

conclusions.

- vi. Work on fee petition, preparation for hearing on attorneys' fees

Subsequent to the date hereof, it will be necessary for the undersigned counsel to devote the following time and services in this cause:

- vii. Hearing on fees and preparation of post-hearing memorandum and judgment on the issue of attorneys fees,
- b. The novelty and difficulty of the questions involved. The litigation of this matter has been at times difficult and contentious. Plaintiff has continued to put forth creative and clever arguments in support of their contentions.
- c. The skill requisite to perform the legal service properly. Plaintiff's actions and arguments impacted the amount of fees.
- d. The likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer.
- e. The fee customarily charged in the locality for similar legal services. Litigation of municipal condemnation involving large sums of money is appropriately billed on an hourly basis and the fee is directly related to the amount of time spent. It is impossible to estimate the amount of time that will be required at the outset of the litigation. Every case is different as the facts, parties and lawyers are different in each case. The time spent in this case was reasonable and the rate charged reasonable. The stated hourly rate for the undersigned's time was \$275 per hour but the average rate for the firm's bill works out to be less per hour when all lawyers' time, no charge entries and support staff time is considered.
- f. The amount involved. Plaintiff sued 222 Hats, LLC to take Defendant's property. According to Plaintiff, the property is valued in excess of \$500,000. Defendant contends the property is worth more than Plaintiff contends.
- g. The results obtained. 222 Hats, LLC was successful in that Plaintiff was not permitted to take Defendant's property.
- h. The time limitations imposed by the client or by the circumstances. As with any litigation of this value and importance to the client, it took precedence over other cases and legal matters for the firm, limiting the time counsel and staff could spend on other matters.
- i. The nature and length of the professional relationship with the client. Undersigned counsel has represented Juan Carrasquel, the principal of 222 Hats, on other matters.
- j. The experience, reputation and ability of the lawyer or lawyers performing the services. The undersigned was admitted to practice law in the State of Indiana in 1981 and I have, since 1981, continuously practiced law in Monroe County, Indiana in affiliation with the law firm of Ferguson Law (formerly Ferguson & Ferguson and Ferguson, Ferguson & Lloyd). My practice has been primarily in the state and federal (Southern District) courts of Indiana. I have represented clients in approximately 54 different counties in Indiana but practice primarily in Monroe and the surrounding

counties. I have participated as lead counsel or second chair in 23 jury trials and many bench trials. I have handled either as lead counsel or assisted approximately 28 appeals and participated in two oral arguments in front of the Indiana Court of Appeals. I attach a summary resume as Exhibit 1 which accurately summarizes my experience. A substantial portion of the undersigned counsel's practice is devoted to litigation such as this matter.

- k. Whether the fee is fixed or contingent. This fee has been hourly, and not contingent, to date.
- 4. That the necessary legal associates, clerks, and secretarial services employed by the undersigned, in addition to the office equipment and research resources used by counsel are factors that should be taken into consideration in setting the fee.
- 5. That the fee set forth below is the customary and usual fee for like and similar cases representing litigants in Monroe County, Indiana.
- 6. That based on all of the above, a reasonable fee in this cause of action for the firm of Ferguson Law only, from April 2019 through January 21, 2020, is \$22,848.25. This is exclusive of expenses and costs advanced on behalf of 222 Hats, LLC, which total \$0. The total of fees and costs to date is \$22,848.25.
- 7. A detailed copy of the firm's time entries, with a fee summary, is attached hereto as Exhibit 2.
- 8. Attorney Amanda Stephens assisted in the representing 222 Hats, LLC in this matter. Stephens joined Ferguson Law in August 2018 and left in June 2019.

AFFIRMATION

I affirm under the penalties for perjury that the foregoing representations are true.

Date: January 22, 2020.



David L. Ferguson Atty #: 8111-53

DAVID L. FERGUSON
Attorney at Law

Firm:

Ferguson & Ferguson, Attorneys at Law
403 E. Sixth Street
Bloomington, Indiana 47408-4098
812.332.2113 ext. 203

Education:

B.S., Indiana University, 1978 (With Distinction)
Metz Scholar, 1974-78
Honor Societies: Beta Gamma Sigma, Phi Eta Sigma
J.D., Indiana University (Bloomington) 1981

Type of Practice:

Trial and appellate counsel in cases involving insurance coverage (including insurers in liquidation and the effect of guaranty fund exposure) and insurers' bad faith (auto, health, life, etc.), construction negligence, breach of contract, ERISA, fraud, warranty, personal injury, wrongful death, municipal liability including negligence, false arrest and road design and maintenance, school law, premises liability, products liability and toxic torts, common carrier liability (trucking issues-liability due to I.C.C. permit), taxation, mining violations, divorce and child custody. Represent Richland-Bean Blossom Community School Corporation and Spencer-Owen Community School Corporation and deal with personnel matters including unfair practice claims by the teacher's union, teacher dismissal hearings, insurance and other school law issues. Also represent Glatfelter Claims Management involving volunteer and regular fire departments and emergency medical services such as employment law, medical negligence of emergency medical providers, liability of fire departments for actions of their personnel and other matters. Represent Perry-Clear Creek Fire Protection District for similar and governmental issues.

Cases in state and federal courts and state and federal administrative proceedings.

Transactions involving commercial real estate, renovation of historic properties, representation of private companies before local zoning boards, plan commissions, and city councils for variances, tax abatements, and easements.

Professional Associations:

National School Board Association Council of School Attorneys (COSA)
American, Indiana and Monroe County Bar Associations since 1981
Defense Research Institute since 1988
Defense Trial Counsel of Indiana (Rules, Employment Law Committees).
Life Fellow of the Indiana Bar Foundation.

Courts:

Admitted to practice:

Indiana Supreme Court, 1981.
U.S. District Court for the Southern District of Indiana, 1981.
U.S. District Court for the Northern District of Indiana, 2011.
Seventh Circuit Court of Appeals, 2009.
United States Supreme Court, 1986.

Academia:

Sponsor, Chungbuk National University School of Law (South Korea) internship program with Ferguson Law - 2015
Sponsor, internships for international students from the Indiana University School of Law (Bloomington)
Volunteer Judge, Indiana University (Bloomington) School of Law, Sherman Minton Moot Court Competition.
Volunteer assistant for Indiana University School of Law (Bloomington) Trial Process program run by Professor J. Alexander Tanford.
Instructor, Certified Apartment Manager (CAM) Program by the National Apartment Association for the Monroe County Apartment Association, Legal Issues, 2002-2007.
Guest lecturer for Au.D. (Doctorate in Audiology) program at Indiana University, Bloomington (Legal Issues)(2004).

Civic Activities:

Bloomington Chamber of Commerce, Director. 2019-2022.
Acacia Fraternity Foundation, Board of Trustees. 2014-2020.
Monroe County Public Library, Board of Trustees, 1995-2007 (County Council Appointment), 2008-2020 (County Commissioner's Appointment), (Vice-president, 1996; President, 1997-2000; Treasurer, 2001-2007, 2009-2019)(Accomplished \$23 million construction/renovation project; annual budget \$7 million, over 100 employees.)
Director, Monroe County History Center, 2006-07 (Finance Committee).
Director, Monroe County Apartment Association 2002-07 (Government Relations, Legal Committees)
Member, Ind. Library Federation Insurance and Benefits Committee 1997
(Created a statewide coalition of libraries for health insurance coverage, which led to cost savings and increased benefits for library employees statewide; also created program for Directors and Officers insurance with significant cost savings to libraries statewide)
Director, Bloomington Restorations, Inc., 1997-98, 1999-2000
Monroe County Parks and Recreation Board, 1996-2011
Chairman, Parking Committee commissioned by Mayor Fernandez, 1996
President, Old N.E. Downtown Neighborhood Association, 1994-2006
(Created receivership for an abandoned house at 723 E. Tenth St., resulting in its renovation and the elimination of a long-standing neighborhood eyesore)
Order of Pythagoras, Acacia Fraternity, 1994
Indiana Acacia Building Corporation, 1988-92

Chapter Advisor, Acacia Fraternity, Indiana Chapter, 1986-92

Personal:

Married to Tyler Kate (Caldwell) Ferguson since 1998.

Published Cases:

Clayton v. Morgan Co. Sheriff's Dept, Madison Twp. F.D., 95 N.E.3d 189 (Ind. Ct. App. 2018), trans. denied, 2018 WL 4212196, Aug. 30, 2018.

Johnson v. Jacobs 970 N.E.2d 666 (Ind. Ct. App. 2011), trans. denied Feb. 29, 2012.

Cincinnati Insurance Co. v. American Alternative Ins. Co. 866 N.E.2d 326 (Ind. Ct. App. 2007), transfer denied July 25, 2007.

Brady v. Brown Twp. Lifestar Ambulance Service, 802 N.E.2d 983 (Ind.Ct.App.2004)

St. John v. Town of Ellettsville, 46 F.Supp.2d 834 (S.D. Ind. 1999)

Hupp v. Canal Insurance Co., 654 N.E.2d 901 (Ind. Ct.App.1995) trans. den.

Dale Bland Trucking, Inc., v. Kiger, 598 N.E.2d 1103 (Ind. Ct.App.1992) trans. den.

Ira v. Farm Bureau Insurance, 577 N.E.2d 588 (Ind. Ct.App.1991) trans. den.

Monroe Financial Corp. v. Di Silvestro, 529 N.E.2d 379 (Ind. Ct.App.1988).

Heger v. Trustees of Indiana University, 526 N.E.2d 1041 (Ind. Ct.App.1988).

City of Bloomington v. Kuruzovich, 517 N.E.2d 408 (Ind. Ct.App.1987).

Garrett v. City of Bloomington, 478 N.E.2d 89 (Ind. Ct.App.1985).

Publications:

Model Retainer Agreement for the Organization of a Corporation, ICLEF Seminar "Corporate Practice and New Indiana Corporate Forms," Vol. II. ICLEF 1989.

"Public Boards, Public Meetings" (An article discussing the Indiana "Open Door" Law), Indiana Libraries Magazine, Volume 17, Number 1, 1998.

Lectures:

Panelist on Zoning issues for Bloomington Chamber of Commerce, Nov. 29, 2018.

Panelist for "Reinvesting in a Traditional Downtown" held on February 22, 2006, Bloomington, Indiana (hosted by the Housing and Neighborhood Development department of the City of Bloomington).

Panelist for The 6th Annual Indiana Community Development Course, "From Cities to Soybeans: The Art & Science of Building Community" May 19th, 2000. Muncie, Indiana.

Panelist for Indiana Public Library Association's Leadership Series, Oct. 29, 1997; Topic: "There's a Bomb in a Book in Your Library; What to do When the Incident Occurs." Nashville, Indiana.

Speaker for Monroe Co. Apt Assoc. Seminar, December 6, 1995. Topic: "Torts and Tenants: From Caveat Lessee to Caveat Lessor." Bloomington, Indiana.

David L. Ferguson
 Attorney at Law
 Ferguson Law
 A Professional Association
 403 East Sixth Street
 Bloomington, Indiana 47408
 Ph: 812.332.2113 Fax: 812.334.3892
 Email: DLF@ferglaw.com
 www.ferglaw.com

Monthly billing for:

Juan C. Carrasquel
 The JuanSells.com Realty Co.
 222 S. Walnut Street
 Suite A
 Bloomington IN 47404-0000

Re: **Our Case Number:** A 2788.003
Case Name: Carrasquel, Juan: 222 Hats, LLC, City Bltn v.
Your Case Number:

DLF: David L. Ferguson, Attorney DSB: Donna S. Bryant, Accounting
 MJS: Megan J. Schueler, Attorney DMW: Diana M. Wires, Ind. Reg. Paralegal
 CLB: Christine L. Bartlett, Attorney YKM: Yael K. Massen, Executive Assistant
 ALS: Amanda L. Stephens, Attorney AVW: Allison V. Weber, Law Clerk

Date	Atty	Description	Hours	Rate	Total
04/11/2019	DLF	Office conf. Juan re: garage issue.	.40	275	110.00
04/11/2019	ALS	Consultation w/ client and DLF, re: Takings issue.	.90		No Charge
04/29/2019	ALS	Corres. w/ DLF and client, re: Meeting with City, re: 4th Street garage.	.20		No Charge
05/03/2019	ALS	Conf. w/ DLF, re: Meeting with client and City, re: 4th Street garage.	.20		No Charge
05/06/2019	ALS	Corres. w/ client and Conf. w/ DLF, re: 4th Street garage offer and reviewed emails.	.20		No Charge
05/06/2019	ALS	Conf. w/ DLF and CLB, re: 4th Street garage issue w/ city.	.30		No Charge
05/06/2019	ALS	Reviewed documents; corres. w/ , eminent domain atty, re: referral for client for 4th Street Garage issue; and corres. w/ client and DLF, re: Meeting with	.60	220	132.00
05/06/2019	DLF	tx Juan re: City wanting signature, discussed issues with taking, review of lawyers specializing in condemnation law.	.50	275	137.50
05/07/2019	ALS	Conf. w/ DLF, re: 4th Street garage issue w/ city and meeting w/	.25		No Charge
05/07/2019	ALS	Corres. w/ atty, re:	.20	220	44.00

Ferguson Law, 403 East Sixth Street, Bloomington, Indiana 47408
 Phone: 812.332.2113 FAX: 812.334.3892 Email: DLF@ferglaw.com www.ferglaw.com
 Rate us at www.lawyers.com/bloomington/indiana/david-l-ferguson-972229-a/

05/08/2019	ALS	client for 4th Street Garage issue; and corres. w/ client and DLF, re: Meeting with Conf. w/ YKM, re: Docs for conference call w/ client, DLF, and	.20		No Charge
05/08/2019	ALS	Reviewed city's offer for client's property; and conference call w/ client, and DLF.	1.50		No Charge
05/08/2019	ALS	Reviewed city's offer for client's property; and conference call w/ client, and DLF.	.25	220	55.00
05/08/2019	DLF	Teleconf. w/ re: taking by City, issues, defenses,	.75	275	206.25
05/09/2019	ALS	Corres. w/ City and client, re: Rescheduling 5/10/19 meeting, re: 4th Street garage.	.30	220	66.00
05/09/2019	ALS	Corres. w/ client and conf. w/ DLF, re: Scheduling 5/10/19 mtg w/ city, re: 4th St. garage.	.20		No Charge
05/09/2019	ALS	Researched attorneys; corres. w/ Eric Rochford, re: Meeting w/ client, re: 4th St. Garage; and corres. w/ client on the same.	.90	220	198.00
05/09/2019	ALS	Conf. w/ DLF, re: 4th Street garage issue w/ city and meeting w/	.50		No Charge
05/09/2019	DLF	Conf. ALS re: apt. w. lawyer regarding	.30		No Charge
05/10/2019	ALS	Conf. w/ YKM, re: Docs for conference call w/ client, DLF, and Eric Rochford; conf. call with the same; and corres. w/ City, re: Rescheduling 4th Street gargage mtg.	1.30		No Charge
05/10/2019	ALS	Corres. w/ City, re: Three settlement options and rescheduling mtg; reviewed options (4th street garage issue); corres. w/ Eric Rochford, re: Follow-up options; and corres. w/ re: Meeting .	1.00	220	220.00
05/10/2019	DLF	Teleconf. w. w. Juan.	1.00	275	275.00
05/13/2019	ALS	Corres. w/ client, DLF, and re: Follow-up questions for attys	.20		No Charge
05/13/2019	DLF		.30		No Charge
05/14/2019	ALS	Corres. w/ re: Follow-up questions and conf. w/ YKM, re: Appraisals.	.20		No Charge
05/14/2019	ALS	Meeting prep and teleconf. Meeting	2.25		No Charge

		w/ client, DLF, and			
05/14/2019	DLF	Office cont. Juan, re: condemnation, meeting with Juan re: same.	2.50	275	687.50
05/16/2019	ALS	Corres. w/ Eric Rochford, re: Meeting w/ client, re: 4th St. Garage,	.25	220	55.00
05/16/2019	DLF	Corresp. re: lawyers.	.25		No Charge
05/16/2019	ALS	Corres. w/ client and Eric Rochford and conf. w/ DLF, re: 5/17 mtg w/ city.	.20		No Charge
05/17/2019	ALS	Researched properties on GIS to prep for 5/17 mtg, re: 4th St. Garage; and corres. w/ client, re: 5/17 mtg regarding the same.	1.00	220	220.00
05/17/2019	ALS	Conf. w/ YKM and DLF, re: 4th St. Garage mtg w/ city.	.30		No Charge
05/17/2019	DLF	Work on calculations for potential development, review zoning code, draft potential email to Juan.	2.00	275	550.00
05/17/2019	DLF	Prepare for meeting, review appraisals.	1.00	275	275.00
05/17/2019	ALS	Meeting w/ client, DLF, and city (city atty, deputy mayor, and asst. dir of economic and sustainable development), re: 4th street garage issue.	2.25		No Charge
05/17/2019	DLF	Meeting w. City at Juan's office.	2.00	275	550.00
05/20/2019	ALS	Reviewed texts between DLF and client, re: City's Private/business purpose for condemnation, and conf. w/ DLF and client on the same.	.20		No Charge
05/20/2019	ALS	Corres. w/ eminent domain, re:	.20		No Charge
05/23/2019	ALS	Corres. w/ client Letter from and questions for City Legal; and researched eminent domain law.	.80	220	176.00
05/23/2019	ALS	Conf. w/ DLF, re: Questions for city (4th St. Garage).	.20		No Charge
05/24/2019	ALS	Researched eminent domain case law and corres. w/ DLF and client on the same; and corres. w/ client, DLF, and City Legal Counsel, re: 5/17/19 mtg follow up.	1.10	220	242.00
05/24/2019	ALS	Conf. w/ DLF, re: Follow up with City regarding 5/17/19 mtg (4th Street Garage issue).	.20		No Charge
05/28/2019	ALS	Researched eminent domain case law and statutes and conf. w/ DLF on the same.	.50		No Charge
05/28/2019	ALS	Corres. w/ client, re: Update from City Legal Counsel - questions from 5/17/19 mtg.	.20		No Charge

05/30/2019	ALS	Drafted excel sheet w/ eminent domain atty info.; and corres. w/ client, City Legal Department, and DLF, re: Follow-up questions from 5/17/19 meeting.	1.00	220	220.00
06/03/2019	ALS	Corres. w/ client, re: RDC meeting - talking points - and comparables.	.60	220	132.00
06/03/2019	DLF	tx Juan re: RDC meeting.	.20		No Charge
06/04/2019	ALS	Corres. w/ client and conf. w/ DLF, re: Eric Rochford.	.20		No Charge
06/10/2019	DLF	tx re: valuation.	.20	275	55.00
06/11/2019	ALS	Corres. w/ client, re: 4th Street garage, re: Complaint not filed yet; researched potential filing on mycase.	.20	220	44.00
06/13/2019	DLF	Office conf. Juan re: taking, research and discussions, tx Bank atty.	2.50	275	687.50
06/13/2019	DLF	Research in statutes for Juan, print out and some cases interpreting.	.40	275	110.00
06/13/2019	ALS	Mtg w/ DLF and client, re: Takings case and next steps.	.90		No Charge
06/14/2019	ALS	Corres. w/ Eric Rochford, re: Takings case.	.20	220	44.00
06/14/2019	DLF	tx Jason McAuley regarding until we can extend the deadline.	.20	275	55.00
06/14/2019	DLF	tx Juan (very short).	.20		No Charge
06/15/2019	DLF	Review RDC packet rec'd from Juan C.	.25	275	68.75
06/17/2019	ALS	Corres w. Alex Crowley from the City, re: Upcoming meeting dates; and conf. w/ YKM/Emma on the same.	.20		No Charge
06/17/2019	ALS	Conf. w/ DLF, re: Eric Rochford and about the takings case.	.20		No Charge
06/17/2019	ALS	Conf. w/ DLF re: 4th street garage issue.	1.90		No Charge
06/18/2019	ALS	Conf. w/ DLF and YKM/Emma and corres. w/ client, re: 4th Street Garage Issue - key court deadlines and dates.	.70		No Charge
06/21/2019	ALS	Organized email folder on client's case; reviewed emails between client and city; corres. w/ client.	.25		No Charge
06/21/2019	ALS	Corres. w/ client and Eric Rochford.	.20	220	44.00
06/21/2019	ALS	Conf. w/ DLF, ET, and YKM, re: Meeting with Eric Rochford.	.20		No Charge
06/27/2019	DLF	Prepare for meeting with attorney, review file, review SCOTUS case, meeting w. Rochford (meeting was 2-5:45).	4.25	275	1168.75
06/28/2019	DLF	Phone conference with National organization, research zoning code	1.75	275	481.25

		re: owner has to be in on zoning change, email highlighted sections to Eric and Juan, ask planning dept for info on submissions for garage zoning.			
07/01/2019	DLF	t/x Juan re: City lawsuit.	.75	275	206.25
07/03/2019	DLF	Corresp. w. Eric, tx Eric re: response to objection to our motion to continue, reviewed motion and discussed w. Eric. Reviewed City's objection.	.40	275	110.00
07/08/2019	DLF	Office conf. Juan at his office with / from Eric R. from Indy, Juan.	2.25	275	618.75
07/09/2019	DLF	tx Juan, review corresp. from Juan, corresp. w. newspaper, Eric re: PC hearing.	.50	275	137.50
07/10/2019	DLF	tx Juan, email to Eric re: issues w. change of judge, suit vs. City or add complaint to current suit re: plan commission.	.75	275	206.25
07/10/2019	DLF	Review PC video.	.50		No Charge
07/15/2019	DLF	Corresp. Juan re: misc. issues, corresp. from Eric R. re: discovery, objections, responses.	1.00	275	275.00
07/15/2019	DLF	Corresp. Eric, review docs, modifications suggested.	.50	275	137.50
07/16/2019	DLF	tx Rochford re: status, what else to do, deadlines?	.30	275	82.50
07/16/2019	DLF	Review pc hearing on-line.	.50	275	137.50
07/19/2019	DLF	tx Juan re: can we file in Court to stop ? File for News article.	.20	275	55.00
07/26/2019	DLF	t/c Eric rochford re: judge issue.	.25	275	68.75
07/29/2019	DLF	tx Eric Rochford re: change of judge and his tx with opposing private counsel.	.40	275	110.00
07/30/2019	DLF	Corresp. w. Rochford regarding zoning issues for City's objections.	.75	275	206.25
08/01/2019	DLF	tx Juan re: status of condemnation suit, next steps, discovery responses received yet from City? Not yet.	.40	275	110.00
08/09/2019	DLF	tx Rochford re: City's responses to Admissions, Irogs, other discovery, pointed out there was no verification, City lawyer signed but claimed to have no knowledge, not a correct certification.	.50	275	137.50
08/12/2019	DLF	Work on discovery response review, review Planning process for errors, prepare for telconf on discovery, review emails as to same.	1.00	275	275.00
08/12/2019	CLB	Review article re: status	.20		No Charge

08/12/2019	DLF	Teleconf. w. City attorneys and Eric Rochford regarding discovery responses by City; redrafted our requests for admission in a manner that the City has to admit what we are seeking; corresp. w. Juan and Eric.	1.40	275	385.00
08/14/2019	DLF	Corresp. w. Rochford re: case management plan.	.30	275	82.50
08/16/2019	DLF	tx Eric, work on objections, copies of correspondence to Juan.	.75	275	206.25
08/21/2019	DLF	tx Eric Rochford regarding admissions.	1.40	275	385.00
08/22/2019	DLF	telconf. w. all city lawyers, conf. w. eric rochford re: discovery, admissions, strategy.	1.25	275	343.75
08/23/2019	DLF	Review Rochford's proposed stipulations, revised.	.50	275	137.50
08/26/2019	DLF	Review stipulations from Eric - revised and sent back.	.40	275	110.00
08/30/2019	DLF	Review and send corresp., review docs from City.	1.00	275	275.00
09/11/2019	DLF	Fwd'd Juan recent response from City.	.20		No Charge
09/13/2019	DLF	Call w. Eric Rochford about taking and City's amendments to our proposals.	.60	275	165.00
09/19/2019	DLF	tx w. Rochford re: stipulations.	1.00	275	275.00
09/19/2019	DLF	tx Juan and Eric re: status.	.50	275	137.50
09/24/2019	DLF	tx Eric Rochford re: admissions, intricacies of Bloomington Zoning Code.	1.00	275	275.00
09/27/2019	DLF	tx w. Rochford, stipulations, questions about challenges to ordinance, remedies.	.75	275	206.25
10/03/2019	DLF	Conf. call w. Eric and Juan re: hearing, letters.	1.25	275	343.75
10/04/2019	CLB	Research historical UDO and ground floor commercial requirements	1.75	230	402.50
10/04/2019	DLF	tx Eric, research zoning code, old newspaper articles on garage, old zoning code versions for past versions of zoning code, drafted cross-exam on those issue for Eric, review City's filings, tx developer and architect re: past opinions of City as to what constitutes non-residential non-garage use, City is violating its own rules as to that and moreover, while claiming it has to comply with zoning, it is non-compliant as to 50%!	3.00	275	825.00
10/04/2019	DLF	Review cases Eric mentioned regarding public use.	.75	275	206.25

10/06/2019	DLF	Review City discovery, prepare cross on planning issues, prepare for objection hearing.	4.25	275	1168.75
10/07/2019	DLF	Hearing in Monroe Circuit court on objections with Juan and Eric, conf. afterwards.	3.75	275	1031.25
10/07/2019	DLF	Work on file, review produced docs, draft thoughts on hearing, review notes for unfinished items, emails to Juan and Eric.	1.50	275	412.50
10/07/2019	CLB	Confs. w/ MJS and DLF re: hearing	.50		No Charge
10/07/2019	MJS	Conf w/ DLF/CLB	.40		No Charge
10/16/2019	DLF	Review Rochford's brief, corresp. w. Rochford.	.50	275	137.50
10/17/2019	DLF	Revisions to Court filing for tomorrow, return to Eric R.	.70	275	192.50
10/18/2019	CLB	Listen to portion of Ask the Mayor re: status of condemnation case and corres. w/ DLF re: same	.20		No Charge
10/24/2019	DLF	Work on our findings of fact and conclusions of law as to making them a bit more readable, including all legal support, 1.5 hours last night and 1 hour today.	2.50	275	687.50
10/24/2019	CLB	Conf. w/ DLF re: proposed orders	.20		No Charge
10/25/2019	DLF	Review final filing and corresponded with Eric R. several times.	.75	275	206.25
10/28/2019	CLB	Review article from B Square Beacon and conf. w/ DLF re: proposed orders, review same	.60		No Charge
10/28/2019	DLF	Corresp. w. Rochford, review of City filing.	.75	275	206.25
10/29/2019	CLB	Conf. w/ DLF re: findings and conclusions	.20		No Charge
10/29/2019	CLB	Research standard of review on proposed order, findings/conclusions	.40	230	92.00
11/01/2019	DLF	Review Plan Commission Packet.	.75	275	206.25
11/04/2019	DLF	Corresp. Juan and Eric re: Monday hearing, conf. CLB re: arguments, research needed, review Zoning Code.	.75	275	206.25
11/04/2019	CLB	Confs. w/ DLF re: Plan Commission meeting	.70		No Charge
11/04/2019	CLB	Research planning commission judicial review statutes and cases	.50	230	115.00
11/04/2019	DLF	Review packet for Plan Commission, review zoning code, conf. CLB re: appeals to the Circuit Court, tx's and emails to Juan, watched Plan Commission portion up to continuance.	1.75	275	481.25
11/04/2019	DLF	tx Juan post-hearing with PC - discuss issues.	.25		No Charge

11/19/2019	CLB	Locate Indianapolis lawsuit	.20		No Charge
12/09/2019	DLF	tx Juan - City withdrew petition at PC? Might have been a move afoot to deny it.	.20	275	55.00
12/17/2019	CLB	Research bond counsel question and review and summarize case status	.70	230	161.00
12/23/2019	CLB	Conf. w/ DLF re: fees	.20		No Charge
12/23/2019	DLF	Conference call w. Eric R. and Juan (1.0), sent news articles to Eric, strategy for moving forward.	1.00	275	275.00
12/23/2019	DLF	Conf. w. Christine re: research needed, thoughts on strategy, deadline for attys fees request.	.40		No Charge
12/30/2019	DLF	Review City's Motion, correspondence w. Juan and Eric.	.75	275	206.25
12/31/2019	CLB	Review motion to amend and RDC document; T/c and corres. w/ DLF re: same	.40		No Charge
12/31/2019	DLF	Correspondence on issues.	.40	275	110.00
01/02/2020	CLB	T/c DLF re: case issues	.20		No Charge
01/02/2020	DLF	Conf. w. CLB regarding political process - can attorney for City request a ruling in Court that has to be decided by the City Council, where the City Council has not voted yet and may not support the claimed position.	.50	275	137.50
01/06/2020	DLF	Revise fee petition, revise objection to amendment, review both. corresp. juan, rochford re timing of filing documents	1.00	275	275.00
01/07/2020	DLF	Revise Response to Motion from City to Amend Complaint, corresp. w. Rochford re: legal arguments, corresp. Juan re: conf. call Thursday.	.75	275	206.25
01/07/2020	CLB	Begin drafting fee affidavit	.50	230	115.00
01/10/2020	DLF	tx Rochford re: filings, edits, argument, research, correspondence, review of court filings, discussed claim for fees.	1.50	275	412.50
01/10/2020	DLF	tx Juan Thursday, corresp. Juan Friday, tx and emails Rochford regarding filings, changes, timing.	.70	275	192.50
01/10/2020	CLB	Revise fee affidavit draft	.40	230	92.00
01/14/2020	DLF	Office conf. Juan re: status, next steps, strategy.	.75	275	206.25
01/20/2020	CLB	Review article on parking garage	.20		No Charge
01/21/2020	DLF	Rec'd and reviewed new filing by City, tx Eric R. re: City's filing, corresp. Juan re: same, worked on strategy with Eric as to response - City lawyer made many unsubstantiated if not	.75	275	206.25

statements (Plan Commission WILL
approve garage? How does anyone
make that statement about a public
body that votes based on its
discretion? What about BZA? He
cannot know about them without
violating state statute re:
lobbying the BZA.
Revised fee affidavit.

01/21/2020 DLF

.40	275	110.00
Total		\$ 22,848.25