

Date..... March 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

26

Date March 12, 2007

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WHEREAS, billings have been received from Myers & Jenkins in the amount of \$2,996.00 through February 19, 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 \$2,996.00 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				
VLISSIS				
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

Myers & Jenkins

A PROFESSIONAL CORPORATION

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

Telephone (602) 200-7900
Facsimile (602) 200-7910
E-mail wsj@mjlegal.com

William Scott Jenkins

February 21, 2007

**VIA FACSIMILE – (515) 256-5025
& Regular Mail**

David Ferree
City of Des Moines
Legal Department
400 East First Street
Des Moines, Iowa 50309-1891

**Re: UAL Corporation, ATA Holdings Corp., Delta Airlines, Inc., Mesaba
Airlines, Northwest Airlines**

Dear David:

Please find attached this firm's interim statements dated February 20, 2007 for services rendered and costs incurred through February 19, 2007 in the above-referenced matters. Should you have any questions, please feel free to call.

Very truly yours,



William Scott Jenkins

WSJ:ah
Attachments

Myers & Jenkins

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

February 20, 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: Mesaba

Account No. 4422-007

Invoice # 25676

For Services Rendered Through February 19, 2007

		<u>Hours</u>	<u>Amount</u>
1/29/2007	JS Review docket; Review Disclosure Statement and Plan;	1.00	165.00
1/30/2007	WSJ Conference with Mr. Steinberg re his review of Debtor's Disclosure Statement and proposed Plan of Reorganization;	0.20	45.00
	JS Conference with Mr. Jenkins re Disclosure Statement and Plan;	0.20	33.00
1/31/2007	JS Draft memo to file analyzing Plan; Conference with Mr. Jenkins;	1.20	198.00
	WSJ Conference with Mr. Steinberg;	0.20	45.00
2/5/2007	WSJ Conference with Mr. Steinberg re service of Disclosure Statement and Plan;	0.10	22.50
	JS Review docket; Conference with Mr. Jenkins;	0.30	49.50
2/6/2007	JS Review two proposed stock purchase agreements related to the Northwest purchase of Mesaba;	0.50	82.50
2/7/2007	JS Telephone call from Mesaba counsel;	0.20	33.00
2/8/2007	JS Conference with Mr. Jenkins;	0.10	16.50
	WSJ Conference with Mr. Steinberg re his telephone conference with Debtor's counsel; Telephone conference with David Ferree's office; Telephone conference with David Ferree;	0.30	67.50
2/12/2007	JS Review Docket; Review Debtor's Motion to Approve Disclosure Statement; Draft letter to Debtor's counsel;	0.60	99.00
2/13/2007	JS Finalize letter to Debtor's counsel;	0.20	33.00
	WSJ Review Letter to Debtors counsel;	0.10	22.50

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February 20, 2007
City of Des Moines
Mesaba

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	5.20	\$912.00
Additional Charges :		
Fax Expense		<u>2.00</u>
Total costs		\$2.00
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Total amount of this bill		\$914.00
Previous balance		\$174.30
1/30/2007 Payment - Thank You. Check No. 210035		(\$84.00)
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Total payments and adjustments		(\$84.00)
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Balance due		<u><u>\$1,004.30</u></u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.90	225.00	\$202.50
Jase Steinberg	4.30	165.00	\$709.50

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.

Myers & Jenkins

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

February 20, 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 # 25677

For Services Rendered Through February 19, 2007

	<u>Hours</u>	<u>Amount</u>
12/21/2006 WSJ Receive and review new pleadings;	0.30	67.50
12/22/2006 WSJ Receive and review new pleadings;	0.30	67.50
1/12/2007 WSJ Receive and review new pleadings;	1.70	382.50
1/26/2007 WSJ Receive and review new pleadings;	0.20	45.00
1/29/2007 JS Review docket;	0.10	16.50
2/5/2007 WSJ Receive and review new pleadings;	0.10	22.50
JS Review docket;	0.20	33.00
2/9/2007 WSJ Receive and review new pleadings;	0.20	45.00
2/12/2007 JS Review docket;	0.20	33.00
2/15/2007 WSJ Two (2) e-mails from Jack Phillips;	0.20	45.00
For professional services rendered	3.50	\$757.50
Previous balance		\$1,615.70
1/30/2007 Payment - Thank You. Check No. 210035		(\$903.00)
Total payments and adjustments		(\$903.00)
Balance due		<u><u>\$1,470.20</u></u>

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February 20, 2007
City of Des Moines
Northwest Airlines

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	3.00	225.00	\$675.00
Jase Steinberg	0.50	165.00	\$82.50

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STATEMENT

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

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Phoenix 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

February 20, 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 # 25680

For Services Rendered Through February 19, 2007

		<u>Hours</u>	<u>Amount</u>
1/25/2007	WSJ Review various e-mails from airport counsel re continuing negotiations with Delta's counsel over Disclosure Statement and Plan; Conference with Mr. Steinberg;	0.90	202.50
	JS Conference with Mr. Jenkins; E-mail correspondence with consortium counsel;	0.20	33.00
1/26/2007	WSJ Receive and review communications from airport counsel; Letter to David Ferree;	0.80	180.00
1/29/2007	JS Review E-mail correspondence among various airport counsel; Review Issue update Memo regarding Debtor's Plan; Review docket; Review Objection to Plan Filed by LAX;	0.80	132.00
1/30/2007	JS Review E-mail correspondence with consortium counsel; Review Debtor's proposed Amended Plan Language; Conference with Mr. Jenkins; Telephone call to David Ferree;	0.70	115.50
	WSJ Conference with Mr. Steinberg re status of airport counsel's discussions with Debtor's counsel;	0.30	67.50
1/31/2007	JS Telephone call to consortium counsel; Conference with Mr. Jenkins;	0.20	33.00
	WSJ Conference with Mr. Steinberg;	0.10	22.50
2/5/2007	WSJ Conference with Mr. Steinberg re status of airport negotiations with Debtor's counsel re Disclosure Statement and Plan;	0.10	22.50

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February 20, 2007
City of Des Moines
Delta Airlines

	<u>Hours</u>	<u>Amount</u>
2/5/2007 JS Review docket; Download and review the Debtor's revised Disclosure Statement and Plan;	1.80	297.00
2/12/2007 JS Review Docket;	0.10	16.50
For professional services rendered	6.00	\$1,122.00
Previous balance		\$2,686.70
1/30/2007 Payment - Thank You. Check No. 210035		(\$138.00)
Total payments and adjustments		(\$138.00)
Balance due		<u>\$3,670.70</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	2.20	225.00	\$495.00
Jase Steinberg	3.80	165.00	\$627.00

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

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

February 20, 2007

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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: United Airlines

Account No. 4422-003

Invoice # 25678

For Services Rendered Through February 19, 2007

	<u>Hours</u>	<u>Amount</u>
1/29/2007 BAK Print weekly docket;	0.20	18.00
2/5/2007 BAK Print weekly docket;	0.20	18.00
2/6/2007 WSJ Conference with Mr. Steinberg; Review letter to UAL counsel;	0.10	21.50
JS Receive fax from David Ferree; Letter to Debtor's counsel;	0.40	68.00
2/12/2007 BAK Print weekly docket;	0.20	18.00
For professional services rendered	1.10	\$143.50
Additional Charges :		
Fax Expense		1.00
Total costs		\$1.00
Total amount of this bill		\$144.50
Previous balance		\$218.00
1/30/2007 Payment - Thank You. Check No. 210035		(\$54.00)
Total payments and adjustments		(\$54.00)

February 20, 2007
City of Des Moines
United Airlines

	<u>Amount</u>
	<u> </u>
Balance due	<u><u>\$308.50</u></u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.10	215.00	\$21.50
Jase Steinberg	0.40	170.00	\$68.00
Beverly A. Kane	0.60	90.00	\$54.00

STATEMENT

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

26

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

February 20, 2007

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

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

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

Account No. 4422-004

Invoice # 25674

For Services Rendered Through February 19, 2007

	<u>Hours</u>	<u>Amount</u>
1/29/2007 BAK Print weekly docket;	0.20	19.00
2/5/2007 BAK Print weekly docket;	0.20	19.00
2/12/2007 BAK Print weekly docket;	0.20	19.00
For professional services rendered	<u>0.60</u>	<u>\$57.00</u>
Additional Charges :		
Fax Expense		<u>1.00</u>
Total costs		\$1.00
<hr/>		
Total amount of this bill		\$58.00
Previous balance		\$114.50
1/30/2007 Payment - Thank You. Check No. 210035		<u>(\$57.00)</u>
Total payments and adjustments		<u>(\$57.00)</u>
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Balance due		<u><u>\$115.50</u></u>

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February 20, 2007

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

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