




November 19, 2012

MEMORANDUM

TO: District Board of Trustees
FROM: Jim Murdaugh, President 
SUBJECT: Attorney Invoice - Andrews, Crabtree, Knox & Andrews, LLP
October 31, 2012

Item Description

Request for approval to pay the Board's attorney.

Overview and Background

On a monthly basis, the Board's attorney submits an invoice for services provided.

Past Actions by the Board

The Board of Trustees approved the contract at the October 18, 2010 Board meeting and shall be effective through October 31, 2012. The contract may be renewed on an annual basis with four (4) consecutive one (1) year renewals for a total contract period of five (5) years. The Board approved year three (3) of the contract at the September 17, 2012 Board meeting which shall be effective until October 2013. The Board shall be billed on an annual flat fee of \$160,000 for services of the firm.

Funding/Financial Implications

Funding is budgeted in Fund 1, the Current Unrestricted Fund. The current amount due is \$13,333.33.

Staff Resource

Teresa Smith

Recommended Action

Authorize payment of invoice as presented.

ANDREWS, CRABTREE, KNOX & ANDREWS, LLP

1558 VILLAGE SQUARE BLVD.

SUITE 1

TALLAHASSEE, FL 32309

TAX ID #59-3621660

October 31, 2012

Jerry Schilling
Assistant Vice President for Administrative Services
Tallahassee Community College
444 Appleyard Drive
Tallahassee, FL 32304

Invoice# 10945 WRM
Our file# T00007 02276
Billing through 10/31/2012

Tallahassee Community College (General)
P.O. Number: 2011 00001580

FOR PROFESSIONAL SERVICES RENDERED

09/26/2012	WRM	Telephone conference with R. Tolson re: grant employee complaint (.4); E-mails (2) to R. Tolson re: use of compensatory time (.2); Receipt and review of e-mail from R. Tolson re: use of compensatory time (.1); Analysis - FLSA - use and accrual of compensatory time, compel use of compensatory time, compel overtime payment in lieu of compensatory time (3.7);	4.40 hrs.
09/27/2012	WRM	Receipt and review of e-mails (2) from S. Jefferson cultural program agreement (.2); Review and analysis of cultural program agreement (.2); E-mail to S. Jefferson re: continued program agreement (.1); Receipt and review of e-mail from B. Sloan re: CNA certification fee (.1); Review organization background information re: grant employee complaint (.4); E-mail to R. Tolson re: grant employee complaint (.1); Review pertinent TCC policies for meeting re: compensatory time, PIP, employee actions (.4); Receipt and review of e-mail from L. Powell re: grant employee complaint (.1); Analysis - mutual asset, mutual mistake in Network v. TCCF (1.8); Review factual background - grant	6.50 hrs.

employee complaint (.3); Conference with T. Smith, R. Tolson re: PIP, employee resignations employer action (1.0); Conference with R. Tolson re: grant employee complaint, plan to address (.7); E-mail to J. Murdaugh re: Ghazvini construction (.1); Receipt and review of e-mail from M. Turner re: release in Underwood v. TCC (.1); Receipt and review of e-mail from B. Ellison re: settlement check in Underwood v. TCC (.1); Receipt and review of e-mail from M. Turner re: settlement check in Underwood v. TCC (.1); Review legal aspects - grant employee complaint (.7);

09/28/2012	WRM	Receipt and review of e-mail from J. Murdaugh re: Ghazvini construction (.1); Telephone conference with M. Scaringe re: Ghazvini construction (.1); Telephone conference with K. Edge re: Network v. TCCF (.1); Preparation for Case Management Conference in Network v. TCCF (.3); Dictation and preparation of monthly TCC Litigation Report (.2);	0.80 hrs.
10/01/2012	WRM	On-line review - incorrect party to contract re: Network v. TCCF (.3); Telephone conference with K. Edge re: Network Security v. TCCF - Facts (.5); Receipt and review of e-mails (2) from B. Sloan re: graphic design copyright question (.2); E-mail to T. Smith re: graphic design copyright question (.1); Receipt and review of e-mail from T. Smith re: graphic design copyright question (.1); E-mail to B. Hollimon re: graphic design copyright question (.1); E-mail to B. Sloan re: graphic design copyright question (.1); Continued preparation of defense concepts for motion to dismiss in Network v. TCCF (1.9);	3.30 hrs.
10/02/2012	WRM	Receipt and review of e-mails (2) from B. Hollimon re: graphic design copyright questions (.2); Receipt and review of e-mails (3) from D. Waddell re: cancelled event (.3); E-mails (2) to D. Waddell re: cancelled event	6.20 hrs.

(.2); E-mails (3) to B. Hollimon re: graphic design copyright question (.3); E-mail to B. Sloan re: graphic design copyright questions (.1); Telephone conference with D. Waddell re: cancelled event (.3); Analysis: cancelled event, no agreement (.2); Review unexecuted agreement for cancelled event (.3); Review and analysis of caselaw re: non-performance of contract for Network v. TCCF litigation (2.3); Telephone conference with T. Smith re: Wakulla property (.2); Receipt and review of e-mails (2) from T. Smith re: Wakulla property (.2); Brief review of statutes re: Wakulla property (.9); Review contract for sale and purchase and Wakulla property (.3); Receipt and review of e-mail from D. Hendry re: former student complaint with attached correspondence (.2); E-mail to R. Frazier re: former student complaint (.1); Receipt and review of e-mail from R. Frazier re: former student complaint (.1);

10/03/2012	WRM	<p>Receipt and review of e-mail from T. Smith re: property meeting (.1); Review documents, prepare for property meeting (.3); Conference with R. Frazier re: former student complaint (.7); Conference with T. Smith, B. Ballard, D. Wildes re: Wakulla property (2.0); Receipt and review of e-mails (3) from B. Sloan re: policies/procedures (.3); Receipt and review of e-mail from T. Smith re: Wakulla property (.1); Receipt and review of e-mails (2) from J. Chaires-Lacey re: DJJ grant employees (.2); E-mails (2) to J. Chaires-Lacey re: DJJ grant employees (.2); E-mails (2) to B. Sloan re: policies/procedures (.2); Telephone conference with G. Wells re: property meeting (.1); Telephone conferences (2) with D. Wildes re: property documents (.4); Receipt and review of e-mails (3) from B. Ballard re: property documents (.3); Receipt and review of e-mails (2) from D. Wildes re: property documents (.2); Receipt and review of e-mail from G.</p>	8.40 hrs.
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Wells re: property documents (.1); E-mail to G. Wells re: property document (.1); Review property documents, revise purchase and sale provisions in contract, review environmental/survey (3.0); E-mail to B. Ballard re: purchase/sale contract language (.1);

10/04/2012	WRM	<p>Receipt and review of e-mails from T. Smith re: property documents (.7); E-mail to D. Wildes re: property documents (.1); Review and analysis of additional provisions for property documents (.3); Review and analysis of state policies, rules, statute in outside employment (.6); Conference with D.B. re: employee complaint (1.1); Conference with D. Wildes re: property documents (.4); Conference with B. Sloan re: employee outside employment (.4); Receipt and review of e-mails (5) from D. Wildes re: property documents (.5); E-mail to R. Tolson re: employee complaint (.1); Review contract addendum language (.1); Receipt and review of e-mail from B. Ballard re: property documents (.1); Review and analysis of final version of property contract (.2); E-mail to T. Smith, B. Ballard, D. Wildes re: final version of property contract (.1); Receipt and review of motions/draft in Network v. TCCF (.2); Analysis - employees - outside employment (2.2);</p>	7.10 hrs.
10/05/2012	WRM	<p>Receipt and review of e-mail from D. Wildes re: property contract (.1); Review and analysis of caselaw re: incorrect party to contact for Network Security v. TCCF (1.1); Analysis - second jobs/extra hours of work for employees (.5); Receipt and review of e-mail from D. Hendry re: former student complaint (.1); E-mail to R. Tolson re: grant employee issues (.1); Review and analysis of authorities re: outside and dual employment (2.1); E-mail to D. Hendry re: former student complaint (.1); Preparation for case management conference -</p>	6.30 hrs.

Network Security v. TCCF (.3); Receipt and review of e-mail from T. Smith re: former student complaint (.1); Dictation and preparation of memo to B. Sloan re: outside and dual employment (.7); Review and analysis of authorities re: wrong party to contract for Network v. TCCF (1.1);

10/09/2012	WRM	Receipt and review of e-mail from R. Tolson re: grant employee issues (.1); Receipt and review of e-mail from J. Murdaugh re: Rhea v. Santa Fe College (.1); Receipt and review of e-mail from T. Smith re: Rhea v. Santa Fe College (.1); Revise outside employment memo to B. Sloan (.2); E-mail to M. Turnbull re: Network Security v. TCCF (.1); Preparation for issues for Case Management Conference (.3); Receipt and review of e-mail from B. Ballard re: Wakulla lease (.1); Telephone conference with B. Ballard re: Wakulla lease (.2); Telephone conference with D. Wildes re: Wakulla lease (.1); E-mail to D. Wildes re: Wakulla lease (.1);	1.40 hrs.
10/10/2012	WRM	Receipt and review of e-mail from M. Turnbull re: Network v. TCCF (.1); Receipt and review of e-mail from D. Wildes re: Wakulla lease (.1); Receipt and review of e-mail from J. Schilling re: banking services agreement (.1); E-mail to D. Wildes re: Wakulla lease (.1); E-mail to R. Johnston re: Network v. TCCF (.1); Telephone conference with D. Wildes re: Wakulla lease (.2); E-mail to T. Smith, R. Johnston, others re: Wakulla lease (.1); Telephone conference with J. Schilling re: banking services agreement (.1); Review and analysis of banking services agreement (.2); Review existing Wakulla lease (.2); Receipt and review of TCC Board Meeting agenda for October 15 (.3); Attend Case Management Conference with Judge J. Cooper (1.2); Receipt and review of e-mail from T. Smith re: Wakulla lease (.1); Receipt and review of e-mail from R. Johnston re: Wakulla lease (.1);	5.70 hrs.

Receipt and review of order setting non-jury trial in Network Security v. TCCF (.3); E-mail to R. Johnston, others re: Network Security v. TCCF trial date (.1); E-mail to R. Johnston re: Network v. TCCF strategy (.1); Telephone conference with J. Schilling re: banking services agreement and campus property damage (.2); E-mail to J. Schilling re: parking garage (.1); Legal analysis for summary judgment motion in Network Security v. TCCF (1.8); Telephone conference with R. Johnston re: Network Security v. TCCF (.1);

10/11/2012	WT	Telephone conference with J. Schilling re: bank service RFP (.1); Prepare release for property damage (.2);	0.30 hrs.
10/11/2012	WRM	Receipt and review of e-mails (2) from R. Johnston re: Network Security v. TCCF (.2); Outline case strategy and Network v. TCCF (.3); Receipt and review of e-mails (2) from K. Richards re: Network v. TCCF (.2); E-mail to K. Richards re: Network v. TCCF (.1); Receipt and review of e-mails (2) from J. Schilling re: campus property damage (.2); E-mail to J. Schilling re: bank services agreement (.1); Review property damage calculations (.1); E-mail to J. Schilling re: campus property damage (.1); E-mails to R. Johnston re: Network Security v. TCCF (.2); Receipt and review of e-mail from T. Smith re: banking services agreement (.1); E-mail to T. Smith re: banking services agreement (.1); Receipt and review of e-mails (3) (multiple attachments) from T. Smith re: RCC identifications (.4); Analysis - RCC identification (.8); E-mails (2) to T. Smith re: RCC identification (.2); Receipt and review of e-mail from S. Balog re: App Innovators proposal (.1); Dictation and preparation of campus property damage release and settlement (.8); Review and analysis of App Innovators proposal (.5); Continuing development of summary judgment concepts for Network v. TCCF (.8);	8.90 hrs.

Telephone conferences (2) with T. Smith re: contract proposal, college issues (.3); Receipt and review of e-mail from R. Johnston re: Network v. TCCF (.1); Receipt and review of e-mail from D. Wildes re: potential Wakulla sublease (.1); Receipt and review of e-mail from T. Smith re: potential Wakulla sublease (.1); Receipt and review of e-mail from T. Smith re: contract proposal (.1); Receipt and review of e-mail from T. Smith re: certification of Bright Futures student files (with attachments) (.2); E-mail to D. Wildes re: potential Wakulla sublease (.1); Revise property damage release (.2); Review and analysis of background information re: current college issues, construction, salaries, data (.9); E-mail to T. Smith re: TCC Board meeting agenda (.1); Telephone conference with J. Murdaugh re: Trustee contract (.1) Analysis - Sunshine law and meetings (.5); Telephone conference with T. Smith re: meeting change (.1); Conference with T. Smith re: various employee, administrative matters (.7);

10/15/2012	WRM	Review and analysis of mobile app proposal (.3); E-mails (2) to S. Balog re: mobile app proposal (.2); Receipt and review of e-mails (2) from S. Balog re: mobile app proposal (.2); E-mails (2) to L. Kling re: Board workshop (.2); Receipt and review of e-mails (2) from L. Kling re: Board workshop (.2); Receipt and review of e-mail from S. Balog re: Board business meeting (.1); E-mail to S. Balog re: Board business meeting (.1); Attend TCC Board business meeting (1.1); Conference with R. Johnston re: Network Security v. TCCF (.4);	2.80 hrs.
10/16/2012	WRM	Receipt and review of e-mails (2) from R. Johnston re: Network Security v. TCCF (.2); E-mail to R. Johnston re: Network Security v. TCCF (.1); E-mails (3) to L. Kling re: trustee manual (.3); Review and analysis of information re: SSJRSC lawsuit (.2); Receipt	2.20 hrs.

and review of e-mails (3) to L. Kling re: trustee manual (.3); Prepare additional provisions for App Innovators agreement (.5); E-mail to S. Balog re: new provisions for App Innovations Agreement (.1); Receipt and review of e-mail from B. Ballard re: Wakulla property acquisition (.1); Receipt and review of e-mail from T. Smith re: information for B. Ingerman (.1); Review Wakulla property contract executed by TCC (.2); Receipt and review of Network Security's notice of response to request for admissions (.1);

10/18/2012	BJL	Review and analysis of Plaintiff's responses to Request for Admissions in Network v. TCCF;	0.30 hrs.
10/18/2012	WRM	Receipt and review of e-mail from T. Smith re: employment claims reports (.1); Receipt and review of e-mail from B. Ellison re: employment claims reports (.1); Receipt and review of e-mails (2) from D. Standish re: potential claim (.2); Receipt and review of plaintiff's motion for enlargement of time in Network v. TCCF (.1); Receipt and review of e-mail from T. Smith re: security/public safety (.1); Receipt and review of plaintiff's response to request for admissions in Network v. TCCF (.2); Receipt and review of document: reporting requirements employment - related claims (.2); E-mail to D. Standish re: potential claim (.1); Receipt and review of e-mails (3) from B. Ingerman re: several questions (.3); E-mails (3) to B. Ingerman re: several questions (.3); Receipt and review of memo re: security/public safety from FCSRMC (.1); Receipt and review of 2012-12 trustee manual (1.0); E-mail to L. Kling re: trustee manual (.1);	2.90 hrs.
10/24/2012	WRM	Telephone conference with R. Tolson re: two employee issues (.3); Receipt and review of plaintiff's notice of unavailability in Network v. TCCF (.1); Receipt and review of e-mail from D. Wildes re: FPSI easement (.1);	6.20 hrs.

Receipt and review of e-mail (with attachments) from D. Hendry re: outside employment request (.2); Receipt and review of e-mail from B. Ingerman (with attachments) re: security awareness training plan (.2); Receipt and review of e-mails (2) (with attachments) B. Ingerman re: weekly maintenance window (.3); E-mail to B. Ingerman re: staff issue (.1); Receipt and review of e-mail from M. Cerdeiras re: Network v. TCCF mediation (.1); E-mails (2) to R. Johnston re: Network Security v. TCCF (.2); E-mail to D. Wildes re: FPSI easement (.1); Review surveyor drawing of FPSI easement (.1); Receipt and review of e-mails (2) from R. Johnston re: Network Security v. TCCF (.2); Preparation for meeting with B. Ingerman re: Sunshine Law, contracts, policies (1.1); Review and analysis of - access easements (.3); Conference with B. Ingerman re: Sunshine Law, contracts, policies (1.9); E-mail to M. Cerdeiras re: Network v. TCCF mediation (.1); Analysis - Florida law and FERPA (.4); E-mail to B. Ingerman re: FERPA/Florida Statute (.1); Brief review of employee agreement (.2); E-mail to B. Ingerman re: employee agreement (.1);

10/25/2012	WRM	<p>Receipt and review of e-mail from L. Kling re: Trustees Manual (.1); E-mail to T. Smith re: record retention and disposition (.1); Telephone conferences (3) with T. Smith re: record retentions and disposition, fiscal matters, employee matter (.5); E-mail to B. Ingerman re: student directory information (.1); Receipt and review of e-mail from D. Wildes re: FPSI easement (.1); E-mail to B. Ingerman re: public records act (.2); Receipt and review of e-mail from M. Cerdeiras re: Network Security v. TCCF mediation (.1); E-mail to D. Wildes re: FPSI easement (.1); Receipt and review of e-mail from B. Ingerman re; public records law (.1);</p>	7.20 hrs.
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Telephone conferences (2) with R. Tolson re: salary information request (.2); Policy review, salary schedule information (.5); Analysis - ingress easement for FPSI (.7); Analysis - Florida Statutes, rules and schedules for record retention (1.5); Analysis - public records act - application to personnel records, electronic communications (2.9);

10/26/2012	WRM	<p>Receipt and review of e-mail from D. Wildes re: FPSI easement (.1); Analysis: TCC record retention requirements (.8); E-mail to T. Smith/B. Ingerman re: TCC record retention requirements (.2); Analysis: easement requirements (1.5);</p>	2.60 hrs.
10/30/2012	WRM	<p>Telephone conference with D. Wildes re: FPSI easement (.2); E-mail to D. Hendry re: emergency preparation (.1); Receipt and review of e-mail from R. Frazier re: former student complaint (.1); Receipt and review of e-mail from R. Tolson re: potential EEOC claim (.1); Receipt and review of e-mail from R. Tolson re: public records request (.1); E-mail to R. Tolson re: public records request (.1); Receipt and review of e-mails (2) from S. Jefferson re: veterans' residency (.2); E-mails (2) to S. Jefferson re: Veteran's residency (.2); E-mails (3) to B. Spiers re: veterans' residency (.3); Receipt and review of e-mail from S. Copeland re: FPSI easement (.1); E-mail to D. Wildes re: FPSI easement (.1); Analysis: leave rules/statutes for public record request response (.9); E-mail to R. Tolson re: leave rules/statutes for public records request responses (.2); Receipt and review of e-mails (3) from B. Spiers re: veterans residency (.3); Telephone conferences (2) with D. Wildes re: FPSI easement (.2); Review and analysis of Florida Statutes, AG opinion re: veterans' residency for tuition purposes (1.6); E-mails (2) to S. Heath re: Avalanche litigation (.2); E-mail to M. Cerdeiras re: Network Security v. TCCF mediation (.1); Receipt and review of</p>	5.70 hrs.

e-mail from S. Heath re: Avalanche Litigation (.1); Dictation and preparation of Litigation report to J. Murdaugh (.3); Telephone conferences (2) with M. Cerdeiras re: Network Security v. TCCF mediation (.2);

10/31/2012	WRM	Telephone conference with T. Smith re: veterans' residency (.1); Receipt and review of e-mails (with attachments) (2) from T. Smith re: veteran's residency (.3); Telephone conference with T. Smith re: verteran's residency, employee action, Avalanche lease, FPSI easement (.4); Receipt and review of e-mail from T. Smith re: Avalanche lease (.1); Review Avalanche lease extension (.1); Review S. Young EEOC claim (.2); E-mail to B. Sloan, others re: S. Young EEOC claim (.1); Telephone conference with R. Tolson re: S. Young EEOC claim (.1); Telephone conferences (2) with B. Lesko re: S. Young EEOC claim (.2); Internet research re: veteran's residency (.8); Receipt and review of e-mail from M. Cerdeiras re: Network Security v. TCCF mediation (.1); E-mail to R. Johnston re: Network Security v. TCCF mediation (.1);	2.60 hrs.
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October Flat Fee for this matter \$13,333.33

BILLING SUMMARY

Longfellow, B. Joe	Associate	0.30 hrs
Mabile, William R	Attorney	91.20 hrs
Taylor, Winifred	Paralegal	0.30 hrs

Fees	91.80 hrs	\$13,333.33
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Disbursements

		\$0.00
TOTAL CHARGES FOR THIS BILL		\$13,333.33