

.....  
Date..... February 12, 2007

**RESOLUTION APPROVING PAYMENT OF BILLINGS FROM THE MYERS & JENKINS LAW FIRM RETAINED TO REPRESENT THE CITY IN THE UAL CORPORATION, ATA HOLDINGS CORP., DELTA AIR LINES, INC., et. al. (COMAIR, INC.) AND NORTHWEST AIRLINES CORPORATION, et. al. BANKRUPTCIES**

WHEREAS, on September 20, 1993, by Roll Call No. 93-3490, the Des Moines City Council approved Ordinance 12,040 assigning certain rights and responsibilities pertaining to the Airport to the Des Moines International Airport Board; and

WHEREAS, Section 2-362.09 of the Municipal Code provides that the City shall utilize services of the city, including but not limited to, aviation services, (including airfield, building, ground, operation and maintenance services), engineering services, personnel services, legal services, accounting services, payroll services, property acquisition services, public improvement design services, contract procurement and administrative services, purchasing services, financial services, fire services (excluding priority Aircraft Rescue and Fire Fighting Services), police services and general administration services, to administer, operate and maintain the airport, provided however, that if the board and city manager jointly agree that the city cannot provide the expertise, extra-ordinary effort, or special resources required for a particular project, the board may acquire and utilize outside services to accomplish such project; and

WHEREAS, the Legal Department recommended that outside counsel be retained to represent the City in the UAL Corporation, ATA Holdings, Corp., Delta Air Lines, Inc., et al. (Comair, Inc.) and Northwest Airlines Corporation, et. al. bankruptcies; and

WHEREAS, the Airport Board authorized the hiring of William Jenkins and the law firm of Myers & Jenkins to represent the City of Des Moines in the UAL Corporation bankruptcy by Resolution No. A02-276, and further authorized the City Attorney to retain local counsel in Illinois, authorized the hiring of William Jenkins and the law firm of Myers & Jenkins to represent the City of Des Moines in the ATA Holdings Corp. bankruptcy by Resolution No. A04-221, and further authorized the City Attorney to retain local counsel in Indiana; authorized the hiring of Williams Jenkins and the law firm of Myers & Jenkins to represent the City of Des Moines in the Delta Air Lines, Inc., et. al. (Comair, Inc.) and Northwest Airlines Corporation, et. al. bankruptcies by Resolution No. A-05-253 and approved correction of the hourly rate by Resolution No. A-05-294; and

WHEREAS, the Tishler & Wald, Ltd. law firm was retained as local counsel for the UAL Corporation bankruptcy and the Barnes & Thornburg, LLP law firm was retained as local counsel for the ATA Holdings Corp. bankruptcy; and

★ **Roll Call Number**

Agenda Item Number

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Date..... February 12, 2007

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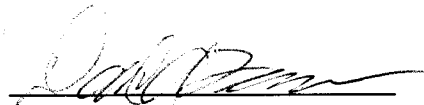
WHEREAS, billings have been received from Myers & Jenkins in the amount of \$3,573.20 through January 24, 2007; and

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

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Des Moines, Iowa, that it hereby approves the payment of \$3,573.20 to the law firm of Myers & Jenkins and authorizes the Finance Department to submit payment for the invoices.

Moved by \_\_\_\_\_ to adopt.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
David Ferree  
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
COLEMAN				
HENSLEY				
KIERNAN				
MAHAFFEY				
MEYER				
VLASSIS				
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

STATEMENT

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# Myers & Jenkins

A PROFESSIONAL CORPORATION  
LAW OFFICES

Phoenix Corporate Center  
3003 North Central Avenue  
Suite 1900  
Phoenix, Arizona 85012

Telephone: 602-200-7900  
Facsimile: 602-200-7910  
E-mail: ab@mjlegal.com  
Federal Tax Id. 86-0476704

January 26, 2007

City of Des Moines  
Mr. David Ferree  
Legal Department  
400 East First Street  
Des Moines, IA 50309

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In Reference To: City of Des Moines re ATA (Chicago Express)

Account No. 4422-004

Invoice # 25490

For Services Rendered Through January 24, 2007

	<u>Hours</u>	<u>Amount</u>
1/8/2007 BAK Print weekly dockets;	0.20	19.00
1/17/2007 BAK Print weekly docket;	0.20	19.00
1/22/2007 BAK Print weekly docket;	0.20	19.00
	<hr/>	<hr/>
For professional services rendered	0.60	\$57.00
Additional Charges :		
Pacer - District Court Research		0.50
Total costs		<hr/> \$0.50
Total amount of this bill		<hr/> \$57.50
Previous balance		\$57.00
Balance due		<hr/> <hr/> \$114.50

This Statement does not include charges for telephone calls or other expenses incurred during the period covered by this billing and not yet received by this office.

January 26, 2007

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City of Des Moines

City of Des Moines re ATA

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Beverly A. Kane	0.60	95.00	\$57.00

<u>Current</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>120+ Days</u>
\$57.50	\$57.00	\$0.00	\$0.00	\$0.00

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## Myers &amp; Jenkins

A PROFESSIONAL CORPORATION  
LAW OFFICESPhoenix Corporate Center  
3003 North Central Avenue  
Suite 1900  
Phoenix, Arizona 85012Telephone: 602-200-7900  
Facsimile: 602-200-7910  
E-mail: ab@mjlegal.com  
Federal Tax Id. 86-0476704

January 26, 2007

City of Des Moines  
Mr. David Ferree  
Legal Department  
400 East First Street  
Des Moines, IA 50309

In Reference To: Delta Airlines

Account No. 4422-005

Invoice # 25491

For Services Rendered Through January 24, 2007

		<u>Hours</u>	<u>Amount</u>
12/27/2006	JS Review docket;	0.20	33.00
1/3/2007	WSJ Conference with Mr. Steinberg; Review Executory Contract Provisions of Disclosure Statement and proposed Plan of Reorganization; Second Conference with Mr. Steinberg re follow up on certain matters relative to Disclosure Statement and Plan;	1.20	270.00
	JS Two conferences with Mr. Jenkins; Review docket;	0.30	49.50
1/4/2007	WSJ Continue review of Disclosure Statement and Plan as it relates to City;	0.70	157.50
1/8/2007	JS Review docket;	0.20	33.00
1/9/2007	JS E-mail correspondence with Airport Consortium's Counsel; Conference with Mr. Jenkins;	0.20	33.00
	WSJ Conference with Mr. Steinberg re his telephone conference with airport counsel; Receive and review e-mail from Airport Consortium's counsel;	0.20	45.00
1/10/2007	WSJ E-mail from David Ferree; E-mail to David Ferree; Second e-mail from David Ferree;	0.30	67.50
1/11/2007	JS Conference call with various airport counsel; Conference with Mr. Jenkins; Receive and review various strategy E-mails from airport counsel regarding the Disclosure Statement and Debtor's Plan;	1.50	247.50



January 26, 2007

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City of Des Moines

Delta Airlines

Additional Charges :

	<u>Amount</u>
Pacer - District Court Research	42.20
Total costs	<u>\$42.20</u>
Total amount of this bill	<u>\$2,548.70</u>
Previous balance	\$138.00
Balance due	<u><u>\$2,686.70</u></u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	6.30	225.00	\$1,417.50
Jase Steinberg	6.60	165.00	\$1,089.00

<u>Current</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>120+ Days</u>
\$2,548.70	\$138.00	\$0.00	\$0.00	\$0.00

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STATEMENT

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# Myers & Jenkins

A PROFESSIONAL CORPORATION  
LAW OFFICES

Phoenix Corporate Center  
3003 North Central Avenue  
Suite 1900  
Phoenix, Arizona 85012

Telephone: 602-200-7900  
Facsimile: 602-200-7910  
E-mail: ab@mjlegal.com  
Federal Tax Id. 86-0476704

January 26, 2007

City of Des Moines  
Mr. David Ferree  
Legal Department  
400 East First Street  
Des Moines, IA 50309

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In Reference To: Mesaba

Account No. 4422-007

Invoice # 25492

For Services Rendered Through January 24, 2007

	<u>Hours</u>	<u>Amount</u>
12/27/2006 JS    Review docket;	0.10	16.50
1/3/2007 JS     Review docket;	0.10	16.50
1/8/2007 JS     Review docket;	0.10	16.50
1/16/2007 JS    Review docket;	0.10	16.50
1/23/2007 JS    Review docket	0.10	16.50
For professional services rendered	0.50	\$82.50
Additional Charges :		
Pacer - District Court Research		7.80
Total costs		\$7.80
Total amount of this bill		\$90.30
Previous balance		\$84.00
Balance due		\$174.30

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this office.



January 26, 2007  
City of Des Moines  
Mesaba

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Jase Steinberg	0.50	165.00	\$82.50

<u>Current</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>120+ Days</u>
\$90.30	\$84.00	\$0.00	\$0.00	\$0.00

## Myers &amp; Jenkins

A PROFESSIONAL CORPORATION  
LAW OFFICESPhoenix Corporate Center  
3003 North Central Avenue  
Suite 1900  
Phoenix, Arizona 85012

January 26, 2007

Telephone: 602-200-7900  
Facsimile: 602-200-7910  
E-mail: ab@mjlegal.com  
Federal Tax Id. 86-0476704City of Des Moines  
Mr. David Ferree  
Legal Department  
400 East First Street  
Des Moines, IA 50309

In Reference To: Northwest Airlines

Account No. 4422-006

Invoice # 25493

For Services Rendered Through January 24, 2007

			<u>Hours</u>	<u>Amount</u>
12/20/2006	WSJ	Receive and review new pleadings;	0.20	45.00
12/27/2006	JS	Review docket;	0.10	16.50
12/28/2006	WSJ	Receive and review new pleadings;	0.20	45.00
12/29/2006	JS	Review Debtor's Motion for Order authorizing a new fuel Lease with the city of Detroit;	0.20	33.00
	WSJ	Receive and review new pleadings;	0.20	45.00
1/3/2007	JS	Review docket;	0.10	16.50
1/4/2007	WSJ	Receive and review new pleadings;	0.10	22.50
1/5/2007	WSJ	Receive and review new pleadings;	0.40	90.00
1/8/2007	JS	Review docket; Review various claims objections;	0.30	49.50
	WSJ	Receive and review new pleadings;	0.30	67.50
1/10/2007	WSJ	Receive and review new pleadings;	0.20	45.00
1/16/2007	WSJ	Receive and review new pleadings;	0.20	45.00
	JS	Review docket; Review Plan; Review Motion and order extending Disclosure Statement deadline;	0.40	66.00
1/17/2007	WSJ	Receive and review new pleadings;	0.10	22.50
1/18/2007	WSJ	Receive and review new pleadings;	0.20	45.00
1/23/2007	JS	Review docket;	0.10	16.50
For professional services rendered			3.30	\$670.50

January 26, 2007

City of Des Moines

Northwest Airlines

Additional Charges :

	<u>Amount</u>
Pacer - District Court Research	42.20
Total costs	<u>\$42.20</u>
Total amount of this bill	\$712.70
Previous balance	\$903.00
Balance due	<u><u>\$1,615.70</u></u>

Timekeeper Summary

Name	Hours	Rate	Amount
William Scott Jenkins	2.10	225.00	\$472.50
Jase Steinberg	1.20	165.00	\$198.00

Current	30 Days	60 Days	90 Days	120+ Days
\$712.70	\$903.00	\$0.00	\$0.00	\$0.00

STATEMENT

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# Myers & Jenkins

A PROFESSIONAL CORPORATION  
LAW OFFICES

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Federal Tax Id. 86-0476704

January 26, 2007

City of Des Moines  
Mr. David Ferree  
Legal Department  
400 East First Street  
Des Moines, IA 50309

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In Reference To: United Airlines

Account No. 4422-003

Invoice # 25494

For Services Rendered Through January 24, 2007

	<u>Hours</u>	<u>Amount</u>
12/29/2006 WSJ Receive and review new pleadings; Telephone conference with Kathy Vanderpool and Tim Stiles;	0.40	86.00
1/8/2007 BAK Print weekly dockets;	0.20	18.00
1/17/2007 BAK Print weekly docket;	0.20	18.00
1/22/2007 BAK Print weekly docket;	0.20	18.00
For professional services rendered	1.00	\$140.00
Additional Charges :		
Pacer - District Court Research		24.00
Total costs		\$24.00
Total amount of this bill		\$164.00
Previous balance		\$54.00
Balance due		<u>\$218.00</u>

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City of Des Moines

United Airlines

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.40	215.00	\$86.00
Beverly A. Kane	0.60	90.00	\$54.00

<u>Current</u>	<u>30 Days</u>	<u>60 Days</u>	<u>90 Days</u>	<u>120+ Days</u>
\$164.00	\$54.00	\$0.00	\$0.00	\$0.00

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