

*** CONFIDENTIAL INFORMATION ***
*** ATTORNEY-CLIENT PRIVILEGE ***
CITY OF APPLETON
ATTN: KAREN HARKNESS
100 N. APPLETON STREET
APPLETON, WI 54911

INVOICE NO. 234864
INVOICE DATE MAY 17, 2017
TAX ID. 39-1576289
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH APRIL 30, 2017

CURRENT FEES	\$6,221.00
TOTAL CURRENT CHARGES THIS BILL	\$6,221.00
BALANCE FORWARD	\$9,543.50
TOTAL AMOUNT DUE	\$15,764.50

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INVOICE DATE MAY 17, 2017
TAX ID. 39-1576289
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH APRIL 30, 2017

03/01/17	CAH REVIEW DAILY FIELD NOTE REPORTS FROM OMNI REPRESENTATIVES.	.60	123.00
03/01/17	BDL MEETING WITH APPLETON REDEVELOPMENT AUTHORITY ADVISORY COMMITTEE. FOLLOW-UP DISCUSSION WITH MAYOR HANNA. MEETING WITH WALTER RUGLAND TO DISCUSS FINANCING TERMS AND RECEIVE ADDITIONAL FEEDBACK FROM HIM. PHONE CALL TO DIRECTOR HARKNESS.	3.40	1360.00
03/03/17	CAH UPDATE LETTER TO COUNSEL FOR ST. JOE'S.	2.40	492.00
03/03/17	BDL MEETING WITH ATTORNEY HOLLANDER; REVISIONS TO LETTER TO ST. JOE'S; REVIEW EMAILS FROM DNR; CONVERSATION WITH DIRECTOR HARKNESS; PHONE CALL WITH DNR ENGINEER BRIAN WAYNER.	.50	200.00
03/27/17	CAH REQUEST UPDATE FROM ENVIRONMENTAL SPECIALIST REGARDING EXCAVATION TIMELINE AND TESTING PROCEDURES.	.50	102.50
04/07/17	CAH REVIEW DOCUMENTATION FROM OMNI REPRESENTATIVE REGARDING EXCAVATION FIELD NOTES AND SOIL TESTING.	4.30	881.50
04/11/17	BDL MEETING WITH COURTNEY HOLLANDER REGARDING HER REVIEW OF THE FIELD NOTES AND CONTACT WITH OMNI REGARDING QUESTIONS WE RAISED.	.20	80.00
04/13/17	CAH DETAILED REVIEW OF INFORMATION PROVIDED BY OMNI FOR FOLLOW-UP WITH ENVIRONMENTAL SPECIALIST.	2.40	492.00
04/14/17	BDL EMAIL WITH ATTORNEY HOLLANDER IN RESPONSE TO HER QUESTIONS REGARDING THE REVIEW OF THE TESTING AND MONITORING REPORTS.	.10	40.00

APPLETON, CITY OF
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04/18/17	BDL DIRECT ATTORNEY HOLLANDER REGARDING COMMUNICATION WITH CIVIL ENGINEER TO GATHER INFORMATION FOR ASSESSING CLAIM AND COMMUNICATING WITH ST JOSEPH'S.	.30	120.00
04/18/17	BDL RECEIVE EMAIL FROM DIRECTOR GAZZA REGARDING DEMARCATION OF RESPONSIBILITY BETWEEN FCEC AND PAPER VALLEY UNDER THE MANAGEMENT AGREEMENT.	.20	80.00
04/19/17	CAH REVIEW PAH ANALYSIS PROVIDED BY OMNI.	4.10	840.50
04/20/17	CAH PHONE CONFERENCE WITH BRIAN AT OMNI TO REVIEW FIELD NOTE INFORMATION AND TEST RESULTS.	2.70	553.50
04/21/17	CAH REVIEW SOIL ANALYSIS RESULTS; PREPARE LETTERS TO COUNSEL FOR ST JOE'S WITH ADDITIONAL INFORMATION.	3.20	656.00
04/21/17	BDL REVIEW ATTORNEY HOLLANDER'S EMAIL REGARDING HER DISCUSSION WITH CIVIL ENGINEER. REQUESTED CLARIFICATION OF HER COMMENTS AND REWROTE PART OF HER DRAFT FOR GREATER CLARITY WITH RESPECT TO POTENTIAL SOURCE OF CONTAMINATION.	.50	200.00

CURRENT FEES FOR THIS MATTER \$6,221.00

BILLING SUMMARY

CURRENT FEES	\$6,221.00
TOTAL CURRENT CHARGES THIS BILL	\$6,221.00
BALANCE FORWARD	\$9,543.50
TOTAL AMOUNT DUE	\$15,764.50

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*** ATTORNEY-CLIENT PRIVILEGE ***
CITY OF APPLETON
ATTN: KAREN HARKNESS
100 N. APPLETON STREET
APPLETON, WI 54911

INVOICE NO. 231642
INVOICE DATE MARCH 31, 2017
TAX ID. 39-1576289
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH MARCH 31, 2017

CURRENT FEES	\$4,629.50
TOTAL CURRENT CHARGES THIS BILL	\$4,629.50
BALANCE FORWARD	\$4,914.00
TOTAL AMOUNT DUE	\$9,543.50

*** CONFIDENTIAL INFORMATION ***
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 CITY OF APPLETON
 ATTN: KAREN HARKNESS
 100 N. APPLETON STREET
 APPLETON, WI 54911

INVOICE NO. 231642
 INVOICE DATE MARCH 31, 2017
 TAX ID. 39-1576289
 ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH MARCH 31, 2017

02/10/17	CAH UPDATE RESPONSE LETTER WITH CONTAMINATION DOCUMENTATION.	2.40	492.00
02/10/17	BDL REVIEW LETTER FROM DNR THAT ATTORNEY HOLLANDER BROUGHT TO MY ATTENTION REGARDING STATEMENT REGARDING CONTAMINATED FILL THAT APPEARS TO BE IN ERROR. DRAFT LETTER TO JENNIFER BORSKI AFTER REVIEWING PRIOR REPORTS AND ANCILLARY LETTERS.	1.10	440.00
02/10/17	BDL MEETING WITH ATTORNEY HOLLANDER TO REVIEW THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES APPROVAL OF THE SITE MITIGATION PLAN WHERE MS. BORSKI MAKES REFERENCE TO CONTAMINATED FILL BROUGHT TO THE SITE WHERE THE PHASE I REFERENCES CLEAN FILL BEING BROUGHT TO THE SITE. REVIEW RECORD TO OBTAIN CLARIFICATION AND PREPARE EMAIL TO MS. BORSKI ASKING FOR CLARIFICATION. EMAIL TO DIRECTOR HARKNESS REGARDING THE SAME ISSUE SO THAT SHE WOULD BE AWARE OF AND ABLE TO MANAGE THE ISSUE WITH US.	1.30	520.00
02/13/17	BDL RECEIVED EMAIL RESPONSE FROM JENNIFER BORSKI OF THE WISCONSIN DNR. REVIEW RESPONSE AND THEN REFER TO PHASE I TO CONFIRM HER CONCLUSION. LOOK UP NATURE OF "PAHS" AND POTENTIAL ENVIRONMENTAL IMPACT. CONSIDER ADDITIONAL INVESTIGATION TO DETERMINE IF PAH ARE PRESENT AT THE SITE AND THE POTENTIAL SOURCES.	.20	80.00
02/17/17	BDL RECEIVE AND REVIEW EMAIL FROM BRIAN WAYNER REGARDING TIMING OF THE RECEIPT OF REPORTS.	.10	40.00

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02/20/17 BDL	REVIEW OMNI REPORTS WITH ATTORNEY HOLLANDER REGARDING POTENTIALLY ADVERSE INFORMATION REGARDING THE BACKFILL OF THE FCEC SITE FROM 2006 AND 2013. DISCUSSION OF WHERE TO FIND ADDITIONAL INFORMATION TO CLARIFY STATEMENTS IN REPORT BECAUSE WE BELIEVE THERE IS ADDITIONAL INFORMATION WHICH CLARIFIES AND RESOLVES THESE ISSUES.	.40	160.00
02/21/17 CAH	REVIEW OF HISTORICAL TIMELINE WITH REGARD TO CONTAMINATION.	1.70	348.50
02/24/17 CAH	RECEIPT AND REVIEW OF OMNI RECORDS REGARDING CONTAMINATION.	3.30	676.50
02/24/17 BDL	DETAILED REVIEW OF ENVIRONMENTAL LOGS, SUMMARIES AND MAPS CREATED DURING 2017. REVIEW OF PRIOR PHASE I ENVIRONMENTAL REPORTS TO DETERMINE NEIGHBORING USES OF PROPERTY IN RELATIONSHIP TO THE CONTAMINATION IDENTIFIED AS AREAS 1 AND 3 IN THE SUMMARY MAP PROVIDED BY ENVIRONMENTAL ENGINEER. REVIEW PRIOR DNR LETTERS, AERIAL PHOTOGRAPHS, AND OTHER EVIDENCE TO ATTEMPT TO IDENTIFY A POTENTIAL OFFSITE SOURCE. DISCUSS AND IDENTIFY ITEMS TO BE INCLUDED IN THE LETTER TO ST JOSEPH'S COUNSEL. PHONE CALL TO DIRECTOR HARKNESS TO DISCUSS THE REPORT RECEIVED THE DAY BEFORE. DISCUSS COMMUNICATION WITH DNR AND PROJECTIONS FOR COST OF DISPOSAL OF THE CONTAMINATED MATERIAL. PREPARE AND SEND EMAIL TO MR WAYNER, DIRECTOR GAZZA, AND DIRECTOR HARKNESS.	2.10	840.00
02/27/17 CAH	DISCUSS OMNI REPORTS WITH CITY OFFICIALS.	.50	102.50
02/27/17 BDL	DISCUSSION WITH MAYOR HANNA, DIRECTOR HARKNESS AND ATTORNEY HOLLANDER REGARDING CURRENT STATUS OF MATTER WITH ST. JOSEPH INDEMNIFICATION OF ENVIRONMENTAL CONDITIONS AT THE FCEC SITE. DISCUSSION OF LOCATION OF CONTAMINATION AND ANTICIPATED RESPONSE FROM JENNIFER BORSKI OF WISCONSIN DNR REGARDING REQUESTED CLARIFICATION.	.50	200.00
02/28/17 CAH	UPDATE LETTER TO KRAUSE AND METZ REGARDING RECEIPT OF ADDITIONAL INFORMATION FROM OMNI; RECEIPT AND REVIEW OF RESPONSE FROM DNR.	2.00	410.00

APPLETON, CITY OF
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02/28/17 BDL REVIEW EMAIL RESPONSE FROM MS BORSKI OF WISCONSIN DNR REGARDING CONTAMINATION FOUND ON THE FCEC SITE THAT IMPACTS ST JOSEPH'S INDEMNIFICATION AGREEMENT WITH ATTORNEY HOLLANDER. ADVISE ATTORNEY HOLLANDER TO COMPLETE LETTER. DISCUSSION OF WHAT ATTACHMENTS TO INCLUDE AND AUTHORIZED PREPARATION AND DELIVERY AFTER I SIGN THE LETTER.	.80	320.00
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CURRENT FEES FOR THIS MATTER	\$4,629.50
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BILLING SUMMARY

CURRENT FEES	\$4,629.50
TOTAL CURRENT CHARGES THIS BILL	\$4,629.50
BALANCE FORWARD	\$4,914.00
TOTAL AMOUNT DUE	\$9,543.50

CITY OF APPLETON
ATTN: CITY ATTORNEY
P.O. BOX 2428
APPLETON, WI 54912-2428

INVOICE NO. 229784
INVOICE DATE FEBRUARY 28, 2017
TAX ID. 39-1576289

CLIENT NO. 010953

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

CURRENT FEES FOR THIS MATTER \$959.50

CURRENT FEES \$959.50

TOTAL CHARGES THIS BILL \$959.50

APPLETON, CITY OF
ATTN: KAREN HARKNESS
100 N. APPLETON STREET
APPLETON, WI 54911

INVOICE NO. 229784
INVOICE DATE FEBRUARY 28, 2017
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH JANUARY 31, 2017

01/27/17	CAH BEGIN DRAFT OF RESPONSE LETTER REGARDING ST. JOE'S MATTER; CONFERENCE WITH OMNI SITE MANAGER REGARDING STATUS OF EXCAVATION.	1.60	328.00
01/27/17	BDL PHONE CALL WITH OMNI ENGINEER BRIAN. MEETING WITH COURTNEY TO REVIEW AND PREPARE PRESERVATION OF CLAIM.	.40	160.00
01/30/17	CAH REVIEW ST. JOE'S ENVIRONMENTAL MATERIALS PROVIDED BY OMNI REPRESENTATIVE.	2.30	471.50

CURRENT FEES FOR THIS MATTER \$959.50

BILLING SUMMARY

COURTNEY A. HOLLANDER	3.90 hours at \$205.00 =	799.50
BENJAMIN D. LAFROMBOIS	0.40 hours at \$400.00 =	160.00

CURRENT FEES FOR THIS MATTER \$959.50

TOTAL AMOUNT DUE FOR THIS MATTER \$959.50

CITY OF APPLETON
ATTN: CITY ATTORNEY
P.O. BOX 2428
APPLETON, WI 54912-2428

INVOICE NO. 226243
INVOICE DATE DECEMBER 29, 2016
TAX ID. 39-1576289

	CLIENT NO.	010953
FCEC PHASE III UPDATE	MATTER NO.	010953-00014
CURRENT FEES FOR THIS MATTER		\$3,954.50
CURRENT FEES		\$3,954.50
TOTAL CHARGES THIS BILL		<u>\$3,954.50</u>

APPLETON, CITY OF
ATTN: KAREN HARKNESS
100 N. APPLETON STREET
APPLETON, WI 54911

INVOICE NO. 226243
INVOICE DATE DECEMBER 29, 2016
ATTY. BENJAMIN D. LAFROMBOIS

FCEC PHASE III UPDATE

MATTER NO. 010953-00014

PROFESSIONAL SERVICES RENDERED THROUGH NOVEMBER 30, 2016

09/02/16	BDL PREPARE LETTER FROM MUNICIPALITIES TO ASSOCIATED CLARIFYING WHAT PORTION OF THE PAC ROOM TAX SHOULD BE RETAINED BY THE MUNICIPALITIES.	1.40	420.00
09/20/16	BDL DRAFT LETTER FROM MUNICIPALITY TO ASSOCIATED BANK; EMAIL COMMUNICATIONS WITH CHARITY OLSON OF ASSOCIATED. FOLLOW-UP WITH CITY.	2.00	600.00
09/21/16	BDL FOLLOW UP WITH ASSOCIATED TRUST RESPECTING LETTER FROM MUNICIPALITIES.	.30	90.00
10/04/16	BDL REVIEW LETTER TO ASSOCIATED BANK REGARDING THE SHARE OF TAX RETAINED (NONE) BY MUNICIPALITIES. RESPOND TO EMAIL FROM KAREN HARKNESS.	.40	120.00
10/07/16	BDL RECEIVE COMMENTS REGARDING ASSOCIATED BANK LETTER. MAKE CHANGES. EMAIL WITH CITY REGARDING EDITS AND TO MOVE PROCESS FORWARD.	1.50	450.00
10/12/16	BDL REVIEW UPDATED FINANCIALS FROM THE ROOM TAX RECEIPTS ALLOCATED TO THE PERFORMING ARTS CENTER. WORK WITH KAREN HARKNESS TO GET ASSOCIATED LETTER OUT TO MUNICIPALITIES AND SENT TO ASSOCIATED.	.70	210.00
10/20/16	BDL ST. JOE'S: RESPOND TO INQUIRY REGARDING COMMUNICATION WITH ST JOE'S AND COORDINATE WITH FCEC SCHEDULE FOR EXCAVATION.	.20	60.00
10/24/16	BDL ST. JOE'S: REVIEW AGREEMENT AND PREPARATION OF LETTER. PHONE CALL AND EMAIL WITH KAREN HARKNESS.	.50	150.00
10/25/16	BDL ST JOE'S MATTER: WORK ON NOTICE LETTER ST JOE'S. COMMUNICATION WITH KAREN HARKNESS.	1.50	450.00

APPLETON, CITY OF
010953-00014

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11/09/16	BDL PREPARATION FOR AND PARTICIPATION IN FCEC ADVISORY COMMITTEE MEETING TO PROVIDE REVIEW AND BACKGROUND RESPECTING THE MANAGEMENT AGREEMENT FOR THE FCEC.	2.00	600.00
11/10/16	BDL PHONE CALL IN FOLLOW UP TO ARA MEETING AND PLAN FOR NEXT STEPS.	.40	120.00
11/11/16	CAH REVIEW SOIL SAMPLE DOCUMENTATION (ST. JOSEPH'S).	1.10	225.50
11/21/16	SAF BEGIN RESEARCHING QUESTION FROM CLIENT REGARDING VERSIONS OF MANAGEMENT AGREEMENT RELATED TO SPECIFIED SECTIONS.	.90	90.00
11/28/16	CAH REVIEW OF SOIL STUDY.	.80	164.00
11/29/16	CAH REVIEW OMNI SOIL STUDY REGARDING ST. JOSEPH'S MATTER.	1.00	205.00

CURRENT FEES FOR THIS MATTER \$3,954.50

BILLING SUMMARY

COURTNEY A. HOLLANDER	2.90 hours at \$205.00 =	594.50
BENJAMIN D. LAFROMBOIS	10.90 hours at \$300.00 =	3270.00
SHELLY A. FLUNKER	0.90 hours at \$100.00 =	90.00

CURRENT FEES FOR THIS MATTER \$3,954.50

TOTAL AMOUNT DUE FOR THIS MATTER \$3,954.50