

Date April 10, 2006

**RESOLUTION APPROVING PAYMENT OF BILLINGS FROM MYERS & JENKINS  
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

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Date April 10, 2006

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WHEREAS, billings have been received from Myers & Jenkins in the amount of \$3,786.50 through March 17, 2006; 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 \$3,786.50 Myers & Jenkins and authorizes the Finance Department to submit payment for the invoices.

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

APPROVED AS TO FORM:



Kathleen Vanderpool  
Deputy City Attorney

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

**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.

MOTION CARRIED

APPROVED

.....Mayor

\_\_\_\_\_  
City Clerk

STATEMENT

# 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

March 20, 2006

City of Des Moines  
Legal Department  
400 East First Street  
Des Moines, IA 50309  
Kathy Vanderpool

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

Account No. 4422-004

For Services Rendered Through March 17, 2006

Professional Services

		<u>Hours</u>	<u>Amount</u>
2/21/2006	BAK Print weekly docket;	0.20	19.00
2/27/2006	BAK Print weekly docket;	0.20	19.00
3/3/2006	WSJ Receive and review e-mail from Wendy Brewer re objection to City's Proof of Claim; Conference with Mr. Steinberg; Second Conference with Mr. Steinberg re Kathy Vanderpool's response on status of contingent claims;	0.50	112.50
	JS E-mail Correspondence with Wendy Brewer; Conference with Mr. Jenkins re Contingent administrative claim; Telephone call to Wendy Brewer; E-mail Correspondence with Kathy Vanderpool; Second conference with Mr. Jenkins; Further E-mail correspondence with Kathy Vanderpool and Wendy Brewer;	0.70	115.50
3/6/2006	BAK Print weekly docket;	0.20	19.00
3/9/2006	WSJ E-mail from Kathy Vanderpool; Conference with Mr. Steinberg;	0.30	67.50
	JS Receive and review Notice of Confirmation of Order; Conference with Mr. Jenkins; Telephone conference to local counsel;	0.40	66.00
3/13/2006	BAK Print weekly docket;	0.20	19.00

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.

March 20, 2006  
 City of Des Moines  
 City of Des Moines re ATA

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	2.70	\$437.50
Additional Charges :		
Fax Expense		<u>3.50</u>
Total costs		\$3.50
<hr/>		
Total amount of this bill		\$441.00
Previous balance		\$130.00
3/20/2006 Payment - Thank You. Check No. 185600		<u>(\$130.00)</u>
Total payments and adjustments		(\$130.00)
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Balance due		<u><u>\$441.00</u></u>

Timekeeper Summary

Name	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.80	225.00	\$180.00
Jase Steinberg	1.10	165.00	\$181.50
Beverly A. Kane	0.80	95.00	\$76.00

STATEMENT

# Myers & Jenkins

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LAW OFFICES

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E-mail: ab@mjlegal.com  
Federal Tax Id. 86-0476704

March 20, 2006

City of Des Moines  
Legal Department  
400 East First Street  
Des Moines, IA 50309  
Kathy Vanderpool

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In Reference To: Delta Airlines

Account No. 4422-005

For Services Rendered Through March 17, 2006

### Professional Services

	<u>Hours</u>	<u>Amount</u>
2/21/2006 JS Check docket;	0.10	16.50
2/27/2006 JS Review Docket;	0.20	33.00
3/1/2006 JS Check Bar date;	0.10	16.50
3/7/2006 JS Review docket;	0.10	16.50
3/14/2006 JS Review docket;	0.10	16.50
For professional services rendered	0.60	\$99.00
Previous balance		\$175.00
3/20/2006 Payment - Thank You. Check No. 185600		(\$175.00)
Total payments and adjustments		(\$175.00)
Balance due		<u><u>\$99.00</u></u>

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March 20, 2006  
City of Des Moines  
Delta Airlines

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Jase Steinberg	0.60	165.00	\$99.00

STATEMENT

# Myers & Jenkins

A PROFESSIONAL CORPORATION  
LAW OFFICES

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E-mail: ab@mjlegal.com  
Federal Tax Id. 86-0476704

March 20, 2006

City of Des Moines  
Legal Department  
400 East First Street  
Des Moines, IA 50309  
Kathy Vanderpool

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In Reference To: Mesaba

Account No. 4422-007

For Services Rendered Through March 17, 2006

### Professional Services

	<u>Hours</u>	<u>Amount</u>
2/21/2006 JS Check docket;	0.10	16.50
2/27/2006 JS Review Docket;	0.10	16.50
2/28/2006 WSJ Conference with Mr. Steinberg re Proof of Claim;	0.10	22.50
JS Letter to Kathy Vanderpool;	0.30	49.50
3/7/2006 JS Review docket;	0.10	16.50
3/8/2006 WSJ E-mail from Kathy Vanderpool;	0.10	22.50
3/9/2006 JS Prepare proof of claim; E-mail to Kathy Vanderpool;	1.10	181.50
Conference with Mr. Jenkins; Further E-mail correspondence with Kathy Vanderpool;		
3/14/2006 JS Review docket; Receive and review lease documents from Kathy Vanderpool	0.20	33.00
WSJ Conference with Mr. Steinberg;	0.10	22.50
3/15/2006 JS Review Affiliate Agreement; E-mail to Kathy Vanderpool;	0.30	49.50
3/16/2006 JS Revise Proof of claim;	0.40	66.00
	<hr/>	<hr/>
For professional services rendered	2.90	\$496.50
Previous balance		\$99.00
3/20/2006 Payment - Thank You. Check No. 185600		(\$99.00)
		<hr/>
Total payments and adjustments		(\$99.00)

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or other expenses incurred during the period covered by this billing and not yet received by  
this office.

March 20, 2006  
City of Des Moines  
Mesaba

	<u>Amount</u>
Balance due	<u>\$496.50</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.30	225.00	\$67.50
Jase Steinberg	2.60	165.00	\$429.00



STATEMENT

# Myers & Jenkins

A PROFESSIONAL CORPORATION  
LAW OFFICES

Phoenix Corporate Center  
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March 20, 2006

City of Des Moines  
Legal Department  
400 East First Street  
Des Moines, IA 50309  
Kathy Vanderpool

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In Reference To: Northwest Airlines

Account No. 4422-006

For Services Rendered Through March 17, 2006

### Professional Services

		<u>Hours</u>	<u>Amount</u>
2/21/2006	JS Check docket;	0.20	33.00
2/22/2006	WSJ Receive and review new pleadings;	0.20	45.00
2/23/2006	WSJ Receive and review new pleadings; E-mail to Jack Phillips; E-mail from Jack Phillips;	0.30	67.50
2/24/2006	WSJ Receive and review new pleadings;	0.10	22.50
2/27/2006	JS Review Docket;	0.20	33.00
	WSJ Receive and review new pleadings;	0.20	45.00
3/1/2006	JS Check Bar dates;	0.10	16.50
	WSJ Receive and review new pleadings;	0.20	45.00
3/2/2006	WSJ Receive and review new pleadings;	0.20	45.00
3/3/2006	WSJ Receive and review new pleadings;	0.10	22.50
3/7/2006	WSJ Receive and review new pleadings;	0.10	22.50
	JS Review docket; Review Orlando Airport Motion to Compel;	0.50	82.50
3/10/2006	WSJ Receive and review new pleadings;	0.10	22.50
3/14/2006	WSJ Receive and review new pleadings; Conference with Mr. Steinberg;	0.10	22.50
	JS Review docket;	0.20	33.00
	JS Conference with Mr. Jenkins;	0.10	16.50
3/15/2006	WSJ Receive and review new pleadings;	0.10	22.50
	For professional services rendered	<u>3.00</u>	<u>\$597.00</u>

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March 20, 2006  
City of Des Moines  
Northwest Airlines

Page 2

	<u>Amount</u>
Previous balance	\$871.50
3/20/2006 Payment - Thank You. Check No. 185600	(\$871.50)
Total payments and adjustments	(\$871.50)
Balance due	<u>\$597.00</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	1.70	225.00	\$382.50
Jase Steinberg	1.30	165.00	\$214.50

# Myers & Jenkins

A PROFESSIONAL CORPORATION  
LAW OFFICES

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

March 20, 2006

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

City of Des Moines  
Legal Department  
400 East First Street  
Des Moines, IA 50309  
Kathy Vanderpool

In Reference To: United Airlines

Account No. 4422-003

For Services Rendered Through March 17, 2006

## Professional Services

		<u>Hours</u>	<u>Amount</u>
1/6/2006	WSJ Telephone conference with Mick Morris; Voice mail from Sandy Kerr; Telephone conference with Sandy Kerr; Telephone conference with Kathy Vanderpool; Voice mail from Kathy Vanderpool; Telephone conference with Kathy Vanderpool; Second Telephone conference with Sandy Kerr; Third Telephone conference with Sandy Kerr; E-mail from Tim Stiles; E-mail to Sandy Kerr; Second e-mail from Sandy Kerr; E-mail from Mick Morris; Receive and review new pleadings; E-mail to Sandy Kerr; E-mail from Mick Morris;	2.80	602.00
2/21/2006	BAK Print weekly docket;	0.20	18.00
	JS Conference with Mr. Jenkins; Review and revise draft Cure Claim; Voice-mail to and telephone call from Kathy Vanderpool; Letter to Debtor's counsel re Telecommunications Agreement; Telephone call from Debtor's Counsel;	1.80	306.00
	WSJ Receive and review new pleadings; Conference with Mr. Steinberg re Cure Claim;	0.30	64.50
2/23/2006	WSJ Receive and review new pleadings; Finalize draft of Cure claim; Two (2) conferences with Mr. Steinberg; Voice mail from Kathy Vanderpool; Telephone conference with Kathy Vanderpool;	0.90	193.50

March 20, 2006  
 City of Des Moines  
 United Airlines

			<u>Hours</u>	<u>Amount</u>
2/23/2006	JS	Finalize draft of Cure Claim; Letter and E-mail to Kathy Vanderpool; Two (2) conferences with Mr. Jenkins;	0.80	136.00
2/24/2006	WSJ	Three voice mails from Kathy Vanderpool; Telephone conference with Kathy Vanderpool's office; Telephone conference with Kathy Vanderpool; Conference with Mr. Steinberg re Cure Claim; Receive and review new pleadings;	0.70	150.50
	JS	Revise Cure Claim; Conference with Mr. Jenkins;	0.20	34.00
2/27/2006	WSJ	Receive and review new pleadings; Finalize Cure Claim; Two (2) conferences with Mr. Steinberg re Cure Claim; Telephone conference with Kathy Vanderpool; E-mail from Kathy Vanderpool;	0.80	172.00
	BAK	Print weekly docket;	0.20	18.00
	JS	Assemble Cure Claim and Exhibit for filing; E-mail to Sandy Kerr;	0.70	119.00
2/28/2006	JS	Conference with Mr. Jenkins;	0.10	17.00
	WSJ	Receive and review new pleadings; Conference with Mr. Steinberg;	0.30	64.50
3/1/2006	WSJ	Receive and review confirmation of filing of Cure Claim;	0.10	21.50
3/2/2006	WSJ	Receive and review new pleadings;	0.20	43.00
3/3/2006	WSJ	Receive and review new pleadings;	0.10	21.50
3/6/2006	BAK	Print weekly docket;	0.20	18.00
3/7/2006	WSJ	Receive and review new pleadings;	0.20	43.00
3/8/2006	WSJ	Receive and review new pleadings;	0.10	21.50
3/10/2006	WSJ	Receive and review new pleadings;	0.10	21.50
3/13/2006	BAK	Print weekly docket;	0.20	18.00
3/14/2006	WSJ	Receive and review new pleadings;	0.10	21.50
3/15/2006	WSJ	Receive and review new pleadings;	0.10	21.50
			<hr/>	
For professional services rendered			11.20	\$2,146.00
Additional Charges :				
Fax Expense				7.00
Total costs				<hr/> \$7.00
				<hr/>
Total amount of this bill				\$2,153.00

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March 20, 2006  
 City of Des Moines  
 United Airlines

	<u>Amount</u>
Previous balance	\$3,302.00
3/20/2006 Payment - Thank You. Check No. 185600	<u>(\$3,302.00)</u>
Total payments and adjustments	(\$3,302.00)
Balance due	<u><u>\$2,153.00</u></u>

Timekeeper Summary

Name	Hours	Rate	Amount
William Scott Jenkins	6.80	215.00	\$1,462.00
Jase Steinberg	3.60	170.00	\$612.00
Beverly A. Kane	0.80	90.00	\$72.00