

Date April 7, 2008

**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

**Date** April 7, 2008

WHEREAS, billings have been received from Myers & Jenkins in the amount of \$441.06 through March 20, 2008; 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 \$441.06 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				
<b>TOTAL</b>				

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

## 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

March 20, 2008

City 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 # 27876

For Services Rendered Through March 19, 2008

	<u>Hours</u>	<u>Amount</u>
2/25/2008 JS Check docket;	0.10	16.50
3/4/2008 JS Check docket;	0.10	16.50
3/10/2008 JS Check docket;	0.10	16.50
3/17/2008 JS Check docket;	0.10	16.50
For professional services rendered	0.40	\$66.00
Previous balance		\$115.50
2/29/2008 Payment - Thank You. Check No. 00239122		(\$33.00)
Total payments and adjustments		(\$33.00)
Balance due		\$148.50

## Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Jase Steinberg	0.40	165.00	\$66.00

## STATEMENT

## 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

March 20, 2008

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 # 27875

For Services Rendered Through March 19, 2008

	<u>Hours</u>	<u>Amount</u>
2/25/2008 JS Check docket;	0.10	16.50
3/4/2008 JS Check docket;	0.10	16.50
3/10/2008 JS Check docket;	0.10	16.50
3/17/2008 JS Check docket;	0.10	16.50
For professional services rendered	0.40	\$66.00
Previous balance		\$119.80
2/29/2008 Payment - Thank You. Check No. 00239122		(\$33.00)
Total payments and adjustments		(\$33.00)
Balance due		\$152.80

## Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Jase Steinberg	0.40	165.00	\$66.00

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 &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

March 20, 2008

City 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 # 27877

For Services Rendered Through March 19, 2008

	<u>Hours</u>	<u>Amount</u>
2/25/2008 JS Check docket;	0.10	16.50
3/4/2008 JS Check docket;	0.10	16.50
3/10/2008 JS Check docket;	0.10	16.50
3/17/2008 JS Check docket;	0.10	16.50
For professional services rendered	0.40	\$66.00
Previous balance		\$193.50
Balance due		<u>\$259.50</u>

## Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Jase Steinberg	0.40	165.00	\$66.00

## STATEMENT

## Myers &amp; Jenkins

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

March 20, 2008

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: City of Des Moines re ATA (Chicago Express)

Account No. 4422-004

Invoice # 27874

For Services Rendered Through March 19, 2008

	<u>Hours</u>	<u>Amount</u>
2/29/2008 JS E-mail correspondence to and from Wendy Brewer; Conference with Mr. Jenkins;	0.30	49.50
WSJ E-mail from local counsel; Conference with Mr. Steinberg re follow-up;	0.30	67.50
3/4/2008 WSJ Fax from David Ferree; Telephone conference with David Ferree's office; Conference with Mr. Steinberg;	0.40	90.00
JS Conference with Mr. Jenkins; E-mail to Wendy Brewer;	0.20	33.00
	<u>1.20</u>	<u>\$240.00</u>
For professional services rendered		
Additional Charges :		
Fax Expense		3.00
Long Distance Expense		0.06
Total costs		<u>\$3.06</u>
Total amount of this bill		<u>\$243.06</u>
Previous balance		\$1.00
1/2/2008 Payment - Thank You. Check No. 00234140		(\$1.00)
Total payments and adjustments		<u>(\$1.00)</u>

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this office.

March 20, 2008

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City of Des Moines

City of Des Moines re ATA  
(Chicago Express)

	<u>Amount</u>
Balance due	<u>\$243.06</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.70	225.00	\$157.50
Jase Steinberg	0.50	165.00	\$82.50