

---

SHERMAN & HOWARD L.L.C.

---

DATE FILED: January 25, 2019 9:07 AM  
FILING ID: 92FC74F21C823  
CASE NUMBER: 2018CV149

City of Fort Collins, Colorado  
City Attorney's Office  
P.O. Box 580  
Fort Collins, CO 80522-0580

INVOICE NO. 740984  
OCTOBER 26, 2018

RE: Sutherland Litigation

FOR PROFESSIONAL SERVICES RENDERED  
From 9/17/18 through 10/13/18 in  
accordance with the itemized statement  
attached:

TIME COST:	9,288.75
LESS 10% DISCOUNT:	<u>-928.88</u>
OUR FEE:	8,359.87
DISBURSEMENTS:	<u>153.72</u>
INVOICE TOTAL:	<u><u>8,513.59</u></u>

cc:  
John Duval

**DATE****DESCRIPTION OF SERVICES BILLED**

09/17/18 Amanda Milgrom	HOURS: 0.50    RATE: 360    COST: 180.00 Continued drafting Motion for Attorneys' Fees and Bill of Costs, Affidavit of Mr. Mill, and Proposed Order.
09/20/18 Amanda Milgrom	HOURS: 2.25    RATE: 360    COST: 810.00 Continued working on Motion for Attorneys' Fees and Bill of Costs; researched case law regarding "substantially groundless" claims.
09/20/18 John Mill	HOURS: 1.50    RATE: 545    COST: 817.50 Revised motion for attorneys' fees and costs; conferred with Ms. Milgrom regarding research; drafted email to Mr. Sutherland to confer regarding motion; considered fee issues.
09/21/18 John Mill	HOURS: 1.00    RATE: 545    COST: 545.00 Reviewed redacted invoices; spoke with Ms. Milgrom; read email from Mr. Sutherland; spoke with [REDACTED]; drafted email to Mr. Sutherland.
09/23/18 John Mill	HOURS: 0.25    RATE: 545    COST: 136.25 Revised motion for fees and costs.
09/25/18 Amanda Milgrom	HOURS: 1.50    RATE: 360    COST: 540.00 Continued working on Motion for Attorneys' Fees and Costs.
09/26/18 John Mill	HOURS: 4.00    RATE: 545    COST: 2,180.00 Revised motion for fees and affidavit in support; spoke with [REDACTED]; [REDACTED] reviewed his changes; responded to several emails from Mr. Sutherland.
09/28/18 John Mill	HOURS: 1.00    RATE: 545    COST: 545.00 Read email and listened to voicemail message from Mr. Sutherland; spoke with [REDACTED]; drafted email to Mr. Sutherland.
10/01/18 Amanda Milgrom	HOURS: 1.00    RATE: 0    COST: 0.00 Had telephone conference with Mr. Mill, [REDACTED]; [REDACTED] on [REDACTED] with Mr. Sutherland.
10/01/18 John Mill	HOURS: 1.00    RATE: 545    COST: 545.00 Prepared for and had call with [REDACTED] regarding Sutherland and appeal issues.
10/02/18 Amanda Milgrom	HOURS: 0.50    RATE: 360    COST: 180.00 Reviewed [REDACTED] memorandum and Official Statement of bonds regarding the discussion of the Electric Utility Enterprise.

10/02/18 John Mill	HOURS: 0.50    RATE: 545    COST: 272.50 Listened to voicemail messages from Mr. Sutherland; drafted email to clients; spoke with [REDACTED] regarding Sutherland issues.
10/04/18 John Mill	HOURS: 1.25    RATE: 545    COST: 681.25 Listened to message from Mr. Sutherland; communicated with [REDACTED] regarding latest motion and appeal issue; spoke with [REDACTED], had second call with [REDACTED]
10/05/18 John Mill	HOURS: 1.50    RATE: 545    COST: 817.50 Reviewed motion to correct record by Mr. Sutherland; spoke with [REDACTED]; drafted email to Mr. Sutherland regarding his motions, motion to strike and City's motion for fees and bill of costs; reviewed SPSA; drafted email to [REDACTED]
10/07/18 John Mill	HOURS: 0.25    RATE: 545    COST: 136.25 Drafted email to Mr. Sutherland regarding City's position on several issues.
10/08/18 John Mill	HOURS: 0.25    RATE: 545    COST: 136.25 Read email from Mr. Sutherland; drafted email to Ms. Milgrom regarding motion and responses.
10/10/18 Amanda Milgrom	HOURS: 1.75    RATE: 360    COST: 630.00 Began drafting Response to Motion for Correction of the Record in Advance of Appeal; reviewed Motion for Determination of Questions of Law Under Rule 56(h).
10/10/18 John Mill	HOURS: 0.25    RATE: 545    COST: 136.25 Met with Ms. Milgrom regarding motion to strike and two responses to Sutherland's motions.

**FEES:** 9,288.75

**DISBURSEMENTS:**

Computer Assisted Research	130.48	
Filing Fees	23.24	
		<u>153.72</u>

**TOTAL FEES AND DISBURSEMENTS:** \$ 8,513.59

---

SHERMAN & HOWARD L.L.C.

---

City of Fort Collins, Colorado  
City Attorney's Office  
P.O. Box 580  
Fort Collins, CO 80522-0580

INVOICE NO. 743627  
NOVEMBER 21, 2018

RE: Sutherland Litigation

FOR PROFESSIONAL SERVICES RENDERED  
From 10/15/18 through 11/10/18 in  
accordance with the itemized statement  
attached:

TIME COST:	9,127.50
LESS 10% DISCOUNT:	<u>-912.75</u>
OUR FEE:	8,214.75
DISBURSEMENTS:	<u>542.54</u>
INVOICE TOTAL:	<u><u>8,757.29</u></u>

cc:  
John Duval

**DATE****DESCRIPTION OF SERVICES BILLED**

10/15/18 John Mill	HOURS: 0.75    RATE: 545    COST: 408.75 Considered Sutherland issues; read Mr. Sutherland's reply regarding Timnath's motion for fees.
10/16/18 John Mill	HOURS: 0.50    RATE: 545    COST: 272.50 Revised response to Motion to "correct" record; drafted email to [REDACTED]; responded to email from Mr. Sutherland; listened to voicemail from him; spoke with [REDACTED]; started drafting motion to strike.
10/17/18 John Mill	HOURS: 1.25    RATE: 545    COST: 681.25 Read Mr. Sutherland's 56(h) Motion; considered how to respond; drafted email to Ms. Milgrom regarding needed research.
10/22/18 Amanda Milgrom	HOURS: 2.75    RATE: 360    COST: 990.00 Reviewed plaintiff's recent pleadings, including motion for a hearing; researched law on Rule 56(h) and motions for reconsideration; conferred with Mr. Mill regarding same; began drafting response to motion for determination of questions of law under Rule 56(h); began researching motion to strike 56(h) motion.
10/23/18 Amanda Milgrom	HOURS: 2.25    RATE: 360    COST: 810.00 Continued drafting Response to Rule 56(h) Motion; drafted Motion to Strike 56(h) motion; conferred with Mr. Mill on both revisions to both motions.
10/23/18 John Mill	HOURS: 0.50    RATE: 545    COST: 272.50 Reviewed and revised response to Mr. Sutherland's 56(h) motion; spoke with Ms. Milgrom regarding questions and revisions to responses.
10/24/18 Amanda Milgrom	HOURS: 4.25    RATE: 360    COST: 1,530.00 Analyzed Response to Motion for Attorneys' Fees; conferred with Mr. Mill on the City's Reply to the Response to Motion for Attorneys' Fees and Response to 56(h) Motion; continued drafting Response to 56(h) Motion; drafted Reply in support of Motion for Attorneys' Fees.
10/24/18 John Mill	HOURS: 2.00    RATE: 545    COST: 1,090.00 Considered impact of Plaintiff's notice of appeal on trial court's jurisdiction; had call with [REDACTED]; spoke with Ms. Milgrom regarding reply in support of City's motion for attorneys' fees; reviewed and revised motion to strike; spoke with Ms. Milgrom; reviewed and revised response to Plaintiff's Rule 56(h) motion.
10/25/18	HOURS: 1.25    RATE: 360    COST: 450.00

Amanda Milgrom	Continued drafting Reply in support of Motion for Attorneys' Fees.
10/25/18 John Mill	HOURS: 1.75    RATE: 545    COST: 953.75 Reviewed Mr. Sutherland's response to City's motion for attorneys' fees; reviewed and revised draft reply; discussed revisions with Ms. Milgrom; drafted email to clients; reviewed and revised draft.
10/29/18 Amanda Milgrom	HOURS: 0.75    RATE: 360    COST: 270.00 Draft Response to Notice of Hearing on attorneys' fees.
10/30/18 Amanda Milgrom	HOURS: 0.50    RATE: 360    COST: 180.00 Researched and drafted memorandum on appellate rules and procedure.
11/02/18 Amanda Milgrom	HOURS: 0.50    RATE: 360    COST: 180.00 Reviewed Reply in support of 56(h) Motion; drafted email to [REDACTED] summarizing Reply; drafted Response to Notice for a Hearing.
11/07/18 Amanda Milgrom	HOURS: 0.75    RATE: 360    COST: 270.00 Researched and drafted analysis of whether district court retains jurisdiction over attorneys' fee motion after notice of appeal has been filed.
11/07/18 John Mill	HOURS: 0.25    RATE: 545    COST: 136.25 Reviewed order regarding notice of appeal; spoke with Ms. Milgrom regarding research on ability of court to still rule on attorneys fees; drafted email to clients.
11/08/18 Amanda Milgrom	HOURS: 0.50    RATE: 360    COST: 180.00 Conferred with Mr. Mill on Motion for Reconsideration of Judge's order declining to decide issue of attorneys' fees; drafted email to all parties requesting their position on same.
11/08/18 John Mill	HOURS: 0.50    RATE: 545    COST: 272.50 Considered motion for reconsideration to request Court to decide City's motion for attorney fees; spoke with Ms. Milgrom.
11/09/18 Amanda Milgrom	HOURS: 0.50    RATE: 360    COST: 180.00 Drafted email to Mr. Sutherland responding to his questions.

**FEES:** **9,127.50**

**DISBURSEMENTS:**

Computer Assisted Research	454.70
Filing Fees	87.84
	_____

542.54

**TOTAL FEES AND DISBURSEMENTS:**

\$ 8,757.29

---

SHERMAN & HOWARD L.L.C.

---

City of Fort Collins, Colorado  
City Attorney's Office  
P.O. Box 580  
Fort Collins, CO 80522-0580

INVOICE NO. 745329  
DECEMBER 14, 2018

RE: Sutherland Litigation

FOR PROFESSIONAL SERVICES RENDERED  
From 11/12/18 through 12/8/18 in  
accordance with the itemized statement  
attached:

TIME COST:	2,576.25
LESS 10% DISCOUNT:	<u>-257.63</u>
OUR FEE:	2,318.62
DISBURSEMENTS:	<u>88.59</u>
INVOICE TOTAL:	<u><u>2,407.21</u></u>

cc:  
John Duval



DATE	DESCRIPTION OF SERVICES BILLED		
11/12/18 Amanda Milgrom	HOURS: 1.50	RATE: 360	COST: 540.00 Drafted Motion for Reconsideration.
11/12/18 John Mill	HOURS: 0.25	RATE: 545	COST: 136.25 Reviewed and revised draft motion for reconsideration regarding Status Order.
11/13/18 John Mill	HOURS: 1.00	RATE: 545	COST: 545.00 Further revised motion for reconsideration.
11/14/18 Amanda Milgrom	HOURS: 0.25	RATE: 360	COST: 90.00 Finished Motion for Reconsideration.
11/20/18 John Mill	HOURS: 1.00	RATE: 545	COST: 545.00 Reviewed filings by Mr. Sutherland regarding Senior Judge Lowenbach; reviewed recusal orders and letter from State Courts Administrator; spoke with [REDACTED]
12/07/18 Amanda Milgrom	HOURS: 2.00	RATE: 360	COST: 720.00 Provided summary of Mr. Sutherland's Response to Motion for Reconsideration to [REDACTED], began drafting Reply.

**FEES:** 2,576.25

**DISBURSEMENTS:**

Computer Assisted Research	65.09	
Filing Fees	23.50	
		88.59

**TOTAL FEES AND DISBURSEMENTS:** \$ 2,407.21

---

SHERMAN & HOWARD L.L.C.

---

City of Fort Collins, Colorado  
City Attorney's Office  
P.O. Box 580  
Fort Collins, CO 80522-0580

INVOICE NO. 748532  
JANUARY 22, 2019

RE: Sutherland Litigation

FOR PROFESSIONAL SERVICES RENDERED  
From 12/10/18 through 1/12/19 in  
accordance with the itemized statement  
attached:

TIME COST:	2,761.25
LESS 10% DISCOUNT:	<u>-276.13</u>
OUR FEE:	2,485.12
DISBURSEMENTS:	<u>40.50</u>
INVOICE TOTAL:	<u><u>2,525.62</u></u>

cc:  
John Duval

DATE	DESCRIPTION OF SERVICES BILLED
12/10/18 Amanda Milgrom	HOURS: - 0.75    RATE: 360    COST: 270.00 Continued drafting Reply in support of Motion for Reconsideration; reviewed Court's Order granting Motion for Attorneys' Fees and Motion for Reconsideration.
12/13/18 Amanda Milgrom	HOURS: 1.00    RATE: 360    COST: 360.00 Conferred with Mr. Mill about Notice to Set Hearing, hearing preparation related to exhibits and witnesses, and the appeal by Mr. Sutherland.
12/13/18 John Mill	HOURS: 0.75    RATE: 545    COST: 408.75 Considered next steps in case including notice to set hearing; spoke with Ms. Milgrom regarding hearing, research and appeal.
12/16/18 Amanda Milgrom	HOURS: 0.50    RATE: 360    COST: 180.00 Drafted supplemental affidavit regarding recently incurred attorneys' fees and costs; drafted conferral e-mail to Mr. Sutherland about setting telephone call with the Division Clerk to set hearing on attorneys' fees.
12/17/18 Amanda Milgrom	HOURS: 0.25    RATE: 360    COST: 90.00 Reviewed e-mail correspondence from Mr. Sutherland; worked on supplemental attorneys fees affidavit.
12/17/18 John Mill	HOURS: 0.75    RATE: 545    COST: 408.75 Read email from Mr. Sutherland; revised supplemental affidavit.
12/18/18 John Mill	HOURS: 0.25    RATE: 545    COST: 136.25 Responded to Mr. Sutherland; revised notice to set.
12/20/18 John Mill	HOURS: 1.25    RATE: 545    COST: 681.25 Revised and drafted other parts of supplemental affidavit regarding additional attorneys' fees on October-December invoices.
01/03/19 Amanda Milgrom	HOURS: 0.25    RATE: 360    COST: 90.00 Reviewed notice of record filed on appeal.
01/08/19 John Mill	HOURS: 0.25    RATE: 545    COST: 136.25 Spoke with Ms. Milgrom regarding hearing on attorney's fees and Sutherland issues.
01/09/19 Amanda Milgrom	HOURS: 0.00    RATE: 0    COST: 0.00 (No charge) Sent status update on appeal to [REDACTED] and [REDACTED] [REDACTED]

**FEES:** 2,761.25

**DISBURSEMENTS:**

Filing Fees	40.50	
	<hr/>	<hr/>
		40.50

**TOTAL FEES AND DISBURSEMENTS:** \$ 2,525.62