




October 15, 2012

## MEMORANDUM

**TO:** District Board of Trustees

**FROM:** Jim Murdaugh, President 

**SUBJECT:** Attorney Invoice - Andrews, Crabtree, Knox & Andrews, LLP  
September 27, 2012

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### Item Description

Request for approval to pay the Board's attorney.

### Overview and Background

On a monthly basis, the Board's attorney submits an invoice for services provided.

### Past Actions by the Board

The Board of Trustees approved the contract at the October 18, 2010 Board meeting and shall be effective through October 31, 2011. The contract may be renewed on an annual basis with four (4) consecutive one (1) year renewals for a total contract period of five (5) years. The Board approved year two (2) of the contract at the September 19, 2011 Board meeting which shall be effective until October 2012. The Board shall be billed on an annual flat fee of \$160,000 for services of the firm.

### Funding/Financial Implications

Funding is budgeted in Fund 1, the Current Unrestricted Fund. The current amount due is \$13,333.33.

### Staff Resource

Teresa Smith

### Recommended Action

Authorize payment of invoice as presented.

# ANDREWS, CRABTREE, KNOX & ANDREWS, LLP

P.O. BOX 12800  
1558 VILLAGE SQUARE BLVD.  
TALLAHASSEE, FL 32317  
TAX ID #59-3621660

September 27, 2012

Jerry Schilling  
Assistant Vice President for Administrative Services  
Tallahassee Community College  
444 Appleyard Drive  
Tallahassee, FL 32304

Invoice# 10883 WRM  
Our file# T00007 02276  
Billing through 09/24/2012

Tallahassee Community College (General)  
P.O. Number: 2011 00001580

## FOR PROFESSIONAL SERVICES RENDERED

08/24/2012	BJL	(Network v. TCC) Review and analysis of case law re: constructive notice to prepare motion for summary judgment (.9); Conference re: motion for summary judgment reformation and mutual mistake (.5);	1.40 hrs.
08/28/2012	WRM	Receipt and review of e-mail from R. Tolson re: employee actions (.1); Review draft correspondence re: employee actions (.1); E-mail to R. Tolson re: employee actions (.1); Telephone conference with R. Tolson re: complaints and grievances (.1); Telephone conference with R. Tolson re: employee complaint (.1);	0.50 hrs.
08/29/2012	WRM	Dictation and preparation of memo to J. Murdaugh re: pending lawsuits and administrative claims (.2); Receipt and review of e-mail from J. Murdaugh re: resolution of Underwood v. TCC (.1); Telephone conference with J. Schilling re: employment complaint and Underwood v. TCC resolution (.2); Receipt and review of e-mail from D.	2.20 hrs.

Standish re: Underwood v. TCC information (.1); E-mail to R. Tolson re: Underwood v. TCC information (.1); Telephone conferences (2) with R. Tolson re: employee action, Underwood v. TCC information (.2); Analysis defense concept in Network Security case (.3); E-mail to W. Rabon/D. Hendry re: employee petition for injunction (.1); E-mail to J. Schilling re: Underwood v. TCC mediation (.1); E-mails (2) to S. Heath re: Avalanche litigation (.2); Receipt and review of e-mail from S. Heath re: Avalanche litigation (.1); E-mails (2) to A. Bryant re: Underwood v. TCC mediation, resolution (.2); Receipt and review of e-mails (2) from A. Bryant re: Underwood v. TCC resolution (.2); E-mail to S. Jefferson, others re: Underwood v. TCC resolution (.1);

08/30/2012	BJL	Network v. TCC Review and analysis of case law re: mutual mistakes and constructive notice to prepare outline for motion for summary judgment (3.1); Review and analysis of contracts, pleadings and documents filed with Clerk of Court regarding ownership of property at issue to prepare motion for summary judgment (1.6); Prepare outline of facts for motion for summary judgment (.7);	5.40 hrs.
08/30/2012	WRM	Brief review DOL regulations re: unpaid internships (.3); Prepare for injunction hearing - Judge Gievers (.3); Telephone conferences (3) with R. Tolson re: employee actions (.3); Conference with R. Tolson, S. Jefferson re: employee actions (1.3); Attend hearing on employee injunction petition (1.0); Conference with T. Smith re: employee issues, actions (.6); E-mail to D. Hendry, others re: petition for injunctions (.1); Receipt and review of e-mail from D. Hendry re: petition for injunction (.1); Receipt and review of e-mail from S. Jefferson re: petition for injunction (.1); Telephone conference with W. Rabon re: petition for injunction (.1);	4.20 hrs.

09/04/2012	WT	Update contact sheet and certificate of service with e-mail designation from plaintiff's counsel (.1); Prepare designation of e-mail pursuant to Florida Rules Judicial Administration 2.516 (.1); (In Network v. TCCF)	0.20 hrs.
09/04/2012	WRM	Receipt and review of e-mails from R. Tolson re: employee action (.2); Telephone conference with R. Tolson re: employee action (.1); Receipt and review of plaintiff's designation of e-mail addresses in Network Security v. TCCF (.1); Review and sign TCCF designation of e-mail addresses in Network Security v. TCCF (.1); E-mail to R. Tolson re: employee action (.1); Receipt and review of e-mails (2) from D. Robinson re: library laptop lending (.2); Review and analysis of library equipment check-out form (.1); E-mail to D. Robinson re: library equipment checkout form (.1); Analysis - U.S. Department of Labor guidelines re: unpaid internships (.3); Receipt and review of plaintiff's answers to interrogatories in Network Security v. TCCF (.3); Analysis: contract issues in Network Security v. TCCF (.3);	1.90 hrs.
09/05/2012	WRM	Telephone conferences (3) with R. Tolson re: employee action (.4); Receipt and review of e-mails (5) from R. Tolson re: employee action (.5); Receipt and review of e-mail from T. Smith re: professional services vendor list, with list (.3); Review and analysis of case law re: available defenses in Network Security v. TCCF (7.2);	8.40 hrs.
09/06/2012	WT	Review corporate information on plaintiff re: licensed to do business in Florida in 2006 time frame re: Network v. TCCF;	0.20 hrs.
09/06/2012	WRM	Receipt, review and analysis of correspondence from D. Wildes re: Capital	6.50 hrs.

Center lease (.1); Review Florida Secretary of State information for Network Security (.1); Telephone conference with R. Tolson re: employee action, employee retirement (.2); E-mail to B. Sloan, others re: internship review by the U.S. Department of Labor (.2); Receipt and review of e-mail from R. Tolson re: interview committee guidelines (.1); Prepare release re: employee action (.6); Review faculty input into applicant interview process (.2); Telephone conference with R. Tolson re: faculty applicant interview process (.2); Analysis - defenses, motions, evidence in Network Security v. TCC (2.5); Prepare discovery requests in Network Security v. TCC (2.3);

09/07/2012	WRM	Telephone conference with R. Tolson re: employee action, issues, retirement (.3); Receipt and review of e-mail from R. Tolson re: employee action (.1); Receipt and review of e-mails (3) from R. Tolson re: faculty hiring process (.3); Telephone conference with T. Smith re: DOAH notification (.1); Receipt and review of e-mail from M. Turner re: notice of resolution in Underwood v. TCC (.1); Analysis - faculty interview/hire procedures (1.8); E-mail to R. Tolson re: screening committees (.1);	2.80 hrs.
09/10/2012	WRM	Receipt and review of e-mail from R. Tolson re: full time faculty hiring (.1); Receipt and review of e-mail from B. Sloan re: student internships (.1); Receipt and review of full time faculty hiring flow chart (.4); Telephone conference with R. Tolson re: employee activities, faculty hiring (.2); Receipt and review of e-mail from T. Smith re: Rhea v. Santa Fe College (.1); Receipt and review of e-mail from C. Thornburn re: McNaughton agreement (.1); Review and analysis of McNaughton agreement (.3); E-mail to C. Thornburn re: McNaughton agreement (.1);	1.40 hrs.

09/11/2012	WRM	Receipt and review of e-mails (2) from B. Sloan re: TCC/LCSB field experience agreement (.2); Review and analysis of TCC/LCSB field experience agreement (.6); E-mail to B. Sloan re: TCC/LCSB field experience agreement (.1); Receipt and review of notices (2) of serving interrogatory answers in Network v. TCC (.2); Receipt and review of e-mails (2) from R. Green re: former student complaint (.2); E-mail to R. Green re: former student complaint (.1); Receipt and review of e-mail from B. Sloan re: former student complaint (.1); E-mail to B. Lesko re: former student complaint (.1); Telephone conference with R. Frazier re: former student complaint (.3); Receipt and review of e-mail from R. Tolson re: employee exhaustion of leave (.1); Telephone conference with R. Tolson re: employee exhaustion of leave (.1); Telephone conference with B. Lesko re: former student complaint (.1); Receipt and review of e-mail from D. Wildes re: employee exhaustion of leave (.1);	2.30 hrs.
09/12/2012	BJL	Review and analysis of prior cases involving Network and breaches of contract and land ownership for motion for summary judgment;	0.50 hrs.
09/12/2012	WRM	Receipt and review of e-mail from G. Wells re: Miami Dolphins Sponsorship Agreement (.1); Review and analysis of Miami Dolphins Sponsorship Agreement (.4); E-mail to G. Wells re: Miami Dolphins Sponsorship Agreement (.1); E-mail to B. Sloan re: former student complaint (.1); E-mail to R. Hanna re: former student complaint (.3); Receipt and review of e-mail from R. Hanna re: former student complaint (.1); Receipt and review of e-mail from B. Sloan re: former student complaint (.1); Receipt and review of e-mail from R. Frazier re: former student complaint (.1); Prepare discovery requests to plaintiff in Network Security v. TCCF (.8); Analysis - witnesses/exhibits in Network Security v.	2.50 hrs.

		TCCF (.3); Telephone conference with B. Lesko re: TCC/LCSB field experience agreement (.1);	
09/13/2012	BJL	Review and analysis of draft discovery responses to determine what additional requests need to be made to support motion for summary judgment (Network v TCC);	0.40 hrs.
09/13/2012	WRM	Receipt and review of e-mails (2) from R. Frazier re: former student complaint (.2); Telephone conference with B. Lesko re: LCSB Field Experience Agreement (.1); Review Board Meeting Agenda for September 17, 2012 (.5); Conference with B. Lesko re: LCSB Field Experience Agreement (.2); Conference with J. Schilling re: college revenue (.2); Receipt and review of e-mails (3) from R. Tolson re: employee action (.3); Telephone conferences (3) from R. Tolson re: employee action (.4); Review and analysis of counseling documents, memos re: employee action (.9); Review and analysis of case law concerning plaintiff in Network v. TCCF (.9); Receipt and review of e-mail from S. Balog re: TCC Community Conversation Sessions (.1); Continued analysis - discovery and motion in Network v. TCCF (.9);	4.70 hrs.
09/14/2012	WRM	Telephone conferences (3) with R. Tolson re: OPS employees - FMLA (.3); Analysis OPS employee entitlement to FMLA (1.0); Receipt and review of e-mail from R. Tolson re: employee action (.1); E-mail to R. Tolson re: employee action (.1); Analysis recent Florida case re: whistleblower, discrimination applicable to government entities (.2);	1.70 hrs.
09/17/2012	WRM	Receipt and review of e-mail from W. Rabon re: subpoena for student records with court order/docket sheet (.2); E-mail to W. Rabon re: subpoena for student records (.1); Receipt and review of e-mails from B. Sloan re: cost of certification exams (.1); Receipt and review of	5.90 hrs.

e-mails (2) from B. Sloan re: study abroad program (.2); Analysis: travel abroad program participation agreement (.9); E-mail to B. Sloan re: travel abroad program participation agreement (.1); E-mail to B. Sloan re: cost of certification exams (.1); Prepare discovery to plaintiff in Network Security v. TCCF (.4); Receipt and review of e-mail from R. Tolson re: faculty hiring committees (.1); Review and analysis of faculty recruitment and hiring process and information guide (1.0); E-mail to R. Tolson re: faculty recruitment and hiring process and information guide (.1); Begin analysis: fees for certification exams (.7); Attend Board workshop and business meeting (1.9);

09/18/2012	WRM	Telephone conference with R. Tolson re: faculty hiring committees (.2); Continued preparation of discovery requests in Network Security v. TCCF (3.8); E-mails (3) to J. Schilling re: injury claim (.3); Continued analysis/certification exam fees (.9); Receipt and review of e-mails (2) from J. Schilling re: injury claim (.2); E-mails (2) to L. Woodbury re: injury claim (.2); Receipt and review of e-mail from L. Woodbury re: injury claim (.1);	5.70 hrs.
09/19/2012	WRM	Continued analysis - fees for certification exams;	1.30 hrs.
09/20/2012	WRM	Receipt and review of e-mail from R. Tolson re: President's contract (.1); Receipt and review of e-mail from T. Smith re: Rhea v. Santa Fe College (.1); Receipt and review of e-mail from M. Turner re: Underwood v TCC (.1); Analysis: certification examination fees (2.6); E-mail to B. Sloan re: certification examination fees (.1);	3.00 hrs.
09/24/2012	WRM	Receipt and review of e-mails (2) from B. Hinson re: Florida preference forms (.2); Receipt and review of e-mail from B. Sloan re: CNA examination fee (.1); E-mail to B. Sloan	10.90 hrs.



re: CNA examination fee (.1); Receipt and review of e-mails (2) from S. Crosby re: program student's rights (.2); Review and analysis of Florida statutes and Florida preference (purchasing) forms (.5); E-mail to B. Hinson re: Florida preference forms (.1); Telephone conferences (2) with S. Crosby re: program student's rights (.3); E-mail to S. Crosby re: program student's rights (.1); E-mail to R. Johnston re: Network Security v. TCCF (.1); Receipt and review of e-mails (2) from T. Smith re: employee resignation/PIPs (.2); E-mail to T. Smith re: employee resignations/PIPs (.1); E-mail to K. Edge re: Network Security v. TCCF (.1); Review and analysis of caselaw re: defenses in Network Security v. TCCF (2.6); Receipt and review of e-mail with attachments from T. Smith re: Vulnerable Persons Training (.2); Receipt and review of e-mails (2) from B. Sloan re: CNA examination fees (.2); E-mail to B. Sloan re: CNA examination fees (.1); Continued analysis of CNA examination fees (1.5); Receipt and review of e-mail from D. Robinson re: referral (.1); Review and analysis of recent case re: request for public records (.2); Telephone conference with R. Tolson re: employee action, PIP, use of compensatory time (.3); Telephone conference with B. Spiers re: Pell grant awards, certain crimes (.1); Receipt and review of e-mail from K. Edge re: Network Security v. TCCF (.1); Analysis - post incarceration commitment, Pell grant eligibility (1.9); E-mail to B. Spiers re: Pell grant, civil commitment (.1); Review Federal definitions re: criminal offense, Pell grant restriction (.4); Analysis - FLSA, OPS employees, compensatory time (1.0);

September Flat Fee

\$13,333.33

BILLING SUMMARY

Longfellow, B. Joe	Associate	7.70 hrs
Mabile, William R	Attorney	65.90 hrs
Taylor, Winifred	Paralegal	0.40 hrs
Fees		74.00 hrs
Disbursements		

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\$13,333.33

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\$0.00

TOTAL CHARGES FOR THIS BILL

\_\_\_\_\_

\$13,333.33