



Date January 26, 2009

WHEREAS, on November 19, 2007, by Roll Call No. 07-2206, the City Council of the City of Des Moines approved retention of Chester C. (Trip) Woodburn III of Hansen, McClintock & Riley for the purpose of enforcing a contract for insurance held by the City; and

WHEREAS, the Hansen, McClintock & Riley law firm has submitted a billing in the amount of \$3,800.00 for services through December 22, 2008; and

WHEREAS, the Legal Department has reviewed the billing and recommends payment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that it approves the payment of \$3,800.00 to the Hansen, McClintock & Riley law firm.

Moved by _____ to adopt.

APPROVED AS TO FORM:

Handwritten signature of Carol J. Moser

Carol J. Moser
Assistant City Attorney

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, HENSLEY, KIERNAN, MAHAFFEY, MEYER, VLASSIS, and TOTAL.

MOTION CARRIED

APPROVED

Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

City Clerk

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LAW OFFICES
HANSEN, MCCLINTOCK & RILEY

JOHN A. MCCLINTOCK
 CHESTER C. WOODBURN III
 WILLIAM D. SCHERLE
 DAVID L. BROWN
 JOHN E. SWANSON
 AARON T. OLIVER
 ALEXANDER E. WONIO
 Email: info@hmrlawfirm.com

EIGHTH FLOOR - FLEMING BUILDING
 218 SIXTH AVENUE
DES MOINES, IOWA 50309-4092
 www.hmrlawfirm.com
 515-244-2141

December 22, 2008

HAEMER WHEATCRAFT
 (1904-1983)
 J. RUDOLPH HANSEN
 (1904-1995)
 RONALD A. RILEY
 (RETIRED)

FAX: 515-244-2931

Fed. Id. No. 42-0294627

City of Des Moines
 Legal Department
 400 Robert D. Ray Drive
 Des Moines, IA 50309

Invoice No.: 6600
Billed: 06/05/2008 to 12/22/2008
HMR Client No.: CITYDE / 00000 CCW
Total Due This Invoice: \$3,800.00

Re: City of Des Moines v. General Reinsurance Corp. & Genesis
 Underwriting
 Management Co.
 Breach of Contract/Denial of Coverage
 Date of Loss: January 12, 2005

For Professional Services Rendered

Hours

Amount

			<u>Hours</u>	<u>Amount</u>
06/05/2008	CCW	Revisions to Demand letter and Communication with Carol Moser re: use of EMC as Third-Party Administrator attorney fees and costs	2.80 hrs	350.00
06/16/2008	CCW	Review of Financial Information from Carol Moser re: fees and costs from the City accounting	2.10 hrs	262.50
06/17/2008	CCW	Research re: interest rate, review of spread sheets and communication with Carol Moser re: demand	0.60 hrs	75.00
06/17/2008	CCW	Research on Interest issue and communication with Carol Moser re: interest on \$200,000.00	1.80 hrs	225.00
06/18/2008	CCW	Communication with Carol Moser re: interest demand	0.20 hrs	25.00
06/18/2008	CCW	Research on liquidated damage interest rate	1.30 hrs	162.50
06/20/2008	CCW	Revisions to demand letter	0.80 hrs	100.00
06/20/2008	CCW	Letter to Carol Moser re: revisions to demand letter	0.20 hrs	25.00
06/27/2008	CCW	Review of city calculation re: basis for interest and communication with Carol Moser requesting simplified interest calculation to forward to attorney for General Reinsurance	0.80 hrs	100.00
07/02/2008	CCW	Review of letter from Carol Moser re: invoice and spreadsheet	0.10 hrs	12.50
07/02/2008	CCW	Review of invoice and spreadsheet information Carol Moser forwarded	1.00 hrs	125.00
07/02/2008	CCW	Completed letter to Patrick McNulty re: settlement offer	1.00 hrs	125.00
07/03/2008	CCW	Communication with Pat McNulty re: request for itemization of attorney fees	0.30 hrs	37.50

Client/Matter No.:	CITYDE 00000	Invoice #	6600	33
City of DM/General Reinsurance				
07/21/2008	CCW	Review of letter from Patrick McNulty re: requesting an itemized statement of attorney fees	0.10 hrs	12.50
07/21/2008	CCW	Communication with Pat McNulty and communication with Carol Moser	0.30 hrs	37.50
07/21/2008	CCW	Research re: potential waiver of privileges if attorney fees and/or interest not made part of settlement	2.10 hrs	262.50
07/21/2008	CCW	Communication with Carol Moser re: research	0.20 hrs	25.00
07/31/2008	CCW	Communication with Carol Moser re: providing attorney fee for General Reinsurance and redacted fee statement	0.20 hrs	25.00
08/04/2008	CCW	Communication with Carol Moser re: redacted fee statement	0.10 hrs	12.50
08/14/2008	CCW	Communication with Carol Moser re: new interest calculation	0.20 hrs	25.00
08/14/2008	CCW	Communication with General Reinsurance attorney re: new interest calculation	0.20 hrs	25.00
08/17/2008	CCW	Communication with General Reinsurance attorney re: recalculation of interest	0.20 hrs	25.00
08/20/2008	CCW	Review of new interest calculations	0.30 hrs	37.50
08/20/2008	CCW	Communication with Carol Moser re: new interest calculation and redacted fee statement	0.50 hrs	62.50
08/27/2008	CCW	Communication with Carol Moser re: interest figures and July invoices to be sent to General Reinsurance or Genesis	0.40 hrs	50.00
08/28/2008	CCW	Communication with Carol Moser re: June and July invoices and total amount due	0.40 hrs	50.00
08/28/2008	CCW	Review of June and July invoices and sending all invoices to Genesis as they became due	0.50 hrs	62.50
08/29/2008	CCW	Completed letter to Pat McNulty re: final amount for fees, expenses and interest	0.50 hrs	62.50
09/08/2008	CCW	Communication with Pat McNulty re: time line for responses to settlement demand	0.40 hrs	50.00
09/08/2008	CCW	Communication with Carol Moser re: time line for responses to settlement demand	0.20 hrs	25.00
09/18/2008	CCW	Communication with attorney for General Reinsurance and Genesis re: status of settlement negotiations and his request for itemized fee bill	0.60 hrs	75.00
09/18/2008	CCW	Review of fee bill and preparation of redacted bill to forward to Pat McNulty	0.80 hrs	100.00
09/24/2008	CCW	Communication with Pat McNulty re: City concern on itemized fee bill and bad faith claim	0.80 hrs	100.00
09/24/2008	CCW	Communication with Carol Moser re: itemized fee bill and bad faith claim	0.20 hrs	25.00
09/25/2008	CCW	Communication with Pat McNulty re: redaction of name of potential deponent from fee bill	0.10 hrs	12.50
10/15/2008	CCW	Preparation of redacted bill and communication with Carol Moser	0.70 hrs	87.50
10/15/2008	CCW	Communication with Carol Moser re: redaction of bill and inquiry about interests for August and September invoices	0.40 hrs	50.00
10/16/2008	CCW	Communication with Carol Moser re: settlement	0.20 hrs	25.00

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Client/Matter No.: CITYDE 00000

Invoice # 6600

City of DM/General Reinsurance

Date	Case	Description	Hours	Amount
10/16/2008	CCW	Communication with Carol Moser re: Witness Kathy Gorem; September and October invoices amounts to be included in final settlement and preparation of supplement to demand letter	1.00 hrs	125.00
10/17/2008	CCW	Review of damage calculations and letter to McNulty re: money due through September	0.80 hrs	100.00
10/17/2008	CCW	Communication with Pat McNulty re: presentation of final settlement and redacted fee bill	0.20 hrs	25.00
10/30/2008	CCW	Communication with Pat McNulty re: status of settlement	0.20 hrs	25.00
10/30/2008	CCW	Communication with Carol Moser re: status on settlement	0.20 hrs	25.00
11/10/2008	CCW	Review of letter from Pat McNulty re: settlement documents and settlement checks	0.20 hrs	25.00
11/10/2008	CCW	Review of Release and Dismissals from Pat McNulty	0.80 hrs	100.00
11/11/2008	CCW	Letter to Carol Moser re: First Drafts of Settlement documents	0.10 hrs	12.50
11/11/2008	CCW	Communication with Carol Moser re: Release from Pat McNulty	0.10 hrs	12.50
11/12/2008	CCW	Communication with Carol Moser and Pat McNulty re: our revisions to Release language and settlement to be presented to City Council on November 24, 2008	1.20 hrs	150.00
11/13/2008	CCW	Communication with Pat McNulty re: agreement to revisions to Release	0.20 hrs	25.00
11/14/2008	CCW	Letter to Carol Moser re: Revised Settlement and Release	0.10 hrs	12.50
11/14/2008	CCW	Review of letter from Pat McNulty re: Revised Settlement and Release	0.10 hrs	12.50
11/14/2008	CCW	Review of revised Release and forwarded to Carol Moser	0.40 hrs	50.00
12/01/2008	CCW	Review of letter from Carol Moser re: settlement agreement	0.10 hrs	12.50
12/01/2008	CCW	Review of signed and executed Settlement Agreement, signed by the City of Des Moines	0.10 hrs	12.50
12/01/2008	CCW	Letter to Patrick McNulty re: settlement and release	0.10 hrs	12.50
12/01/2008	CCW	Preparation of Dismissal with Prejudice	0.20 hrs	25.00
12/11/2008	CCW	Review of letter from Pat McNulty re: fully executed release	0.10 hrs	12.50
12/11/2008	CCW	Review of fully executed Settlement and Release Agreement	0.10 hrs	12.50
12/11/2008	CCW	Communication with Carol Moser and Bruce Bergman Re: City's receipt of settlement money and for warding a fully executed copy of settlement to City	0.30 hrs	37.50
12/15/2008	CCW	Communication with Bruce Bergman re: conformation that Des Moines has received settlement checks.	0.20 hrs	25.00
Total Fees:				\$3,800.00

Total Current Charges

\$3,800.00

Billing Summary

Timekeeper Summary

Partner	Hours	Rate	Amount
Chester C. Woodburn III	30.40	\$125.00 /Hr	\$3,800.00

Client/Matter No.: CITYDE 00000

Invoice # 6600

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City of DM/General Reinsurance

Total Fees

30.40

\$3,800.00

Total Charges for This Bill

\$3,800.00