

Date July 10, 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

31

Date July 10, 2006

-2-


WHEREAS, billings have been received from Myers & Jenkins in the amount of \$1,386.00 through June 19, 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 \$1,386.00 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 A. Ferree
 Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BROOKS				
COLEMAN				
HENSLEY				
MAHAFFEY				
KIERNAN				
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

37

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

June 20, 2006

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

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 June 19, 2006

Professional Services

	<u>Hours</u>	<u>Amount</u>
5/22/2006 JS Review docket; Review Order Fixing Bar Date; Review Debtor's Motion to Extend Time to File Statement of Finances; Letter to David Ferree;	0.60	99.00
BAK Print weekly docket;	0.20	19.00
5/31/2006 BAK Print weekly docket;	0.20	19.00
6/5/2006 BAK Print weekly docket;	0.20	19.00
6/12/2006 BAK Print weekly docket;	0.20	19.00
6/19/2006 BAK Print weekly docket;	0.20	19.00
For professional services rendered	<u>1.60</u>	<u>\$194.00</u>
Previous balance		\$284.00
Balance due		<u><u>\$478.00</u></u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
Jase Steinberg	0.60	165.00	\$99.00

June 20, 2006
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	1.00	95.00	\$95.00

STATEMENT

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

31

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

June 20, 2006

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

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 June 19, 2006

Professional Services

	<u>Hours</u>	<u>Amount</u>
5/15/2006 JS Review docket;	0.10	16.50
5/22/2006 JS Review docket;	0.10	16.50
5/30/2006 WSJ Conference with Mr. Steinberg; Telephone conference with David Ferree's office; Receive and review new pleadings;	0.20	45.00
JS Review docket;	0.10	16.50
5/31/2006 WSJ Telephone conference with Dave Ferree;	0.10	22.50
6/5/2006 JS Review docket;	0.10	16.50
6/12/2006 JS Review docket;	0.10	16.50
6/19/2006 JS Review docket;	0.10	16.50
	<hr/>	<hr/>
For professional services rendered	0.90	\$166.50
Previous balance		\$265.12
		<hr/>
Balance due		<u><u>\$431.62</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.

June 20, 2006
City of Des Moines
Mesaba

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.30	225.00	\$67.50
Jase Steinberg	0.60	165.00	\$99.00

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

37

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

June 20, 2006

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

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 June 19, 2006

Professional Services

		<u>Hours</u>	<u>Amount</u>
5/15/2006	JS Review docket;	0.10	16.50
5/25/2006	WSJ Receive and review new pleadings;	0.10	22.50
5/26/2006	JS E-mail correspondence with David Ferree;	0.10	16.50
	WSJ Receive and review new pleadings; Review and revise Statement;	0.30	67.50
5/30/2006	JS Review docket;	0.10	16.50
	WSJ Receive and review new pleadings;	0.20	45.00
5/31/2006	WSJ Telephone conference with Dave Ferree; Receive and review new pleadings;	0.30	67.50
6/1/2006	WSJ Receive and review new pleadings;	0.10	22.50
6/2/2006	WSJ Receive and review new pleadings;	0.20	45.00
6/5/2006	JS Review docket;	0.10	16.50
6/8/2006	WSJ Receive and review new pleadings;	0.10	22.50
6/12/2006	JS Review docket; Review Stipulation between Debtor and Orlando Airport; Conference with Mr. Jenkins;	0.40	66.00
	WSJ Conference with Mr. Steinberg;	0.20	45.00
6/16/2006	WSJ Receive and review new pleadings;	0.10	22.50
6/19/2006	JS Review docket;	0.10	16.50
	WSJ Conference with Mr. Steinberg re his review of docket; Receive and review new pleadings;	0.30	67.50
For professional services rendered		<u>2.80</u>	<u>\$576.00</u>

June 20, 2006
City of Des Moines
Northwest Airlines

	<u>Amount</u>
Previous balance	\$1,703.00
Balance due	<u><u>\$2,279.00</u></u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	1.90	225.00	\$427.50
Jase Steinberg	0.90	165.00	\$148.50

Myers & Jenkins

A PROFESSIONAL CORPORATION
LAW OFFICES

31

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

June 20, 2006

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

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 June 19, 2006

Professional Services

	<u>Hours</u>	<u>Amount</u>
5/11/2006 WSJ Receive and review new pleadings;	0.10	21.50
5/22/2006 BAK Print weekly docket;	0.10	9.00
5/31/2006 BAK Print weekly docket;	0.10	9.00
6/5/2006 BAK Print weekly docket;	0.10	9.00
6/12/2006 BAK Print weekly docket;	0.10	9.00
6/19/2006 BAK Print weekly docket;	0.10	9.00
	<u>0.60</u>	<u>\$66.50</u>
For professional services rendered		
Previous balance		\$416.00
		<u>\$482.50</u>
Balance due		<u><u>\$482.50</u></u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.10	215.00	\$21.50
Beverly A. Kane	0.50	90.00	\$45.00

STATEMENT

Myers & Jenkins

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

June 20, 2006

Telephone: 602-200-7900
Facsimile: 602-200-7910
E-mail: ab@mjlegal.com
Federal Tax Id. 86-0476704City 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 June 19, 2006

Professional Services

		<u>Hours</u>	<u>Amount</u>
5/15/2006	JS Review docket;	0.10	16.50
5/22/2006	JS Review docket;	0.10	16.50
5/30/2006	JS Review docket; Review Debtors Motion to Establish Claim Procedures; Conference with Mr. Jenkins;	0.30	49.50
	WSJ Conference with Mr. Steinberg new claims procedure;	0.10	22.50
6/5/2006	JS Review docket; Review schedules and Statement of Affairs; Conference with Mr. Jenkins; Review Comair docket; Conference with Mr. Jenkins;	1.20	198.00
	WSJ Conference with Mr. Steinberg;	0.10	22.50
6/12/2006	JS Review docket; Review order setting Bar Date;	0.20	33.00
6/19/2006	JS Review docket;	0.10	16.50
	For professional services rendered	<u>2.20</u>	<u>\$375.00</u>

Additional Charges :

Fax Expense	<u>8.00</u>
Total costs	\$8.00

Total amount of this bill	<u>\$383.00</u>
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Previous balance	\$483.00
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31

June 20, 2006
City of Des Moines
Delta Airlines

	<u>Amount</u>
Balance due	<u>\$866.00</u>

Timekeeper Summary

<u>Name</u>	<u>Hours</u>	<u>Rate</u>	<u>Amount</u>
William Scott Jenkins	0.20	225.00	\$45.00
Jase Steinberg	2.00	165.00	\$330.00

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