

2300 Maitland Center Parkway, Suite 100
Maitland, FL 32751



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fax: 407-622-1884
www.shepardsmithcassady.com
32-0242557

Aug 04, 2016

Jeaneen Witt, Town Manager
Town of Ponce Inlet
4300 S. Atlantic Avenue
Ponce Inlet, FL 32127 USA

SUMMARY OF PROFESSIONAL SERVICES

Matter	Description	Fees	Disbs	Retainers	Total
080064	General	\$703.00	\$0.00		\$703.00
080067	Code Enforcement	\$513.00	\$0.00		\$513.00
080070	Community Development	\$95.00	\$0.00		\$95.00
080075	Planning & Zoning	\$4,235.00	\$0.00		\$4,235.00
110006	Attendance at Public Meetings	\$795.00	\$0.00		\$795.00
150047	Pacetta Takings Appeal	\$67,050.80	\$3,896.23		\$70,947.03
150048	Pacetta Federal Case	\$192.00	\$0.00		\$192.00
Totals:		\$73,583.80	\$3,896.23	\$0.00	\$77,480.03

Reference List

Shepard, Smith & Cassady

CBS - Cliff Shepard \$190
DAS - Drew Smith \$190
VC - Virginia Cassady \$190
AJH - Andrew Hand \$150
KO - Kalanit Oded \$150

(Takings Appeal #150047)

Greenberg Traurig

BCS - Brigid F. Cech Samole \$396
DBW - David Weinsten \$590
EHS - Elliot Scherker \$615
JAY - Jay A. Yagoda \$252
KAM - Kim Mello \$490
RAC - Rachel Canfield \$260
TLB - Tatanisha Brown \$135
MAD - Michael A. Dyckman \$185
KC - Katherine Clemente \$320

Bryant Miller Olive

SHC - Susan H. Churuti \$300
ESW - Edmund S. Whitson \$300
JOL - James O. Long \$225
KRA - Kenneth R. Artin \$300
MSD - Michael S. Davis \$300

(Takings Appeal #150047)

McKinnon & McKinnon

ACM - Abe McKinnon \$190
NCM - Noah McKinnon \$190

David Macpherson

DM - David Macpherson \$300

Diskin Property Research

BAD - Barry A. Diskin \$325
JMS - Julie M. Story \$150
RMK - Rob M. Kissel \$225
SPR - Sean P. Ruane \$0

Morgenstern Phifer & Messina, P.A.

LJM - Lloyd J. Morgenstern \$275
SCP - Stephen C. Phifer \$240

J.B. Fries & Associates, Inc.

Flat Fees

**Fishback, Dominick, Bennet,
Ardaman, Ahlers, Langley & Geller**

AKA - Kurt A. Ardaman \$200
DL - Daniel W. Langley \$200

Suzanne Konchan AICP

SK - Suzanne Konchan \$150

Diversified Property Specialists

Set fees per engagement letters.
CLL - C. Lee Lobban \$150

Judge Charles M. Harris

CMH - Charles M. Harris \$250

Marcia Lippincott

Flat Fee

(Federal Case #150048)

King, Blackwell, Zehnder & Wermuth, P.A.

TFF - Taylor F. Ford \$320
DBK - David B. King \$500
KGK - Kaye King \$175
FSW - Frederick S. Wermuth \$395
TS - Tèa Sisic \$275
KH - Kimberly D. Healy \$285

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August 4, 2016

Jeaneen Witt, Town Manager
Town of Ponce Inlet
4300 S. Atlantic Avenue
Ponce Inlet, FL 32127 USA

File #: 080064
Inv #: 8707

RE: General

PROFESSIONAL SERVICES

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-06-16	Review and analyze TITF documentation, phone call to DEP	1.20	180.00	AJH
Jul-08-16	Review referendum ballot, conference w/ DAS, Ms. Cherbano re: same	0.30	45.00	AJH
	Conference w/ Ms. Martin of BPLA re: assignment of lease, prepare documentation	0.90	135.00	AJH
Jul-21-16	Review and analyze canal issue	0.00	1.00	CBS
Jul-25-16	Telephone conference with Atty. Elkind re: grievance matter	0.30	57.00	CBS
	Telephone conference with Ms. Witt re: grievance matter; Receive, analyze and reply to e-mail from Ms. Witt re: RFQ	0.50	95.00	CBS
Jul-26-16	Receive and analyze RFP for Real Estate	0.30	57.00	CBS
Jul-27-16	Receive, analyze and reply to e-mail from Ms. Witt re: assessment vs. MSTU	0.20	38.00	CBS
	Telephone conference with Atty. Elkind re: Scheer grievance; prepare e-mail to Ms. Witt and Chief Scales re: resolution	0.50	95.00	CBS
	Totals	4.20	\$703.00	

Total Fee & Disbursements	\$703.00
Previous Balance	738.00
Payments Received	
07/22/16 Town of Ponce Inlet	\$738.00
On Account of Fees and Disbursements	
Payments Received	738.00

Balance Now Due

\$703.00

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August 4, 2016

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Ponce Inlet, FL 32127 USA

File #: 080067
Inv #: 8708

RE: Code Enforcement

PROFESSIONAL SERVICES

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-12-16	Receive and review Agenda packet for Code Enforcement hearings	1.50	285.00	DAS
Jul-15-16	Receive and review email and attachment from Peg Hunt re: Code Enforcement Agenda	0.20	38.00	DAS
Jul-25-16	Receive and review Code Enforcement Orders for satisfaction	0.20	38.00	DAS
Jul-26-16	Draft Code Enforcement orders	0.80	152.00	DAS
	Totals	2.70	\$513.00	

Total Fee & Disbursements	\$513.00
Previous Balance	380.00
Payments Received	
07/22/16 Town of Ponce Inlet	\$380.00
On Account of Fees and Disbursements	
Payments Received	380.00
Balance Now Due	\$513.00



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August 4, 2016

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Town of Ponce Inlet
4300 S. Atlantic Avenue
Ponce Inlet, FL 32127 USA

File #: 080070
Inv #: 8709

RE: Community Development

PROFESSIONAL SERVICES

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-27-16	Letters from and to J. Baker and M. Richard. Review and make revisions to LPA ad for public hearing on EAR-based amendments.	0.50	95.00	VC
	Totals	0.50	\$95.00	

Total Fee & Disbursements	\$95.00
Previous Balance	38.00
Payments Received	
05/23/16 Town of Ponce Inlet	\$38.00
On Account of Fees and Disbursements	
Payments Received	38.00
Balance Now Due	\$95.00

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August 4, 2016

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Town of Ponce Inlet
4300 S. Atlantic Avenue
Ponce Inlet, FL 32127 USA

File #: 080075
Inv #: 8710

RE: Planning & Zoning

PROFESSIONAL SERVICES

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-01-16	Follow up with County re: TIITF, set plan to coordinate assignment	0.30	45.00	AJH
Jul-13-16	Review correspondence and memos re: canal, special assessment law	2.00	300.00	AJH
Jul-14-16	Receive and review additional canal documents, analysis re: same	0.90	135.00	AJH
Jul-15-16	Telephone conference with Mr. Joulani re: dock permit issue; Review code provisions; Conference with AJH re: code provisions; Prepare e-mail to Mr. Joulani re: code interpretation	12.00	2,280.00	CBS
	Telephone conference with Mr. Joulani and Mr. McConnell re: appeal and code issues	1.00	190.00	CBS
	Analysis re: dock permit, conference w/ CBS re: same, review documents and correspondence from Mr. Joulani	0.70	105.00	AJH
Jul-18-16	Telephone conference with Mr. Joulani re: dock appeal; Review revised plan; Telephone conference with Mr. Joulani re: strategy	0.30	57.00	CBS
	Telephone conference with Mayor and Ms. Witt re: dock issue	0.50	95.00	CBS
Jul-19-16	Receive and analyze e-mail from Mr. McConnell re: boat dock	0.20	38.00	CBS
Jul-20-16	Telephone conference with Mr. Joulani re: McConnell appeal	0.20	38.00	CBS
	Review and analyze canal documents and correspondence	1.50	225.00	AJH
	Prepare TIITF application and materials,	1.20	180.00	AJH
Jul-21-16	Review canal documents, conference w/ CBS re: same	0.70	105.00	AJH
Jul-25-16	Cursory review of EAR-based amendment and staff report. Prepare file with templates of ads	1.30	247.00	VC

and ordinance. Phone conference with J. Baker
and letter to A. Joulani.

Finalize TITF application, correspondence with County, DEP, Ms. Witt re: same	1.30	195.00	AJH
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Totals	24.10	<u>\$4,235.00</u>	
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Total Fee & Disbursements		<u>\$4,235.00</u>
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Previous Balance		1,838.00
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Payments Received

07/22/16 Town of Ponce Inlet	\$1,838.00
On Account of Fees and Disbursements	

Payments Received	1,838.00
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Balance Now Due	<u>\$4,235.00</u>
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4300 S. Atlantic Avenue
Ponce Inlet, FL 32127 USA

File #: 110006
Inv #: 8711

RE: Attendance at Public Meetings

PROFESSIONAL SERVICES

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jul-21-16	Attend council meeting; travel time	2.80	420.00	CBS
Jul-25-16	Travel to (1/2 time) and attend Code Enforcement hearings	2.50	375.00	DAS
	Totals	5.30	\$795.00	

Total Fee & Disbursements	\$795.00
Previous Balance	675.00
Payments Received	
07/22/16 Town of Ponce Inlet	\$675.00
On Account of Fees and Disbursements	
Payments Received	675.00
Balance Now Due	\$795.00

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August 4, 2016

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Town of Ponce Inlet
4300 S. Atlantic Avenue
Ponce Inlet, FL 32127 USA

File #: 150047
Inv #: 8712

RE: Pacetta Takings Appeal

PROFESSIONAL SERVICES

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Jun-01-16	(BCS) Revise oral argument; continue to evaluate legal issues and recent case law to support oral argument.	4.30	1,702.80	CBS
	(KC) Prepare for oral argument.	0.60	192.00	CBS
	(EHS) Prepare for oral argument.	1.30	799.50	CBS
	(JAY) Assist E. Scherker in strategy and organization for appellate oral argument.	0.60	151.20	CBS
Jun-02-16	(BCS) Continue to work on oral argument preparations.	1.70	673.20	CBS
	(KC) Confer and strategize with E. Scherker, B. Cech Samole an J. Yagoda regarding oral argument and legislative history; review Bert Harris Act legislative history to determine intent behind interlocutory appeal subsection.	2.10	672.00	CBS
	(EHS) Continue oral argument preparation.	2.60	1,599.00	CBS
	(JAY) Review case materials, case law, and case papers to assist E. Scherker in preparation for oral argument.	1.30	327.60	CBS
Jun-03-16	(BCS) Continue to work on oral argument preparations.	0.20	79.20	CBS
Jun-04-16	(EHS) Continue oral argument preparation.	5.70	3,505.50	CBS
Jun-06-16	(TLB) In preparation of mock oral argument, gather and prepare materials for meeting; review and identify reconsideration orders in record on appeal.	2.40	324.00	CBS
	(BCS) Continue to work on oral argument.	5.90	2,336.40	CBS
	(KC) Review updated oral argument, confer and strategize with E. Scherker, B. Cech Samole and J. Yagoda regarding oral argument.	1.60	512.00	CBS
	(EHS) Oral argument preparation.	5.70	3,505.50	CBS

	(JAY) Continue to review case papers, case law and additional record materials to assist E. Scherker in preparation for oral argument.	2.70	680.40	CBS
1-07-16	(TLB) In preparation of oral argument, review case law cited in briefs of panel participants.	2.40	324.00	CBS
	(BCS) Continue to address mock oral argument issues.	1.80	712.80	CBS
	(KC) Continue oral argument preparation.	0.40	128.00	CBS
	(EHS) Continue oral argument preparation.	3.40	2,091.00	CBS
	(JAY) Prepare and finalize notice of supplemental authority and continue to assist E. Scherker in preparations for oral argument.	0.50	126.00	CBS
Jun-08-16	(BCS) Finalize preparations for mock oral argument; attend and participate at mock oral argument.	5.20	2,059.20	CBS
	(KC) Prepare for and attend mock oral argument.	4.40	1,408.00	CBS
	(EHS) Continue oral argument preparation; attend mock oral argument; work on revisions to argument outline.	8.70	5,350.50	CBS
	(JAY) Participate in mock oral argument and continue to assist E. Scherker in preparations for oral argument.	5.00	1,260.00	CBS
Jun-09-16	(TLB) In preparation of oral argument, review record on appeal and identify key transcript pages.	5.10	688.50	CBS
	(BCS) Revise oral argument based on mock oral argument.	3.00	1,188.00	CBS
	(KC) Review and revise mock oral argument notes.	2.20	704.00	CBS
	(EHS) Continue oral argument preparation.	5.60	3,444.00	CBS
	(JAY) Continue to assist E. Scherker in preparation for upcoming oral argument.	1.00	252.00	CBS
Jun-10-16	(TLB) Continue in preparation of oral argument, review key transcript and record on appeal and identify key pages where "foreclosure" and "blue water" appear.	3.60	486.00	CBS
	(BCS) Finalize oral argument preparations; review notice of supplemental authority.	1.00	396.00	CBS
	(KC) Continue preparing for oral argument.	1.70	544.00	CBS
	(EHS) Continue preparing for oral argument.	4.10	2,521.50	CBS
	(JAY) Continue to assist E. Scherker in oral argument preparations; review Pacetta's filing of supplemental authority to advise E. Scherker on same.	0.80	201.60	CBS
Jun-12-16	(BCS) Review and revise final oral argument preparations and materials.	0.50	198.00	CBS
	(KC) Review Record for all references to foreclosure proceedings and Blue Water; prepare document noting the relevant instances of information in the Record regarding the foreclosure and Blue Water in preparation for oral argument.	7.40	2,368.00	CBS

	(JAY) Continue to review supplemental authorities attached to Pacetta filing submitted in preparation for oral argument and advise E. Scherker on same.	2.20	554.40	CBS
Jun-13-16	(BCS) Review and revise final oral argument preparations and materials.	0.30	118.80	CBS
	(KC) Review Record for all references to foreclosure proceedings and Blue Water; in preparation for oral argument, draft document noting the relevant instances of information in the Record regarding the foreclosure an Blue Water.	0.90	288.00	CBS
	(EHS) Oral argument preparation; travel to Daytona Beach; continue preparation.	8.60	5,289.00	CBS
	(JAY) Continue review of supplemental authority items attached to Pacetta filing to advise E. Scherker on the same in advance of oral argument; continue to assist E. Scherker in preparation for upcoming oral argument.	7.30	1,839.60	CBS
Jun-14-16	(BCS) Review/watch oral argument and strategize post-oral argument.	1.40	554.40	CBS
	(EHS) Oral argument preparation; attend 5th DCA calendar; present oral argument.	7.80	4,797.00	CBS
	(JAY) Attend oral argument.	3.50	882.00	CBS
Jun-29-16	(BCS) Review motion for supplemental filing.	0.70	277.20	CBS
Jun-30-16	(BCS) Review oral argument transcript.	0.30	118.80	CBS
	(JAY) Review and analyze motion for supplemental briefing and begin review of transcript or oral argument in support of drafting response to motion for supplemental briefing.	1.60	403.20	CBS
Jul-07-16	Receive and analyze order granting supplemental briefing; Telephone conferences with Attys. McKinnon and Scherker re: strategy	2.00	380.00	CBS
	(NCM) Receipt of Court Orders; conference with Mr. Shepard; legal research.	2.20	418.00	CBS
Jul-08-16	(NCM) Review of transcript; court orders; legal research; conferences.	3.60	684.00	CBS
Jul-12-16	(NCM) Conferences; legal research; issues relating to Supplemental Court ordered briefing.	5.10	969.00	CBS
Jul-13-16	(NCM) Legal research; conferences; review of Judgments; court filings.	4.00	760.00	CBS
Jul-14-16	(NCM) Legal research; conferences; review of Orders; transcripts; legal research.	3.70	703.00	CBS
Jul-15-16	(NCM) Legal research; review of cases.	1.90	361.00	CBS
Jul-18-16	Telephone conference with Atty. McKinnon re: additional briefing	0.60	114.00	CBS
Jul-19-16	(NCM) Legal research; conferences.	2.30	437.00	CBS
Jul-20-16	(NCM) Conferences; legal research.	2.00	380.00	CBS

Jul-21-16	Receive, analyze and reply to e-mails from Atty. Scherker re: supplemental brief; Telephone conference with Atty. McKinnon re: strategy	1.50	285.00	CBS
Jul-22-16	(NCM) Review of pleadings; conferences.	1.50	285.00	CBS
Jul-25-16	(NCM) Review of documents; legal research; conferences.	2.60	494.00	CBS
Jul-28-16	(NCM) Receipt and review of Appellee's Supplemental Brief; correspondence; conferences.	6.40	1,216.00	CBS
Jul-29-16	(NCM) Research; review of Orders; pleadings; legal research.	4.90	931.00	CBS
	Totals	185.40	\$67,050.80	

COSTS ADVANCED

DATE	DESCRIPTION	AMOUNT
Jul-29-16	Alan R. Schwartz - Consulting Services re: 6/8 Moot Court preparation & participation	3,300.00
	Parking Charges 6/14	23.43
	Travel & lodging 6/14	526.50
	Westlaw research	46.30
	Totals	\$3,896.23
	Total Fee & Disbursements	\$70,947.03
	Previous Balance	21,391.97
	Payments Received	
	07/22/16 Town of Ponce Inlet On Account of Fees and Disbursements	\$21,391.97
	Payments Received	21,391.97
	Balance Now Due	\$70,947.03



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August 4, 2016

Jeaneen Witt, Town Manager
Town of Ponce Inlet
4300 S. Atlantic Avenue
Ponce Inlet, FL 32127 USA

File #: 150048
Inv #: 8713

RE: Pacetta Federal Case

PROFESSIONAL SERVICES

DATE	DESCRIPTION	HOURS	AMOUNT	LAWYER
Mar-27-16	(TFF) Research, strategize and review.	0.10	32.00	CBS
Mar-28-16	(TFF) Research, strategize and review.	0.10	32.00	CBS
Jul-05-16	(TFF) Research, strategize and review.	0.10	32.00	CBS
Jul-06-16	(TFF) Research, strategize and review.	0.10	32.00	CBS
Jul-07-16	(TFF) Review Town's response to motion for supplemental briefing.	0.20	64.00	CBS
Totals		0.60	\$192.00	

Total Fee & Disbursements	\$192.00
Previous Balance	764.00
Payments Received	
07/22/16 Town of Ponce Inlet	\$764.00
On Account of Fees and Disbursements	
Payments Received	764.00
Balance Now Due	\$192.00