



June 22, 2009

MEMORANDUM

TO: District Board of Trustees

FROM: William D. Law, Jr., President

SUBJECT: Attorney Invoice – June – Andrews, Crabtree, Knox & Andrews, LLP

Item Description:

Request for approval to pay the Board's attorney.

Overview:

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

Salient Facts:

The College's attorney is hired by the Board under the authority of Section 1001.64(25), Florida Statutes, and for this reason invoices are brought for approval.

Past Actions:

Attorney fees and expenses charged in fiscal year 2008-2009, through May 27, 2009 total \$94,313.90.

Future Actions:

Monthly invoices will be presented as they are submitted by the attorney.

Funding/Financial Matters:

Funding is budgeted in Fund 1, the Current Unrestricted Fund. The current amount due is \$10,244.10.

Staff Resource:

Teresa Smith

Recommended Action:

Authorize payment of invoices as presented.

ANDREWS, CRABTREE, KNOX & ANDREWS, LLP

P.O. BOX 12800
TALLAHASSEE, FL 32309
TAX ID #59-3621660

May 28, 2009

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

Invoice# 8392 WRM
Our file# T00007 02276
Billing through 05/27/2009

Tallahassee Community College (General)

FOR PROFESSIONAL SERVICES RENDERED

05/01/2009	WRM	Receipt and review of PERC election absentee ballot request (.1); Receipt and review of e-mails (3) from D. Heekin re: PERC absentee ballot request (.3); Receipt and review of e-mail from M. Haney re: Ghazvini lease (.1); E-mail to D. Heekin re: PERC absentee ballot request (.1); E-mail to T. Smith/T. Stallworth re: Ghazvini lease (.1); Review Tallahassee Memorial Regional Medical Center revisions to Ghazvini lease (.3); E-mail to T. Smith/T. Stallworth re: Tallahassee Memorial Regional Medical Center revisions to Ghazvini lease (.1); Telephone conference with T. Stallworth re: Ghazvini lease and revisions (.1); Receipt and review of e-mails (2) from T. Stallworth re: PECO clause in Ghazvini lease and revision of provision (.2); Receipt and review of e-mail from L. Cook re: PECO clause in Ghazvini lease (.1); Receipt and review of e-mail from T. Smith re: review of Ghazvini lease (.1); E-mail to T. Smith re: review of Ghazvini lease (.1); Telephone conferences with J. Schilling re: professional services agreement (3 calls) (.5); Review J. Schilling's comments re: Ghazvini lease (.2); Receipt and review of e-mail from T. Stallworth re: review of Ghazvini lease (.1); Receipt and review of	6.10 hrs.	762.50
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e-mail from R. Tolson re: employee action (.1); Telephone conferences with R. Tolson re: employee action (2 calls) (.2); Receipt and review of e-mail from T. Smith re: conference agreement (.1); E-mail to T. Smith re: conference agreement (.1); Receipt and review of B. Hollman legal service e-mail (.1); E-mail to T. Stallworth re: Ghazvini lease questions (.1); Receipt and review of e-mails (2) from T. Stallworth re: Ghazvini lease questions (.2); Analysis of professional services vendor agreements (.4); Receipt and review of notice to produce in DOAH matter (.2); Dictation and preparation of correspondence to B. Sloan re: notice to produce (.2); Review and analysis of property lease questions re: Ghazvini lease (.6); Receipt and review of e-mail from T. Smith re: professional service contract (.1); Review and analysis of proposed professional services contract (.5); E-mail to T. Smith re: proposed services contract (.2); Telephone conference with R. Tolson re: on-campus incident, employee action (.2); Telephone conference with J. Schilling re: Ghazvini lease, professional service contracts, property taxes (.3);

05/04/2009	BJL	Research whether a respondent can make a claim for attorney's fees in a DOAH hearing;	2.50 hrs.	312.50
05/04/2009	WRM	Receipt and review of e-mail from B. Law re: DOAH matter (.1); E-mail to B. Law re: vendor services (.1); Receipt and review of e-mail from D. Heekin re: PERC election (.1); Receipt and review of e-mail from S. Goldstein re: Ghazvini lease (.1); Receipt and review of UFF's response to request for Absentee Ballot - PERC election (.1); Telephone conference with B. Lesko re: DOAH matter (.1); Review and analysis of tax exemption for Ghazvini lease (2.6); Review and analysis of copyright - draft agreement (.5); Conference with B. Sloan re: copyright, DOAH matter internship quorum (.7); Attend	6.90 hrs.	862.50

PERC vote Tally (.5); Conference with R. Tolson re: employee issue (.6); Review copyright documents, issues (.5); Review and analysis of document request in DOAH matter (.9);

05/05/2009	BJL	Review and analysis of authority to determine the compensation for private counsel;	2.10 hrs.	262.50
05/05/2009	WRM	Receipt, review and analysis of correspondence re: employee complaints (.2); Receipt and review of e-mails (2) from T. Smith re: CCLA/ExLibris agreement (.2); E-mail to T. Smith re: CCLA/ExLibris agreement (.1); E-mails (2) to T. Smith re: employee issue (.2); Receipt and review of e-mail from T. Smith re: employee issue (.1); E-mail to J. Schilling re: intern insurance (.1); E-mails (2) to B. Law re: DOAH matter (.2); Receipt and review of e-mail from B. Law re: DOAH matter (.1); Review and analysis of Ghazvini lease, TMH/City Development Agreement and Amendments (2), application to Ghazvini (3.5); Telephone conference with B. Lesko re: dental hygiene grading program copyright (.1); Analysis - scope of document request in DOAH matter (.3); Conference with T. Smith, J. Schilling, T. Stallworth re: Ghazvini Lease (1.0); Conference with T. Smith, J. Schilling, R. Tolson re: employee issue (.8);	6.90 hrs.	862.50
05/06/2009	BJL	Review and analysis of the status of HB 7117, 7119 and 1696 to determine effect upon the daily operations of the college;	0.30 hrs.	37.50
05/06/2009	WRM	Receipt and review of e-mail from B. Holliman re: patent issue (.1); E-mail to T. Smith, B. Campman re: patent issue (.1); Receipt and review of e-mail from B. Campman re: patent issue (.1); Receipt and review of e-mail from B. Mallowney re: FERPA legislation (.1); Review and analysis of bills/FERPA Legislation (.4); Analysis of ad	7.60 hrs.	950.00

valorem tax exemption, Ghazvini Center (.4); Telephone conference with M. Mitchell - Leon County Property Appraiser's office re: tax exemption - Ghazvini Center (.2); E-mail to T. Smith/T. Stallworth/ J. Schilling re: Ghazvini tax exemption (.1); Receipt, review and analysis of correspondence from J. Buss (City of Tallahassee) re: Surgeon's Drive extension, Ghazvini project (.3); Receipt and review of e-mail from T. Smith re: Ghazvini tax exemption (.1); E-mail to T. Stallworth re: Ghazvini property, Surgeon's Drive extension (.1); Receipt and review of e-mail from L. Stanfield re: vote abstention form (.1); Review, prepare documents for Property Appraiser - Ghazvini exemption (.5); Receipt and review of e-mail from T. Smith re: Surgeon's Drive extension for Ghazvini project (.1); Analysis-information required for vote abstention form (.6); E-mail to L. Stanfield re: information for vote abstention form (.1); Receipt, review and analysis of correspondence from B. Hollimon re: Tech@Night Trademark registration with attachments (.2); E-mails (2) to B. Mullooney re: professional services for schedule (.2); E-mail to J. Chapin re: Tech@Night trademark registration (.1); Receipt and review of e-mail from B. Lesko re: dental hygiene grading system (.1); E-mail to B. Lesko re: dental hygiene grading system (.1); Analysis of Indemnity provision requested by TMH in Ghazvini Lease (1.8); Receipt and review of e-mail from B. Mullooney re: professional services fee schedule (.1); Receipt and review of e-mail from J. Chapin re: Tech 2)Nite Trademark registration (.1); Receipt and review of e-mails (2) from A. Maxwell re: Tech@Night Trademark (.2); E-mail to A. Maxwell re: Tech@Night Trademark (.1); E-mail to M. Haney re: Ghazvini Lease review (.1); Receipt and review of e-mails (2) from M. Haney re: Ghazvini Lease review (.2); Telephone conference with B. Mullooney re:

current legislation, services fees (.3); Receipt and review of amended notice to produce in DOAH matter (.2); E-mail to B. Sloan re: amended production notice in DOAH matter (.1); Begin review of current legislation conforming Florida Law with FERPA (.3);

05/07/2009	WRM	<p>Receipt and review of e-mail from J. Schilling re: employee issues, with attachments (.2); Receipt and review of e-mail from B. Sloan re: request for production in DOAH matter (.1); Complete review of legislation conforming state law to Federal FERPA (.3); Dictation and preparation of correspondence to S. Jefferson re: new legislation - FERPA (.3); Analysis/preparation for meeting with T. Smith/R. Tolson re: cost cutting measure (.4); Receipt and review of e-mail from T. Stallworth re: Ghazvini lease meeting with property appraiser (.1); Receipt and review of e-mail to J. Schilling re: employee issue (.1); E-mail to J. Schilling re: employee issue (.1); Conference with T. Smith, J. Schilling, R. Tolson re: Furlough, employee issues, other matters (1.6);</p>	3.20 hrs.	400.00
05/08/2009	WRM	<p>Continued revision of indemnity provision in Ghazvini Lease (.4); E-mail to B. Sloan re: internship insurance (.1); Receipt and review of e-mail from T. Smith re: revision of indemnity provisions in Ghazvini Lease (.1);</p>	0.60 hrs.	75.00
05/12/2009	WRM	<p>Receipt and review of e-mail from B. Sloan re: intern insurance (.1); Receipt and review of e-mail from B. Sloan re: DOAH matter questions (.1); E-mail to B. Sloan re: DOAH matter questions (.1); Preparation for meeting with M. Mitchell, Leon County Property Appraiser's office re: Ghazvini Lease (.4); Preparation for meeting with B. Sloan re: DOAH matter (.2); Preparation for meeting with B. Sloan re: copyright matter (.2); Conference with B. Sloan/C. Biron re: dental hygiene agreement (1.0); Conference with M.</p>	5.40 hrs.	675.00

Mitchell (Leon County Property-Appraiser's office re: Ghazvini Lease) (.6); Receipt and review of e-mail from B. Law re: President's evaluation (.1); Receipt and review of motion to dismiss the first Whistleblower case (.2); Receipt and review of motion to dismiss in second Whistleblower case (.2); Telephone conference with N. Snead re: DOAH record production (.1); Telephone conference with T. Stallworth re: Ghazvini property description (.2); Dictation and preparation of correspondence to T. Smith re: Ghazvini property tax exemption (.2); Receipt and review of e-mails (2) from T. Stallworth re: Ghazvini property description (.2); Analysis of statutory question - outside consulting (.7); E-mail to L. Stanfield re: consulting question (.1); Receipt and review of e-mail from L. Stanfield re: consulting question (.1); Receipt and review of e-mail from E. Eunice re: complaint (.1); Receipt and review of first and second evaluations of President (.2); Receipt, review and analysis of correspondence from E. Eunice re: complaint (.2); Telephone conference with E. Eunice re: complaint (.1);

05/13/2009	WRM	<p>Receipt and review of e-mail from T. Smith re: proposed amendment to Ghazvini Lease (.1); E-mail to E. Eunice re: complaint (.1); Telephone conference with E. Eunice/W. Rabon re: complaint (.2); E-mail to T. Smith re: complaint (.1); Receipt and review of e-mail to T. Smith re: complaint (.1); Telephone conference with S. Mathew re: DOAH matter (.3); Telephone conference with B. Law re: economic development question (.2); Receipt and review of e-mail from E. Eunice re: complaint with attached e-mail from W. Rabon (.2); Dictation and preparation of correspondence to S. Mitchell re: complaint (.3); Analysis of economic development question (.9);</p>	2.50 hrs.	312.50
05/14/2009	WRM	<p>Receipt and review of third evaluation of</p>	2.60 hrs.	325.00

President (.1); E-mails (4) to L. Kling re: President's evaluation (.4); Receipt and review of e-mails (3) from L. Kling re: President's evaluation (.3); E-mail to K. Moon re: President's evaluation (.1); Receipt and review of Board Agenda for May 18, 2005 (.5); Analysis - development partner question (.9); Telephone conference with B. Hebrock's office re: President's evaluation (.1); Telephone conference with B. Hebrock re: President's evaluation (2 calls) (.2);

05/15/2009	WRM	<p>Receipt and review of e-mails (3) from L. Kling re: President's evaluation (.3); Receipt and review of e-mail from B. Sloan re: select speciality Hospital Agreement (.1); Review and analysis of Select Specialty Hospital Agreement (.3); E-mail to B. Sloan re: Select Specialty Hospital Agreement (.1); Receipt and review of e-mail from B. Law re: attorney contract (.1); E-mails (2) to L. Kling re: President's evaluation (.2); Receipt and review of e-mails (2) from R. Tolson re: employee issue (.2); Receipt and review of e-mail from M. Turner re: Whistleblower claim (.1); Telephone conference with J. Schilling re: services contracts (.1); Telephone conference with B. Hebrock re: services contract (.1); Telephone conference with R. Tolson re: employee issue (.2); Receipt and review of e-mail from T. Smith re: employee issue (.1); E-mail to R. Tolson re: employee issue (.1); Review DOAH matter file for response to production request (.5);</p>	2.50 hrs.	312.50
05/18/2009	WRM	<p>Receipt and review of e-mail from K. Moon re: President's evaluation (.1); E-mails (2) to K. Moon re: President's evaluation (.2); E-mail to L. Kling re: President's evaluation (.1); Receipt and review of e-mails (2) from L. Kling re: President's evaluation (.2); Receipt, review and analysis of correspondence from K. Shirah re: President's evaluation (.1); Telephone conference with B. Law re:</p>	7.20 hrs.	900.00

President's evaluation (.1); Compile Trustees evaluations of President (1.5); Memo to B. Law re: President evaluation (.2); E-mails (2) to K. Moore re: President's evaluation (.1); Receipt and review of e-mail from K. Moore re: President's evaluation (.1); Compile analysis - development partner (1.1); Conference with B. Law and Board Sub-Committee re: President's evaluation (.5); Conference with J. Schilling re: employee issue (.3); Telephone conference with B. Hebrock re: professional services (.1); Telephone conference with S. Mathew re: DOAH matter (.2); Attend Board of Trustees Meeting, confer with B. Sloan re: DOAH matter (2.3);

05/19/2009	WT	Telephone conference with S. Mitchell re: letter, campus incident;	0.20 hrs.	8.00
05/19/2009	WRM	Telephone conferences with R. Gautier re: lease agreement (2 calls) (.2); Receipt and review of e-mail from S. Search re: DOAH matter (.1); Receipt and review of e-mail from T. Smith re: Ghazvini Lease (.1); E-mail to T. Smith re: Ghazvini Lease (.1); Dictation and preparation of correspondence to S. Mathews re: DOAH matter (.2); Begin planning for DOAH matter hearing (.7); Telephone conferences with T. Smith re: professional services invoice and content (2 calls) (.3); Telephone conference with L. Kling re: professional services, DOAH matter, development question (.1); Telephone conference with B. Hollmon re: professional service issue (.2); Telephone conference with R. Tolson re: DOAH matter (.1); Telephone conferences with M. Daigle re: DOAH matter (.2); Review and sign two (2) subpoenas for records in DOAH matter (.1); Telephone conference with B. Law re: professional services contracts, development question, DOAH matter (.3); Telephone conference with R. Daigle re: DOAH matter (.1); E-mails (2) to	4.70 hrs.	587.50

T. Smith re: professional services (.2); Receipt and review of e-mail from S. Brown re: DOAH matter (.1); Telephone conference with E. Eunice re: trespass (.1); Dictation and preparation of amendment to attorney contract (.1); Receipt and review of e-mail from T. Smith re: professional services (.1); E-mails (2) to B. Hollmon re: revised service invoice (.2); Dictation and preparation of correspondence to T. Smith re: professional service agreement (.1); Analysis: remedies for tenant holding over (.4); Receipt and review of e-mail from B. Law re: lease agreement (.1); Telephone conference with S. Mathew re: DOAH matter (.3); Receipt and review of e-mail from B. Hollmon re: revised service invoice (.1); E-mail to B. Sloan, S. Search, V. Mayes re: DOAH matter (.1);

05/20/2009	BJL	Review and analysis of case law addressing elements for a claim under the ADA (.3);	0.30 hrs.	37.50
05/20/2009	WRM	Conference with T. Smith re: professional service contract, vendor lease, Ghazvini lease (.3); Dictation and preparation of correspondence to M. Haney re: sections 10 and 121 of Ghazvini Lease (.3); Telephone conferences with S. Mitchell re: complaint (2 calls) (.3); Review, revise first request to produce in DOAH matter (.3); Review, revise first interrogatories to petitioner in DOAH matter (.2); Review B.M.O. legal services invoice re: PERC election (.1); Memo to T. Smith re: B.M.O. invoice (.1); Telephone conferences with R. Gautier re: lease agreement (3 calls) (.4); Telephone conference with M. Mitchell re: property tax exemption for Ghazvini Health Education Center (.1); E-mail to T. Stallworth re: Ghazvini property description (.1); Telephone conference with W. Rabon re: request for statement provided to TCCPD (.2); Receipt, review and analysis of correspondence from W. Rabon re: statement provided to TCCPD (.1); Dictation and	6.00 hrs.	750.00

preparation of correspondence to S. Mitchell re: statement provided to TCCPD (.2); Receipt, review and analysis of correspondence from S. Mathew re: DOAH record production (.1); Dictation and preparation of revised Dental Hygiene Grading System Marketing Agreement (1.5); Receipt and review of e-mail from R. Gautier re: lease agreement (.1); Receipt and review of e-mails (2) from T. Smith re: professional services contract (.2); Telephone conference with T. Smith re: professional services contract (.1); Review statute per R. Gautier re: lease agreement (.1); E-mail to R. Gautier re: lease agreement (.1); Continued review of documents for use at hearing on DOAH matter (.9); Memo to T. Smith re: professional services contract (.1); Telephone conference with R. Frazier re: Sustainable Tallahassee Lease (.1);

05/21/2009	WRM	Receipt and review of e-mail from R. Frazier re: Sustainable Tallahassee Lease (.1); Receipt and review of e-mail from V. Bahl re: Sustainable Tallahassee Lease (.1); Receipt and review of e-mail from B. Sloan re: DOAH matter documents (.1); Conference with J. Schilling re: employee issue (.4); Telephone conference with R. Tolson re: two employee issues (.3); Review, revise Marketing Agreement (.2); Dictation and preparation of correspondence to B. Sloan re: Marketing Agreement (.2); Receipt and review of PERC verification of election results (.1); Receipt and review of e-mail from D. Heekin re: PERC verification of election (.1); Continued review and analysis of documents in DOAH matter for response to production request and hearing preparation (4.7);	6.30 hrs.	787.50
05/26/2009	WRM	Receipt and review of e-mail from K. Williams re: lease agreement (.1); E-mail to K. Williams re: lease agreement (.1); Receipt and review of request for copies (2) in DOAH matter (.1); E-mail to V. Mayes re: DOAH matter (.1);	5.40 hrs.	675.00

Telephone conference with B. Lesko re: DOAH matter (.1); Receipt and review of e-mail from V. Mayes re: DOAH matter (.1); Receipt and review of e-mails (2) from B. Lesko re: DOAH matter (.2); E-mails (2) to B. Lesko re: DOAH matter (.2); Receipt and review of e-mails (2) from T. Smith re: child care contract (.2); Continued review of documents in DOAH matter to respond to request for production and for hearing preparation (3.5); Review and analysis of child care agreement (.2); E-mails (2) to T. Smith re: child care contract (.3); Receipt and review of e-mail from T. Linley re: law suit files (.1); E-mail to T. Linley re: law suit files (.1);

05/27/2009	WRM	Receipt and review of e-mails (2) from A. Boyette re: lease agreement (.2); Receipt and review of e-mail from K. Williams re: lease agreement (.1); Review and analysis of lease agreement documents, state law (.7); Telephone conference with Heather (President's office) for B. Law re: lease agreement (.1); E-mail to K. Williams re: lease agreement (.1); E-mail to A. Boyette re: lease agreement (.1); Telephone conference with T. Smith re: Ghazvini lease, child care agreement, employee issues (.2); E-mail to M. Haney re: Ghazvini lease (.1); Receipt and review of e-mails (2) from T. Smith re: Ghazvini lease (.2); E-mail to T. Smith re: Ghazvini lease (.1); Receipt and review of e-mail from E. Eunice re: employee issue (.1); Telephone conference with E. Eunice re: employee issue (.2); Receipt and review of e-mail from T. Stallworth re: Ghazvini property description (.1); Dictation and preparation of correspondence to M. Mitchell re: Ghazvini's property description (.2);	2.50 hrs.	312.50
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Fees for this matter \$10,208.00

DISBURSEMENTS

05/06/2009	Copy charges - 192 copies at .10 per copy	19.20
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Jerry Schilling

Invoice# 8392

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05/08/2009	Other fee - sending HB7117 and HB7119 to Jefferson, Sloan and Maxwell	4.02
05/14/2009	Copy charges - 8 copies at .10 per copy	0.80
05/14/2009	Other fee - sending Lease and Desist letter to Sammy Mitchell	11.08
05/20/2009	Copy charges - 7 copies at .10 per copy	0.70
05/21/2009	Copy charges - 3 copies at .10 per copy	0.30

Disbursements for this matter \$36.10

BILLING SUMMARY

Longfellow, B. Joe	Associate	5.20 hrs	125.00 /hr	\$650.00
Mabile, William R	Attorney	76.40 hrs	125.00 /hr	\$9,550.00
Twilley, Winifred	Paralegal	0.20 hrs	40.00 /hr	\$8.00
Fees		81.80 hrs		\$10,208.00

Disbursements

\$36.10

TOTAL CHARGES FOR THIS BILL

\$10,244.10

Fees Billed Fiscal Year to Date 94,023.00

Expenses Billed Fiscal Year to Date 290.90

Fees Received Fiscal Year to Date 75,192.50

Expenses Received Fiscal Year to Date 254.65