00	1,050.00	RRB
	Re: Phillip Taylor. Edit appellee brief; research on whether attorney's fees are permitted under a claim for unjust enrichment	1.10	\$140.00	154.00	CTR
	Re: Bales v. City. Review responses to requests for admissions to Capt. Copeland; letter to Capt. Copeland; three letters from Capt. Copeland; review documents produced in discovery responses; letter from Attorney Campbell; receive and study discovery requests to City	1.20	\$140.00	168.00	DMC
	Re: Home/McKinney. Receive and review email from Attorney Dyke; update file	0.10	\$140.00	14.00	RRB
Mar-21-14	Re: McClure Amphitheater. Received and reviewed e-mail from Mr. Mike Alsup with maps of amphitheater area; phone conference with Mr. Alsup regarding same	0.50	\$140.00	70.00	WRW
	Re: Phillip Taylor. Edit appellee's appellate brief	1.60	\$140.00	224.00	CTR
	Re: Phillip Taylor. Complete work on Appellee's Brief; letter to Clerk and opposing counsel	7.50	\$140.00	1,050.00	RRB
Mar-25-14	Re: City Prosecutor. Phone conference with city prosecutor's office regarding prosecution in district court	0.20	\$140.00	28.00	WRW



	Re: Court Street. Phone call to Ms. Jayne Hughes	0.10	\$140.00	14.00	WRW
	Re: Bales v. City. Legal research regarding selection of city's attorney; phone conference with Clerk Gard regarding same; received and reviewed e-mail from Clerk Gard regarding legal services agreement	0.70	\$140.00	98.00	WRW
	Re: Bales v. City. Telephone call to Attorney Campbell; review drafts of discovery responses; letter to Attorney Campbell; telephone conference with Mr. Gosack; letter to Mr. Gosack	0.90	\$140.00	126.00	DMC
Mar-26-14	Re: Fire Department. Phone conference with Chief Mike Richards regarding appeal (Bost); office conference with Chief Richards and Mr. Wally Bailey regarding same	1.20	\$140.00	168.00	WRW
	Re: Police Department. Phone conference with Chief Lindsey regarding presentation at Police Academy	0.40	\$140.00	56.00	WRW
	Re: City Administrator. Exchanged e-mails with City Administrator Gosack regarding animal services advisory board	0.20	\$140.00	28.00	WRW
	Re: Agenda. Reviewed and approved proposed agenda item	0.10	\$140.00	14.00	WRW
	Re: Bales v. City. Worked on file	0.50	\$140.00	70.00	WRW
	Re: City Clerk. Received and reviewed e-mail from Clerk Gard regarding Brothers Construction's assignment; phone conference with Clerk Gard regarding same	0.50	\$140.00	70.00	WRW
	Re: Zoning. Memo from Mr. Gosack regarding rezoning issues	0.10	\$140.00	14.00	JLC
Mar-27-14	Re: Bales v. City. Edited proposed motion for protective order	0.80	\$140.00	112.00	WRW
	Re: Agenda Items. Reviewed and approved several proposed agenda items	0.20	\$140.00	28.00	WRW
	Re: City Clerk. Phone conference with city clerk's office regarding assignment involving Brothers Construction and Citizens Bank	0.20	\$140.00	28.00	WRW
Mar-28-14	Re: Police Department. Exchanged e-mails with Major Dean Pitts regarding pedestrian injury by police	0.50	\$140.00	70.00	WRW
	Re: Agenda. Reviewed and approved several proposed agenda items	0.30	\$140.00	42.00	WRW
	Re: Planning. Exchanged e-mails with Mr.	1.90	\$140.00	266.00	WRW

	Wally Bailey regarding Juan's Tree Service; office conference with Attorney Canfield regarding same; worked on memo to Mr. Nkokheli, regarding legal research				
	Re: Sanitation. Conference with Attorney Wade to review research regarding composting operation	0.20	\$140.00	28.00	JLC
	Re: 150 Year Anniversary Committee. Review Arkansas law on nonprofits	1.00	\$140.00	140.00	MD
Mar-29-14	Re: Bales v. City. Review discovery responses; review documents produced; review FOIA responses and documents produced by City; draft portion of response to motion to compel	2.20	\$140.00	308.00	DMC
Mar-31-14	Re: Court Street. Exchanged e-mails with Ms. Jayne Hughes regarding agreement	0.30	\$140.00	42.00	WRW
	Re: Police Department. Phone conference with Major Dean Pitts regarding MOU with Arkansas State Police; phone conference with Corporal Sullivan (2) regarding same: phone conference with City Clerk	1.30	\$140.00	182.00	WRW
	Re: Sanitation. Continued working on legal memo regarding Juan's Tree Service	0.60	\$140.00	84.00	WRW
	Re: Bales v. City. Further document review; two letters from Mr. Jones; two letters to Mr. Jones; review documents and previous discovery responses; further draft and edit response to motion to compel (12 pages); two letters from Attorney Campbell; two letters to Attorney Campbell	5.40	\$140.00	756.00	DMC
	Re: Bales v. McCabe. Two letters from Attorney Campbell; letter from Attorney Campbell to Ms. McCabe; letter to Attorney Campbell	0.20	\$140.00	28.00	DMC
	Total Fees	136.90		<u>\$19,166.00</u>	

**EXPENSES INCURRED:**

Mar-04-14	04608	Expense Recovery	Photocopy Expense Re: Agenda items.	13.05
Mar-05-14	04609	Expense Recovery	Photocopy Expense Re: Berry.	130.20
	04610	Expense Recovery	Postage Expense Re: Berry.	6.72
Mar-06-14	46482	Monica Cortez	Re: Smith. Mileage to and from Van Buren to file Motion for Continuance	5.00
Mar-07-14	46484	Sebastian County Clerk	Re: HOME/Hilburn. Copies at Clerk's office during February	9.50

	46484	Sebastian County Clerk	Re: HOME/Rivera. Copies at Clerk's office during February	4.00
	46484	Sebastian County Clerk	Re: HOME/Barillas. Copies at Clerk's office during February	6.25
	46484	Sebastian County Clerk	Re: CDBG/Craigne. Copies at Clerk's office during February	1.50
	46484	Sebastian County Clerk	Re: CDBG/Hart. Copies at Clerk's office during February	4.50
	46484	Sebastian County Clerk	Re: CDBG/Williams. Copies at Clerk's office during February	2.25
Mar-13-14	46506	FedEx	Re: Berry. Shipment to 8th Circuit Court of Appeals	48.77
Mar-18-14	04619	Expense Recovery	Photocopy Expense Re: Agenda Items.	16.95
Mar-19-14	46527	Legal Assist, LC	Re: Don Paul Bales. Copy of transcript of trial for Civil Service Commission on December 5, 2013	147.00
		Total Expenses		\$395.69
		<b>Total Fees &amp; Expenses</b>		<b>\$19,561.69</b>

**TIMEKEEPER SUMMARY:**

			<b>Hours</b>	<b>Rate</b>	<b>Amount</b>
CTR	Colby T. Roe	Partner	9.90	\$140.00	\$1,386.00
DMC	Douglas M. Carson	Partner	48.10	\$140.00	\$6,734.00
JLC	Jerry L. Canfield	Partner	6.70	\$140.00	\$938.00
MD	Michael Daily	Partner	1.00	\$140.00	\$140.00
RRB	Robert R. Briggs	Partner	27.40	\$140.00	\$3,836.00
WRW	Wyman R. Wade, Jr.	Partner	43.80	\$140.00	\$6,132.00