

Curtis, Heinz, Garrett & O'Keefe, P.C.

Attorneys at Law

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City of Ellisville
Attn: Kevin Book, City Manager
1 Weis Avenue
Ellisville, Missouri 63011

Statement No. 91559

Matter Id: E235-33

Special Counsel - Mayor Adam Paul

Professional Fees			Hours
3/4/2013	KKC	Office conference ██████████ to discuss amending resolution, Reviewed emails and correspondence and Motion from Chet Pleban's office	3.00
3/4/2013	KMO	Background briefing, review pleadings and evidence, development of strategy options going forward	2.20
3/4/2013	EJS	Research pertaining to prohibition on discovery into individual legislature's decision making process	1.00
3/5/2013	KKC	Document Review	1.30
3/7/2013	JPC	Review letter from Pleban; review articles for recall; conference with K. Cheung	0.90
3/7/2013	KKC	Telephone conference with ██████████; planning and strategy meeting with JPC	0.90
3/8/2013	JPC	Review letter to City requesting subpoena for Paul deposition; email to K. Cheung; review and revise objections to Pleban's motion for subpoenas; review letter from Pleban requesting that hearing place accommodate 1,000 attendees; conference with K. Cheung regarding preparation for hearing; review memo dismissing TRO, injunction proceeding	1.80
3/8/2013	KKC	Reviewed case law on legislative privilege; prepared Objections and Responses to Adam Paul's Motion for Subpoena Duces Tecum; Letter to City requesting Subpoena Duces Tecum for Adam Paul; listened to Adam Paul's interview on KTRS on 3/7/13; Researched Adam Paul's statements to print media	2.00

3/11/2013	JPC	Review amended resolution for impeachment; conference with KKC; review series of emails between K. Cheung and attorney Petruska regarding request for subpoenas, hearing before J. Maupin, and scheduling of depositions; begin draft of outline for Paul depo	2.40
3/11/2013	KKC	Emails with John Maupin and Lynette Petruska regarding our objections to their Motion for SDT; office conference with P. Chassaing regarding depositions, our position on AP's request; action plan moving forward	1.60
3/12/2013	JPC	Email from Petruska regarding demand for public hearings; reply email to Petruska; email from Pleban; legal research Chapter 610; conference with K. Cheung; email from J. Maupin to counsel	1.80
3/12/2013	KKC	Received and reviewed emails from Petruska, Pleban and Maupin; discussion with P. Chassaing regarding Sunshine Law issues surrounding hearing on objections; began detailed review of documentary evidence supporting allegations	2.40
3/13/2013	JPC	Conference with K. Cheung; email from C. Pleban; email to Pleban; draft notice of deposition of Mayor A. Paul directed to Pleban and Petruska setting depo for 3/22; telephone conference with K. Cheung; review of amended resolution	2.30
3/13/2013	KKC	Document review; reviewed emails from City, revised resolution, City Charter; researched Open Court doctrine; email from John Maupin regarding hearing on objections	3.40
3/14/2013	JPC	Prepare notice of deposition of Adam Paul; fax to Pleban and arrange delivery to office; telephone conference with City Staff and K. Cheung; prepare for hearing	0.80
3/14/2013	KKC	Went to City Hall to conduct interviews with [REDACTED] and [REDACTED] telephone conference with [REDACTED] work/strategy session with P. Chassaing; reviewed emails from Chet Pleban	5.30
3/15/2013	JPC	Review documents forwarded from city staff; email exchange with Petruska; conference with K. Cheung regarding modification of depo scheduling and scheduling of hearing on objections	2.30
3/15/2013	KKC	Numerous telephone conferences and emails with witnesses and Chet Pleban's office to schedule depositions and subpoena duces tecum; spoke with [REDACTED] on various matters; continued preparation for hearing	3.80
3/15/2013	EJS	Research pertaining to application of legislative privilege and issues pertaining to impeachment resolution	1.50
3/16/2013	KKC	Hearing preparation	3.20
3/17/2013	EJS	Research pertaining to application of legislative privilege and issues pertaining to impeachment resolution	0.70
3/18/2013	JPC	Review of documents; telephone conferences with [REDACTED]	5.70

		and [REDACTED], review of authorities on privilege claims; prepare for hearing on objections; attend hearing on objections via telephone; arrange for copying of documents and delivery to Pleban	
3/18/2013	KKC	Received and reviewed emails from [REDACTED] and Petruska; telephone conference with P. Chassaing regarding objection hearing	0.80
3/18/2013	EJS	Research pertaining to application of legislative privilege and issues pertaining to impeachment resolution; Research pertaining to attorney client and work product privilege; Multiple office conference with P. Chassaing regarding the same	3.30
3/19/2013	JPC	Appear at city hall to interview and prepare witnesses for depositions; review emails from and to Mayor's counsel	6.80
3/19/2013	KKC	Appear at city hall to interview and prepare witnesses for depositions; review emails from and to Mayor's counsel; listened to conversation between Chief and Adam Paul; email with Chet regarding depositions	5.80
3/20/2013	JPC	Attend deposition of Paul Martin (laid over to 3/21)	7.00
3/20/2013	KKC	Reviewed new documents, emails from [REDACTED] worked on deposition outline for Adam Paul; office conference with [REDACTED]	4.50
3/21/2013	JPC	Prepare for depositions of P. Martin, T. Pieper, K. Bookout; attend continued deposition of Martin and Pieper; conference with [REDACTED] and K. Cheung	8.40
3/21/2013	KKC	Document review; continued work on deposition/trial outline for Adam Paul; meeting with [REDACTED] and P. Chassaing; reviewed additional legal research regarding Rule of Necessity	5.40
3/21/2013	EJS	Research pertaining to rule of necessity and admissibility of lie detector tests	0.70
3/22/2013	JPC	Review notes and exhibits marked in depositions on Wednesday; conference with K. Cheung regarding preparations for hearing on 4/01/13; review latest set of emails from P. Martin	4.60
3/22/2013	KKC	Document review; hearing preparation	3.80
3/22/2013	EJS	Research pertaining to rule of necessity; Research regarding claims raised by Mayor	0.70
3/23/2013	KKC	Listened to portions of audio of council meetings; reviewed additional new documents from Paul Martin	1.80
3/24/2013	KKC	Hearing preparation; telephone conference with [REDACTED]	2.30
3/25/2013	JPC	Conference with [REDACTED], attend deposition of K. Bookout; review charter enforcement procedure; revise deposition outline	3.80
3/25/2013	KKC	Finished document review; hearing preparation; office conference with and telephone conference with [REDACTED] worked	8.60

		on depo outline for Adam Paul; listened to additional meeting recordings	
3/25/2013	EJS	Research pertaining to rule of necessity, claims raised by Mayor, Impeachment process	1.80
3/26/2013	JPC	Prepare for depositions of city staff, city council members and Adam Paul; prepare subpoena duces tecum to A. Paul; review email from Pleban and Petruska with motion to continue; conference with K. Cheung; email same to [REDACTED] with comment; forward e-tran of deposition to Paul Martin for enata review; telephone conference with process server regarding A. Paul's refusal to acknowledge identity; assault by Mrs. Paul, directions for second attempt to serve	6.90
3/26/2013	KKC	Completed Adam Paul depo outline with corresponding exhibits; office conference with P. Chassaing to review depo strategy; hearing preparation	4.50
3/26/2013	EJS	Research pertaining to rule of necessity; Research cases on impeachment process	0.50
3/27/2013	JPC	Appear at city hall for continued deposition of Paul Martin, deposition of Matt Perrillo; review circuit court petition filed by attorneys for Adam Paul seeking TRO and writ of prohibition to stop hearing on April 1; conference with K. Cheung; review Pleban/Paul statements on KMOX	7.20
3/27/2013	KKC	Prepared additional documents and materials for Adam Paul's deposition; Hearing preparation; Received and reviewed Adam Paul's Petition for Writ of Prohibition, Verified Petition for Temporary Restraining Order, Preliminary and Permanent Injunction, and Petition for Declaratory Judgment; office conference with K. O'Keefe and E. Sluys regarding same; telephone conference with [REDACTED]	4.20
3/27/2013	KMO	Review Injunction pleadings filed by attorney for Mayor, review background materials, legal research regarding city charter, ordinance and applicable case law, prepare for hearing on TRO request	2.80
3/27/2013	EJS	Review writ petition filed by the Mayor; Research and draft opposition to TRO and motion to dismiss claims; Research pertaining to claims made by the Mayor relative to the Impeachment proceedings	4.10
3/28/2013	JPC	Assist with preparations for hearing on writ of prohibition/TRO; telephone conferences with [REDACTED]; telephone conference with process server	3.80
3/28/2013	KKC	Prepared for argument on Petition for TRO and Writ of Prohibition, reviewed and revised Motion to Dismiss and Memorandum in Opposition; went to Div 1 to argue Petition for TRO and Writ of Prohibition	5.50
3/28/2013	KMO	Conference with co-counsel; review and revise draft pleadings on TRO action filed by Mayor; prepare for court appearance; attend court for TRO hearing	3.90

City of Ellisville

3/28/2013	EJS	Research and draft opposition to TRO and motion to dismiss claims; Additional legal research relative to the rule of necessity and impeachment process; Research pertaining to claims made by the Mayor relative to the impeachment proceedings	4.80
3/29/2013	JPC	Email exchange with Pleban regarding Mayor's depo; review petition in appellate court for writ of prohibition; conference with K. Cheung, K. O'Keefe; prepare for hearing; email to P. Martin forwarding transcript of deposition	5.30
3/29/2013	KKC	Received Circuit Court TRO and Writ ruling; telephone conferences with [REDACTED]; Hearing preparation; Received and reviewed Writ of Prohibition and additional pleadings filed with Court of Appeals; office conference with E. Sluys regarding preparation of Suggestions In Opposition to Writ; office conference with P. Chassaing and K. O'Keefe regarding amending Resolution for Removal	7.70
3/29/2013	KMO	Review pleadings filed in Court of Appeals, conferences with co-counsel regarding strategy and procedural issues	1.20
3/29/2013	EJS	Review writ of prohibition and supporting documents and pleadings filed in the Missouri Court of Appeals; research regarding the same; Research and draft opposition to the writ of prohibition; Research pertaining to amending the preliminary resolution of impeachment; Research and draft amendment to preliminary resolution and motion for leave to file the same	5.30
3/30/2013	JPC	Draft certifications and affidavit of business records; conference with K. Cheung to review hearing outline; prepare for hearing	2.30
3/30/2013	KKC	Hearing Preparation; witness preparation; Reviewed and edited Suggestions in Opposition to Mayor's Petition for Writ of Prohibition filed with Court of Appeals; telephone conferences [REDACTED]	12.40
3/30/2013	KMO	Legal research and multiple exchanges of e-mail regarding procedural issues	1.20
3/30/2013	EJS	Research and draft opposition to the writ of prohibition; Research in preparation for hearing on 4-1-13	4.10
3/31/2013	JPC	Review and revise hearing outline and other preparation for hearing; revise suggestions in opposition to petition for court of prohibition filed in Court of Appeals	2.60
3/31/2013	KKC	Hearing preparation	5.80
3/31/2013	KMO	Legal research and review and edit draft pleading to be filed in Court of Appeals, exchange of e-mail regarding same	0.80
3/31/2013	EJS	Research and draft opposition to the writ of prohibition; Research in preparation for hearing on 4-1-13; Research and draft amendment to preliminary resolution and motion for leave to file the same	4.20

Sub-total Fees: 42,338.00

Rate Summary

J. Patrick Chassaing	76.70 hours at \$ 200.00 /hr	15,340.00
Keith K. Cheung	100.00 hours at \$ 200.00 /hr	20,000.00
Kevin M. O'Keefe	12.10 hours at \$ 200.00 /hr	2,420.00
Edward J. Sluys	32.70 hours at \$ 140.00 /hr	4,578.00
Total hours:	<u>221.50</u>	

Expenses

3/29/2013	Concannon & Jaeger	203.00
4/1/2013	St. Louis County Circuit Clerk (Copies)	29.40

232.40

Sub-total Expenses:

Payments

3/27/2013	Payment	Payment Received	440.00
Sub-total Payments:			<u>440.00</u>

Total Current Billing: 42,570.40
 Previous Balance Due: 0.00
 Total Now Due: 42,570.40

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10/11/4/10/20
DUB

City of Ellisville
Attn: Kevin Bookout, City Manager
1 Weis Avenue
Ellisville, Missouri 63011

Statement No. 92015

Matter id: E235-33 Special Counsel - Mayor Adam Paul

Professional Fees			Hours
4/1/2013	JPC	Prepare for and attend hearing a Ellisville Elementary	13.00
4/1/2013	KKC	Hearing preparation; received and reviewed denial of Writ from Court of Appeals; meeting with witnesses; hearing at Ellisville Elementary	15.40
4/1/2013	EJS	Prepare suggestions in opposition to the writ filed with Court of Appeals and certificate of compliance in accordance with local rules; Research pertaining to [REDACTED]; Research pertaining to requirements for performance of the office of mayor; Prepare documents and audio equipment for use at hearing	3.40
4/2/2013	JPC	Preparation for hearing; attend hearing at Ellisville Elementary	9.50
4/2/2013	KKC	Hearing Preparation; Received and reviewed Application for Writ of Prohibition filed with Supreme Court; conference with E. Sluys regarding filing Suggestions in Opposition; witness preparation; hearing at Ellisville Elementary	15.70
4/2/2013	EJS	Research pertaining to [REDACTED]; Research pertaining to requirements for performance of the office of mayor; Review writ pleadings filed in Mo Supreme Court; Research and draft suggestions in opposition to writ proceedings and file same; Additional research in preparation of continued hearing	3.90
4/3/2013	JPC	Prepare for hearing; draft affidavit regarding service of subpoena to Adam Paul on his counsel; appear at St. John Lutheran School for hearing	8.00

4/3/2013	KKC	Exhibit preparation; witness preparation; concluded hearing at St. John Lutheran School	8.20
4/3/2013	KMO	Conferences with with co-counsel regarding status of matters and strategy options for remaining issues	0.50
4/4/2013	JPC	Conference with K. Cheung to discuss plan for closing argument; review Sunshine Law [REDACTED]	0.50
4/4/2013	KKC	Emails with Maupin and Pleban regarding oral arguments; received and reviewed document request by Lynette Petruska; telephone conference with [REDACTED] reviewed chapter 536 RSMo regarding closing arguments	1.50
4/4/2013	EJS	Research pertaining to sunshine law issues; Research pertaining to MAPA requirements for hearings	0.50
4/5/2013	JPC	Conference with K. Cheung, [REDACTED]; email from [REDACTED] reply to same; organize trial files for use on appeal, etc	1.40
4/8/2013	KKC	Worked on and prepared for closing argument; attended hearing and deliberations at St. John's Lutheran	6.80
4/8/2013	KMO	Review and edit materials for K. Cheung, conference with K. Cheung regarding conclusion of hearing	0.40

Sub-total Fees: 17,272.00

Rate Summary

J. Patrick Chassaing	32.40 hours at \$ 200.00 /hr	6,480.00
Keith K. Cheung	47.80 hours at \$ 200.00 /hr	9,520.00
Kevin M. O'Keefe	0.90 hours at \$ 200.00 /hr	180.00
Edward J. Sluys	7.80 hours at \$ 140.00 /hr	1,092.00
Total hours:	<u>88.70</u>	

Total Current Billing: 17,272.00
 Previous Balance Due: 42,570.40
 Total Now Due: 59,842.40