

.....
Date..... November 6, 2006

**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

18

.....
Date..... November 6, 2006


WHEREAS, billings have been received from Myers & Jenkins in the amount of \$3,496.49 through October 20, 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 \$3,496.49 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 | | | | |
| 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

STATEMENT

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

18

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

October 23, 2006

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

In Reference To: Delta Airlines

Account No. 4422-005

For Services Rendered Through October 20, 2006

Professional Services

| | | | <u>Hours</u> | <u>Amount</u> |
|------------|-----|--|--------------|---------------|
| 9/25/2006 | WSJ | Conference with Mr. Steinberg re his review of docket and latest procedural motions; Receive and review Motion to extend period for assuming or rejecting non-residential leases of real property; Second Conference with Mr. Steinberg; Draft letter to David Ferree; | 0.80 | 180.00 |
| | JS | Review docket; Review Motions re Claim Objections; Conference with Mr. Jenkins re Motion to Extend Assumption on Regular Period; Second conference with Mr. Jenkins; | 0.70 | 115.50 |
| 9/26/2006 | WSJ | Finalize letter to Dave Ferree; Conference with Mr. Steinberg re preference issue; | 0.40 | 90.00 |
| | JS | Conference with Mr. Jenkins; | 0.10 | 16.50 |
| 9/27/2006 | WSJ | Conference with Mr. Steinberg re his Telephone conference with Dave Ferree; | 0.10 | 22.50 |
| | JS | Telephone conference with Dave Ferree; Conference with Mr. Jenkins re telephone call with Dave Ferree; | 0.20 | 33.00 |
| 10/3/2006 | JS | Review docket; Review Creditors Committee Objection to claim procedure; Conference with Mr. Jenkins; | 0.30 | 49.50 |
| | WSJ | Conference with Mr. Steinberg; (no charge) | 0.10 | No Charge |
| 10/9/2006 | JS | Review docket; | 0.10 | 16.50 |
| 10/16/2006 | JS | Review Docket; Review Procedural Orders regarding claims disputes; | 0.40 | 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.

18

October 23, 2006
City of Des Moines
Delta Airlines

| | <u>Hours</u> | <u>Amount</u> |
|---|--------------|---------------|
| For professional services rendered | 3.20 | \$589.50 |
| Additional Charges : | | |
| Pacer - District Court Research | | 16.90 |
| Total costs | | \$16.90 |
| <hr/> | | |
| Total amount of this bill | | \$606.40 |
| Previous balance | | \$1,551.21 |
| 9/26/2006 Payment - Thank You. Check No. 200907 | | (\$1,327.60) |
| Total payments and adjustments | | (\$1,327.60) |
| <hr/> | | |
| Balance due | | \$830.01 |
| <hr/> <hr/> | | |

Timekeeper Summary

| <u>Name</u> | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|-----------------------|--------------|-------------|---------------|
| William Scott Jenkins | 1.30 | 225.00 | \$292.50 |
| Jase Steinberg | 1.80 | 165.00 | \$297.00 |

| <u>Current</u> | <u>30 Days</u> | <u>60 Days</u> | <u>90 Days</u> | <u>120+ Days</u> |
|----------------|----------------|----------------|----------------|------------------|
| \$606.40 | \$223.61 | \$0.00 | \$0.00 | \$0.00 |

18

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

October 23, 2006

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

In Reference To: Mesaba

Account No. 4422-007

For Services Rendered Through October 20, 2006

Professional Services

| | <u>Hours</u> | <u>Amount</u> |
|---|--------------|---------------|
| 9/25/2006 JS Review docket; | 0.10 | 16.50 |
| 10/3/2006 JS Review docket; | 0.10 | 16.50 |
| 10/9/2006 JS Review docket; | 0.10 | 16.50 |
| 10/16/2006 JS Review Docket; | 0.10 | 16.50 |
| | <hr/> | |
| For professional services rendered | 0.40 | \$66.00 |
| Additional Charges : | | |
| Pacer - District Court Research | | <hr/> 7.70 |
| Total costs | | \$7.70 |
| | | |
| Total amount of this bill | | <hr/> \$73.70 |
| Previous balance | | \$207.30 |
| 9/26/2006 Payment - Thank You. Check No. 200907 | | (\$141.30) |
| | | <hr/> |
| Total payments and adjustments | | (\$141.30) |

18

October 23, 2006
City of Des Moines
Mesaba

Page 2

| | <u>Amount</u> |
|-------------|-----------------|
| Balance due | <u>\$139.70</u> |

Timekeeper Summary

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

| <u>Current</u> | <u>30 Days</u> | <u>60 Days</u> | <u>90 Days</u> | <u>120+ Days</u> |
|----------------|----------------|----------------|----------------|------------------|
| \$73.70 | \$66.00 | \$0.00 | \$0.00 | \$0.00 |

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.

18

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

October 23, 2006

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

In Reference To: Northwest Airlines

Account No. 4422-006

For Services Rendered Through October 20, 2006

Professional Services

| | | <u>Hours</u> | <u>Amount</u> |
|------------|---|--------------|---------------|
| 9/21/2006 | WSJ Receive and review new pleadings; | 0.10 | 22.50 |
| 9/25/2006 | JS Review docket; Conference with Mr. Jenkins; | 0.20 | 33.00 |
| | WSJ Conference with Mr. Steinberg; (no charge) | 0.10 | No Charge |
| 9/28/2006 | WSJ Receive and review new pleadings; | 0.10 | 22.50 |
| 9/29/2006 | WSJ Receive and review new pleadings; | 0.20 | 45.00 |
| 10/3/2006 | JS Review docket; | 0.10 | 16.50 |
| 10/9/2006 | JS Review docket; | 0.10 | 16.50 |
| 10/11/2006 | WSJ Receive and review new pleadings; | 0.10 | 22.50 |
| 10/12/2006 | WSJ Receive and review new pleadings; | 0.10 | 22.50 |
| 10/16/2006 | WSJ Receive and review new pleadings; | 0.10 | 22.50 |
| | JS Review Docket; | 0.10 | 16.50 |
| 10/17/2006 | WSJ E-mail from David Ferree; E-mail to David Ferree; | 0.10 | 22.50 |
| 10/18/2006 | WSJ Receive and review new pleadings; | 0.20 | 45.00 |
| 10/19/2006 | WSJ Receive and review new pleadings; | 0.20 | 45.00 |
| | For professional services rendered | 1.80 | \$352.50 |

Additional Charges :

| | |
|---------------------------------|---------|
| Pacer - District Court Research | 18.00 |
| Total costs | \$18.00 |

18

October 23, 2006
City of Des Moines
Northwest Airlines

| | <u>Amount</u> |
|---|-------------------|
| Total amount of this bill | \$370.50 |
| Previous balance | \$3,113.05 |
| 9/26/2006 Payment - Thank You. Check No. 200907 | (\$2,291.68) |
| Total payments and adjustments | (\$2,291.68) |
| Balance due | <u>\$1,191.87</u> |

Timekeeper Summary

| <u>Name</u> | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|-----------------------|--------------|-------------|---------------|
| William Scott Jenkins | 1.20 | 225.00 | \$270.00 |
| 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> |
|----------------|----------------|----------------|----------------|------------------|
| \$370.50 | \$821.37 | \$0.00 | \$0.00 | \$0.00 |

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.

18

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

October 23, 2006

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

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

Account No. 4422-004

For Services Rendered Through October 20, 2006

Professional Services

| | | | <u>Hours</u> | <u>Amount</u> |
|-----------|-----|---|--------------|---------------|
| 9/20/2006 | JS | Conference with Mr. Jenkins; Review letter from debtor's counsel; | 0.20 | 33.00 |
| | WSJ | Receive and review fax and demand letter from Dave Ferree; Telephone conference with Dave Ferree; Conference with Mr. Steinberg; E-mail from Dave Ferree; Second Conference with Mr. Steinberg; | 0.60 | 135.00 |
| 9/25/2006 | JS | Preliminary Westlaw research on preference actions in the 7th circuit; E-mail to David Ferree; | 0.80 | 132.00 |
| | BAK | Print weekly docket; | 0.10 | 9.50 |
| 9/26/2006 | WSJ | Conference with Mr. Steinberg; | 0.10 | 22.50 |
| | JS | Telephone call from Gina Andre; Receive and review fax from Gina Andre; Conference with Mr. Jenkins; | 0.40 | 66.00 |
| 9/27/2006 | JS | Telephone call from David Ferree; | 0.10 | 16.50 |
| 10/2/2006 | BAK | Print weekly docket; | 0.10 | 9.50 |
| 10/3/2006 | WSJ | Conference with Mr. Steinberg; | 0.10 | 22.50 |
| | JS | Conference with Mr. Jenkins; | 0.20 | 33.00 |
| 10/4/2006 | JS | Additional Westlaw research on Preference Defenses; Letter to Debtor's counsel; Commence preparation of letter to Debtor's counsel; (actual time 2.50) | 2.00 | 330.00 |
| 10/5/2006 | JS | Continue preparation letter to Debtor's counsel; | 1.20 | 198.00 |
| 10/6/2006 | JS | Revise and finalize letter to Debtor's Counsel; E-mail to David Ferree; | 0.30 | 49.50 |
| 10/9/2006 | BAK | Print weekly docket; | 0.10 | 9.50 |

18

October 23, 2006
City of Des Moines
City of Des Moines re ATA

| | <u>Hours</u> | <u>Amount</u> |
|---|--------------|--------------------------|
| 10/16/2006 BAK Print weekly docket; | 0.10 | 9.50 |
| For professional services rendered | 6.40 | \$1,076.00 |
| Additional Charges : | | |
| Fax Expense | | 18.00 |
| Pacer - District Court Research | | 12.40 |
| Westlaw - Computer Legal Research | | <u>349.59</u> |
| Subtotal of charges | | \$379.99 |
| Miscellaneous Adjustments | | <u>(\$225.00)</u> |
| Total costs | | \$154.99 |
| | | |
| Total amount of this bill | | <u>\$1,230.99</u> |
| Previous balance | | \$174.48 |
| 9/26/2006 Payment - Thank You. Check No. 200907 | | <u>(\$126.98)</u> |
| Total payments and adjustments | | <u>(\$126.98)</u> |
| Balance due | | <u><u>\$1,278.49</u></u> |

Timekeeper Summary

| <u>Name</u> | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|-----------------------|--------------|-------------|---------------|
| William Scott Jenkins | 0.80 | 225.00 | \$180.00 |
| Jase Steinberg | 5.20 | 165.00 | \$858.00 |
| Beverly A. Kane | 0.40 | 95.00 | \$38.00 |

18

October 23, 2006
City of Des Moines
City of Des Moines re ATA

Page 3

| Current | 30 Days | 60 Days | 90 Days | 120+ Days |
|------------|---------|---------|---------|-----------|
| \$1,230.99 | \$47.50 | \$0.00 | \$0.00 | \$0.00 |

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 & 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

October 23, 2006

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 October 20, 2006

Professional Services

| | | | <u>Hours</u> | <u>Amount</u> |
|------------|-----|--|--------------|---------------|
| 9/25/2006 | BAK | Print weekly docket; | 0.20 | 18.00 |
| 9/27/2006 | JS | Voice-mail to Debtor's counsel; | 0.10 | 17.00 |
| 10/2/2006 | WSJ | Receive and review Objection to Cure Claim; | 0.20 | 43.00 |
| | BAK | Print weekly docket; | 0.20 | 18.00 |
| 10/3/2006 | BAK | Print weekly exhibits to Omnibus hearing; | 0.40 | 36.00 |
| | WSJ | Conferences (2) with Mr. Steinberg re Objection to Cure Claim; | 0.20 | 43.00 |
| | JS | Review Debtors' Omnibus Objection to Cure Claim; Two conferences with Mr. Jenkins; Letter to David Ferree; | 1.10 | 187.00 |
| 10/4/2006 | WSJ | Telephone conference with David Ferree; Conference with Mr. Steinberg; | 0.30 | 64.50 |
| | JS | Conference with Mr. Jenkins; Telephone call to Debtor's counsel; | 0.20 | 34.00 |
| 10/9/2006 | BAK | Print weekly docket; | 0.10 | 9.00 |
| | JS | Letter to Debtor's counsel; | 0.30 | 51.00 |
| 10/12/2006 | WSJ | Conference with Mr. Steinberg re preparation of response to objection to Cure Claim; | 0.10 | 21.50 |
| | JS | Conference with Mr. Jenkins; | 0.10 | 17.00 |
| 10/13/2006 | JS | Review correspondence file; Voice mail to Debtor's counsel; Conference with Mr. Jenkins; | 0.30 | 51.00 |
| 10/16/2006 | BAK | Print weekly docket; | 0.10 | 9.00 |

18

October 23, 2006
City of Des Moines
United Airlines

| | | | <u>Hours</u> | <u>Amount</u> |
|------------------------------------|---------------------------------------|---|--------------|--------------------------|
| 10/16/2006 | WSJ | Conference with Mr. Steinberg; Telephone conference with Sandy Kerr; Second Telephone conference with Mr. Steinberg re his Telephone conference with UAL counsel; | 0.40 | 86.00 |
| | JS | Prepare response to Omnibus Objection to Cure Claim; E-mail to local counsel; Telephone call to Debtor's counsel; E-mail correspondence with David Ferree; | 1.00 | 170.00 |
| 10/18/2006 | JS | Conference with Mr. Jenkins; E-mail to Debtor's counsel; Review E-mail and attached records from Debtor's counsel; Conference with Mr. Jenkins; E-mail to David Ferree; E-mail to Debtor's counsel; | 0.60 | 102.00 |
| | WSJ | Conference with Mr. Steinberg; Review draft of Objection to Cure Claim; | 0.30 | 64.50 |
| 10/19/2006 | JS | E-mail from David Ferree; Conference with Mr. Jenkins; Letter to Debtor's counsel; | 0.60 | 102.00 |
| | WSJ | Conference with Mr. Steinberg; Review letter to Debtor's Counsel; | 0.20 | 43.00 |
| For professional services rendered | | | <u>7.00</u> | <u>\$1,186.50</u> |
| Additional Charges : | | | | |
| Fax Expense | | | | 18.00 |
| Pacer - District Court Research | | | | 10.40 |
| Total costs | | | | <u>\$28.40</u> |
| Total amount of this bill | | | | <u>\$1,214.90</u> |
| Previous balance | | | | \$464.00 |
| 9/26/2006 | Payment - Thank You. Check No. 200907 | | | (\$374.00) |
| Total payments and adjustments | | | | <u>(\$374.00)</u> |
| Balance due | | | | <u><u>\$1,304.90</u></u> |

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.

18

October 23, 2006
City of Des Moines
United Airlines

Page 3

Timekeeper Summary

| <u>Name</u> | <u>Hours</u> | <u>Rate</u> | <u>Amount</u> |
|-----------------------|--------------|-------------|---------------|
| William Scott Jenkins | 1.70 | 215.00 | \$365.50 |
| Jase Steinberg | 4.30 | 170.00 | \$731.00 |
| Beverly A. Kane | 1.00 | 90.00 | \$90.00 |

| <u>Current</u> | <u>30 Days</u> | <u>60 Days</u> | <u>90 Days</u> | <u>120+ Days</u> |
|----------------|----------------|----------------|----------------|------------------|
| \$1,214.90 | \$90.00 | \$0.00 | \$0.00 | \$0.00 |

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.