

.....
Date April 9, 2007
.....

**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

22

Date April 9, 2007

-2-

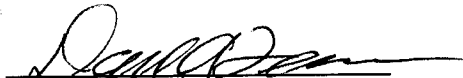
WHEREAS, billings have been received from Myers & Jenkins in the amount of \$4,827.00 through March 19, 2007; and

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 \$4,827.00 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				
MEYER				
VLASSIS				
TOTAL				

MOTION CARRIED

APPROVED

.....
 Mayor

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.

 City Clerk

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

22

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

March 20, 2007

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

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

In Reference To: Mesaba

Account No. 4422-007

Invoice # 25811

For Services Rendered Through March 19, 2007

		<u>Hours</u>	<u>Amount</u>
2/20/2007	JS Review docket;	0.10	16.50
2/21/2007	JS Review docket;	0.10	16.50
2/26/2007	JS Review docket;	0.10	16.50
2/27/2007	JS Telephone call from Debtor's counsel; Receive and review schedule of Assumed Leases;	0.20	33.00
3/1/2007	JS E-mail to David Ferree;	0.10	16.50
3/5/2007	JS Review docket; Review Motion Approving Disclosure Statement; Conference with Mr. Jenkins;	0.30	49.50
3/6/2007	WSJ Conferences (2) with Mr. Steinberg re status of potential damage claim; Receive and review new pleadings;	0.50	112.50
	JS E-mail correspondence with David Ferree; Review Plan of Reorganization; Conference with Mr. Jenkins; Research on curing non monetary defaults to leased property; Second conference with Mr. Jenkins;	2.20	363.00
3/7/2007	JS E-mail correspondence with David Ferree; Conference with Mr. Jenkins; Voice mail to David Ferree;	0.20	33.00
	WSJ Conference with Mr. Steinberg;	0.10	22.50
3/8/2007	JS Telephone call from David Ferree; Conference with Mr. Jenkins;	0.20	33.00
	WSJ Conference with Mr. Steinberg re his telephone call with David Ferree;	0.10	22.50
3/9/2007	WSJ Conference with Mr. Steinberg re City's claim;	0.10	22.50
	JS Memo to file; Conference with Mr. Jenkins;	0.70	115.50
3/12/2007	JS Review docket;	0.10	16.50
3/19/2007	JS Review docket;	0.10	16.50

March 20, 2007
City of Des Moines
Mesaba

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	5.20	\$906.00
Previous balance		\$1,004.30
2/27/2007 Payment - Thank You. Check No. 212015		(\$90.30)
Total payments and adjustments		(\$90.30)
Balance due		<u>\$1,820.00</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	4.40	165.00	\$726.00

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, 2007

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

In Reference To: Northwest Airlines

Account No. 4422-006

Invoice # 25809

For Services Rendered Through March 19, 2007

		<u>Hours</u>	<u>Amount</u>
2/20/2007	JS Review docket;	0.20	33.00
2/21/2007	JS Review Disclosure Statement and Plan; Conference with Mr. Jenkins;	0.80	132.00
	WSJ Receive and review new pleadings; Letter to David Ferree; Conference with Mr. Steinberg;	0.50	112.50
2/23/2007	JS Conference call with various airport counsel; E-mail to Consortium of airports counsel;	0.90	148.50
2/26/2007	WSJ Receive and review new pleadings;	0.20	45.00
	JS Review docket;	0.10	16.50
3/5/2007	WSJ Receive and review new pleadings;	0.30	67.50
	JS Review docket; Review Debtor's Motion to Extend Exclusivity Period; Review Order Approving Compromise with Alair Holdings and Mesaba;	0.30	49.50
3/12/2007	JS Check docket; E-mail to consortium counsel; Receive and review E-mail update from consortium counsel regarding negotiations with Debtor; Conference with Mr. Jenkins;	0.60	99.00
	WSJ Receive and review new pleadings; Conference with Mr. Steinberg;	0.40	90.00
3/13/2007	JS Review draft assumption of terminal lease agreement; Conference with Mr. Jenkins;	0.30	49.50
	WSJ Receive and review new pleadings; Conference with Mr. Steinberg;	0.20	45.00
3/14/2007	WSJ Review Memo from Lori Vaughn; Conference with Mr. Steinberg; Receive and review various new pleadings;	0.80	180.00

March 20, 2007

City of Des Moines

Northwest Airlines

		<u>Hours</u>	<u>Amount</u>
3/14/2007	JS Conference with Mr. Jenkins; E-mail correspondence with David Ferree;	0.20	33.00
3/15/2007	WSJ Conference with Mr. Steinberg; Telephone conference with David Ferree and Mr. Steinberg; Receive and review new pleadings; Review Assumption Agreement;	1.10	247.50
	JS Conference with Mr. Jenkins; Telephone call with Mr. Jenkins and David Ferree; E-mail to David Ferree;	0.50	82.50
3/16/2007	WSJ Receive and review new pleadings;	0.30	67.50
	JS Review Various Omnibus Objection to Claims; E-mail to Consortium counsel;	0.50	82.50
3/19/2007	WSJ Receive and review new pleadings; E-mail from Lou Vaughn; E-mail to Mr. Steinberg; Conference with Mr. Steinberg;	0.50	112.50
	JS Review docket; E-mail from consortium counsel; Voice mail to David Ferree; E-mail to Debtors' counsel; E-mail to David Ferree; Conference with Mr. Jenkins;	0.70	115.50
	For professional services rendered	<u>9.40</u>	<u>\$1,809.00</u>
	Previous balance		\$1,470.20
2/27/2007	Payment - Thank You. Check No. 212015		(\$712.70)
	Total payments and adjustments		<u>(\$712.70)</u>
	Balance due		<u><u>\$2,566.50</u></u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	4.30	225.00	\$967.50
Jase Steinberg	5.10	165.00	\$841.50

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICESPhoenix Corporate Center
3003 North Central Avenue
Suite 1900
Phoenix, Arizona 85012

March 20, 2007

Telephone: 602-200-7900
Facsimile: 602-200-7910
E-mail: ab@mjlegal.com
Federal Tax Id. 86-0476704City of Des Moines
Mr. David Ferree
Legal Department
400 East First Street
Des Moines, IA 50309

In Reference To: Delta Airlines

Account No. 4422-005

Invoice # 25806

For Services Rendered Through March 19, 2007

		<u>Hours</u>	<u>Amount</u>
2/20/2007	JS Review docket;	0.20	33.00
2/26/2007	JS Review docket;	0.10	16.50
2/27/2007	JS Review Solicitation Materials;	0.30	49.50
3/2/2007	WSJ Conference with Mr. Steinberg re Delta Plan Proposed Order;	0.20	45.00
	JS Review Delta Ballot; Plan of Reorganization; Review Approval Order; Conference with Mr. Jenkins;	0.60	99.00
3/5/2007	JS E-mail correspondence with consortium of airports counsel; Memo to Mr. Jenkins; Check docket; Review Debtor's Motion to Extend Exclusivity Period, Time to Assume/Reject Unexpected Leases; E-mail to David Ferree;	0.80	132.00
	WSJ Conference with Mr. Steinberg re status;	0.20	45.00
3/12/2007	JS Review docket;	0.20	33.00
3/13/2007	JS Two conferences with Mr. Jenkins; Review Debtors Disclosure Statement, Plan and Solicitation Procedures; Conference with Mr. Jenkins; Review Comair Ballot; Review 49 USC 40102;	0.70	115.50
	WSJ Conferences (2) with Mr. Steinberg re Debtors Disclosure Statement and Plan;	0.30	67.50
3/15/2007	JS Conference with Mr. Jenkins; Telephone call to David Ferree;	0.40	66.00
	WSJ Conference with Mr. Steinberg; Conference with David Ferree and Mr. Steinberg;	0.40	90.00

22

March 20, 2007

Page 2

City of Des Moines

Delta Airlines

	<u>Hours</u>	<u>Amount</u>
3/16/2007 JS Review Plan and Solicitation Procedures; Complete Comair Ballot; Letter to David Ferree;	0.70	115.50
3/19/2007 JS Review docket;	0.20	33.00
	<hr/>	<hr/>
For professional services rendered	5.30	\$940.50
Additional Charges :		
Fax Expense		5.50
Total costs		<hr/> \$5.50
Total amount of this bill		<hr/> \$946.00
Previous balance		\$3,670.70
2/27/2007 Payment - Thank You. Check No. 212015		(\$2,548.70)
		<hr/> (\$2,548.70)
Total payments and adjustments		<hr/> (\$2,548.70)
Balance due		<hr/> <hr/> \$2,068.00

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	1.10	225.00	\$247.50
Jase Steinberg	4.20	165.00	\$693.00

STATEMENT

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

22

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

March 20, 2007

Telephone: 602-200-7900
Facsimile: 602-200-7910
E-mail: ab@mjlegal.com
Federal Tax Id. 86-0476704City of Des Moines
Mr. David Ferree
Legal Department
400 East First Street
Des Moines, IA 50309

In Reference To: United Airlines

Account No. 4422-003

Invoice # 25810

For Services Rendered Through March 19, 2007

	<u>Hours</u>	<u>Amount</u>
2/20/2007 BAK Print weekly docket;	0.20	18.00
2/21/2007 JS Telephone call to Debtor's counsel;	0.10	17.00
2/26/2007 WSJ Conference with Mr. Steinberg re his Telephone conference with UAL counsel re payment of Cure Claim; E-mail from UAL counsel;	0.20	43.00
BAK Print weekly docket;	0.20	18.00
JS Telephone call from Debtor's counsel; E-mail correspondence with Debtor's counsel; Review confirmed Plan; Conference with Mr. Jenkins;	0.70	119.00
2/27/2007 JS Review Confirmed Plan and City's Cure Claim; E-mail to Debtor's counsel; E-mail from Debtor's counsel; Conference with Mr. Jenkins;	1.70	289.00
WSJ Review and revise letter to United's counsel; Conference with Mr. Steinberg re United letter re cure amount; E-mail from UAL counsel;	0.50	107.50
2/28/2007 JS E-mail to David Ferree;	0.10	17.00
3/5/2007 BAK Print weekly docket;	0.20	18.00
3/19/2007 BAK Print two weeks of docket;	0.30	27.00
	<hr/>	
For professional services rendered	4.20	\$673.50
Previous balance		\$308.50
2/27/2007 Payment - Thank You. Check No. 212015		(\$164.00)

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.

22

March 20, 2007

Page 2

City of Des Moines

United Airlines

	<u>Amount</u>
Total payments and adjustments	(\$164.00)
Balance due	<u>\$818.00</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.70	215.00	\$150.50
Jase Steinberg	2.60	170.00	\$442.00
Beverly A. Kane	0.90	90.00	\$81.00

22

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, 2007

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

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

Account No. 4422-004

Invoice # 25805

For Services Rendered Through March 19, 2007

	<u>Hours</u>	<u>Amount</u>
2/20/2007 BAK Print weekly docket;	0.20	19.00
2/26/2007 BAK Print weekly docket;	0.20	19.00
2/27/2007 JS E-mail from Airport Consortium; Conference with Mr. Jenkins;	0.20	33.00
3/5/2007 BAK Print weekly docket;	0.20	19.00
3/19/2007 BAK Print two weeks of docket;	0.20	19.00
For professional services rendered	<u>1.00</u>	<u>\$109.00</u>
Previous balance		\$115.50
2/27/2007 Payment - Thank You. Check No. 212015		(\$57.50)
Total payments and adjustments		<u>(\$57.50)</u>
Balance due		<u><u>\$167.00</u></u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Jase Steinberg	0.20	165.00	\$33.00

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, 2007

City of Des Moines

City of Des Moines re ATA

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Beverly A. Kane	0.80	95.00	\$76.00

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, 2007

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 # 25807

For Services Rendered Through March 19, 2007

	<u>Hours</u>	<u>Amount</u>
2/21/2007 JS Conference with Mr. Jenkins; Westlaw research on Bankruptcy Act of 2005;	1.10	181.50
WSJ Conference with Mr. Steinberg re impact of New Bankruptcy Code on Airport Lease;	0.30	64.50
2/22/2007 JS Research on Bankruptcy Amendments of 2005;	0.80	132.00
For professional services rendered	<u>2.20</u>	<u>\$378.00</u>

Additional Charges :

Fax Expense 5.50

Total costs \$5.50

Total amount of this bill \$383.50

Balance due \$383.50

22

March 20, 2007

Page 2

City of Des Moines

General

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.30	215.00	\$64.50
Jase Steinberg	1.90	165.00	\$313.50