

Date August 11, 2008

RESOLUTION APPROVING PAYMENT OF BILLING 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

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Date August 11, 2008


WHEREAS, a billing has been received from Myers & Jenkins in the amount of \$75.60 through July 18, 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 hereby approves the payment of \$75.60 to the law firm of Myers & Jenkins and authorizes the Finance Department to submit payment for the invoice.

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

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.

Mayor

City Clerk

LAW OFFICES
Myers & Jenkins
A PROFESSIONAL CORPORATION

Phoenix Corporate Center
One East Camelback Road
Suite 500
Phoenix, Arizona 85012

JUL 25 2008

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William Scott Jenkins

July 22, 2008

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

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

Re: Final Statement

Dear David:

Please find attached this firm's final statement for services rendered and costs incurred dated July 21, 2008. It has been a pleasure working with you on these matters. Hopefully, the City will not be faced with any further bankruptcy filings. However, if we can be of further service, please feel free to call. I also hope that the contract process precedes as contemplated and ends in a favorable manner. If you see Kathy Vanderpool, please give her my best.

Very truly yours,



William Scott Jenkins

WSJ:lc
Encl.

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

One East Camelback Road
Suite 500
Phoenix, Arizona 85012

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

July 21, 2008

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

In Reference To: General

Account No. 4422-000

Invoice # 28440

For Services Rendered Through July 18, 2008

	<u>Hours</u>	<u>Amount</u>
6/23/2008 WSJ Telephone conference with Dave Ferree re issues surrounding potential impact of a new round of airline bankruptcies on proposed signatory lease agreements;	0.30	64.50
For professional services rendered	<u>0.30</u>	<u>\$64.50</u>
Additional Charges :		
Fax Expense		2.50
Pacer - District Court Research		<u>8.60</u>
Total costs		\$11.10
Total amount of this bill		<u>\$75.60</u>
Balance due		<u>\$75.60</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.30	215.00	\$64.50