

Law Offices of Jones & Mayer

Attorneys at Law
3777 N. Harbor Blvd.
Fullerton, CA 92835
714 446 1400

J

Invoice Submitted to:

&

City of Costa Mesa
P.O. Box 1200
Costa Mesa CA 92628
City Manager

M

Jan 01, 2007

Billing Invoice for Services December 2006

Invoice # 35680

In reference to: Acosta Prosecution
Attorney fees billed at \$165.00 per hour

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
12/4/2006	DP	Review case file, received and reviewed extensive discovery request from opposing counsel, email to R. Warnisher and J. Morgan (3) emails from and to D. Menicucci, email to K. Barlow re Acosta	1.10 181.50
	KHB	Review informal discovery request to assist in obtaining from city and providing documents.	0.20 33.00
12/5/2006	DP	Review discovery requests, staff conferences with J. Morgan, K. Barlow and R. Warnisher, began preparing discovery responses re Acosta	1.50 247.50
12/6/2006	DP	Staff conference with R. Warnisher, review case file and discovery requests re Acosta	0.50 82.50
	KHB	Review email from Paralegal re: documents for discovery in criminal case.	0.10 16.50
12/7/2006	DP	Telephone call from Attorney D. Stradlin and staff conference and email from/to R. Warnisher, staff conference with K. Barlow re Acosta discovery responses	0.80 132.00
	PAR	Email K. Barlow re: request list.	0.30 30.00
	KHB	Telephone call with City Prosecutor and paralegal re: informal discovery demand; review email from Rose Warnisher re: documents needed from City.	0.20 33.00
12/8/2006	DP	Staff conference with R. Warnisher and K. Barlow re Acosta discovery responses	0.50 82.50
12/9/2006	KHB	Email to J. Folcik re: Acosta Criminal discovery request.	0.10 16.50
12/11/2006	KHB	Email to R. Warnisher re: informal discovery request.	0.10 16.50
	KHB	Review message from and telephone call J. Folcik re: criminal discovery request on Acosta.	0.10 16.50

			<u>Hrs/Rate</u>	<u>Amount</u>
12/11/2006	DP	Emails from/to R. Warnisher, staff conference with same; review and revise draft discovery responses re Acosta	1.00	165.00
	KHB	Email to and review response from M. Guimond re: records of charges for informal discovery request.	0.10	16.50
12/13/2006	KHB	Conference with M. Guimond re: criminal discovery request.	0.20	33.00
	KHB	Email to L. Gogerty re: Acosta criminal discovery request; conference with M. Guimond re: same.	0.30	49.50
	DP	Prepare for 12/13/06 (3) motion hearing; appear in court for hearing; motion to disqualify city prosecutor denied; (2) motion hearing continued 12/20/06; staff conference with M. Mayer re Acosta	4.00	660.00
12/14/2006	DP	Two emails from/to M. Guimond re Acosta discovery	0.10	16.50
	PAR	Review and forward discovery response to D. Peelman.	0.20	20.00
	KHB	Telephone call with L. Gogerty re: Acosta criminal discovery request.	0.10	16.50
12/15/2006	DP	Receive and cursory review of discovery material and response from R. Warnisher, M. Guimond and K. Barlow re Acosta discovery compliance	0.30	49.50
	KHB	Telephone call with L. Gogerty re: status of records requested through informal discovery.	0.10	16.50
12/18/2006	DP	Review discovery compliance, revise discovery compliance answer; email from D. Menicucci; email to same, K. Barlow, M. Mayer and R. Jones re Acosta	1.00	165.00
12/19/2006	DP	Email from/to M. Mayer (motions and case status); email from/to M. Guimond (discovery), staff conference with Toby (DVD duplication), review and reorganize case file, began review of discovery materials provided by police department, city attorney and city clerk, prepare compliance re Acosta	3.00	495.00
	PAR	Review discovery documents from Police Department, email to D. Peelman.	0.30	30.00
	PAR	Review email response from D. Peelman re: discovery.	0.10	10.00
	KHB	Review documents from PD re: informal discovery request and conference with paralegal re: providing to City Prosecutor.	0.30	49.50
	KHB	Review memo from City Prosecutor re: status of prosecution.	0.10	16.50
12/20/2006	DP	Prepare for discovery motion and (2) motion to dismiss (vindictive prosecution and violations of U.S. and state constitutions); appear in court; motion to dismiss for vindictive prosecution denied; motion to dismiss for violations of U.S. and state constructions taken off calendar; discovery compliance date continued 1/10/07; pretrial calendared 1/31/07 re Acosta	4.00	660.00
12/28/2006	DP	Review discovery, prepare discovery responses and draft answer re Acosta	1.00	165.00
For professional services rendered			21.70	\$3,522.00

Additional Charges

	<u>Amount</u>
11/15/2006 Cost: Janney and Janney Attorney Service	65.00
12/8/2006 Cost: Janney and Janney Attorney Service -	25.00
Total costs	<hr/> \$90.00
Total amount of this bill	<hr/> \$3,612.00
BALANCE DUE	<hr/> <hr/> \$3,612.00

Law Offices of Jones & Mayer

Attorneys at Law
 3777 N. Harbor Blvd.
 Fullerton, CA 92835

Invoice

Date	Invoice #
2/1/2007	36228

Bill To
City of Costa Mesa P.O. Box 1200 Costa Mesa, CA 92628 Attn: City Manager

In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
1/2/2007	DP-Review discovery compliance responses; staff conference with M. Do re Acosta	0.5	82.50

Total		\$82.50
Payments/Credits		\$-82.50
Balance Due		\$0.00
Department Balance		\$14,963.30

Phone #
714-446-1400

Law Offices of Jones & Mayer

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Invoice

Date	Invoice #
3/3/2007	36377

Bill To
City of Costa Mesa P.O. Box 1200 Costa Mesa, CA 92628 Attn: City Manager

In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
2/12/2007	KHB- Review and respond to email from C. Prosecutor re: status.	0.1	16.50
2/12/2007	DP- (2) email from and to D. Menicucci re: pretrial discovery; review case file re: discovery; (4) emails from and to K. Barlow re: status, discovery and billing designation.	0.5	82.50
2/14/2007	DP- Review discovery file re: Acosta.	0.5	82.50
2/14/2007	DP- Staff conference with B. Hoyle re: Hennessey probation violation.	1	165.00
2/16/2007	KHB- Review email and phone message from Lt. Gogerty re: documents received from court; email response re: same.	0.1	16.50
2/18/2007	DP- Email from and to K. Barlow and L. Gogerty re: Acosta.	0.1	16.50
2/20/2007	DP- Email from and to K. Barlow re: Acosta motion.	0.1	16.50
2/21/2007	DP- Receive and review Notice of Motion and Motion to Dismiss Prosecution Based upon Violations of U.S. and California Constitutions; calendared motion, staff conference with K. Barlow re: Acosta.	1	165.00
2/26/2007	DP- Receive and review US District Court Order Granting in Part and Denying in Part Motion to Dismiss Complaint re: Acosta.	1.1	181.50
2/27/2007	DP- Telephone call from and to ACLU paralegal J. Alvarado, review Motion to Dismiss, prepare for 2/28/07 Motion for Acosta.	0.5	82.50
2/28/2007	DP- Meet and confer meeting with opposing counsel; appear in court in department H1; Motion calendared for 3/28/07 in department H5.	3	495.00

Total	\$1,320.00
Payments/Credits	\$-1,320.00
Balance Due	\$0.00
Department Balance	\$14,963.30

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Attorneys at Law
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 Fullerton, CA 92835

Invoice

Date	Invoice #
4/4/2007	36563

Bill To
City of Costa Mesa P.O. Box 1200 Costa Mesa, CA 92628 Attn: City Manager

In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
3/7/2007	DP- re: Acosta: review defendant's Notice of Motion and Motion to Dismiss Prosecution based upon Violations of the United States and California Constitutions; review federal court order Granting in part and denying in part defendants' motion to dismiss complaint, claim against the city of Costa Mesa, plaintiff's opposition to defendants' motion to dismiss second amended complaint, notice of motion and motion to dismiss claims pursuant to FRCP, Rule12 (b) (6); draft opposition to defendant's motion to dismiss based upon violations of the United States and California Constitutions.	4	660.00
3/8/2007	DP- Review, revise and final Opposition, review case file, instruct D. Menicucci re: Acosta.	1	165.00
3/15/2007	DP- Reviewed motion to dismiss and opposition, returned telephone call to ACLU paralegal J. Alvarado re: Acosta motion to dismiss.	0.5	82.50
3/27/2007	DP- Email from and to D. Menicucci re: Acosta reply brief.	0.1	16.50
3/28/2007	DP- Prepare for 3/28/07 Motion Hearing; meet and confer with opposing attorneys; appear in court in dept. H3 for Motion hearing; Motion hearing continued (4/9/07).	3	495.00
4/3/2007	Janney & Janney - Filing	1	25.00

Total		\$1,444.00
Payments/Credits		\$-1,444.00
Balance Due		\$0.00
Department Balance		\$14,963.30

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Date	Invoice #
5/1/2007	36729

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City of Costa Mesa P.O. Box 1200 Costa Mesa, CA 92628 Attn: City Manager

In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
4/8/2007	DP- Review case file and Motion to Dismiss Based Upon Violations of the U.S. and California Constitutions and Defendant's Reply to City's Opposition to Defendant's Motion to Dismiss; prepare and draft oral argument; legal research.	3.1	511.50
4/9/2007	DP- Appear in court in dept. H3 for motion argument; motion denied; pretrial calendared (6/11/07) re: Acosta.	4	660.00
4/11/2007	MG- Research re: appropriateness of writ challenge or appeal on order re: constitutional issues.	1.9	195.70
4/11/2007	DP- Review case file, email to K. Barlow, et al. re: Acosta motions.	1	165.00
4/12/2007	DP- Staff conferences from and to M. Guimond re: Acosta appeal legal research.	0.1	16.50
4/18/2007	DP- Review case file, motion file and discovery file, prepare for Writ and pretrial hearing re: Acosta.	1.3	214.50

Total	\$1,763.20
Payments/Credits	\$-1,763.20
Balance Due	\$0.00
Department Balance	\$14,963.30

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 Fullerton, CA 92835

Invoice

Date	Invoice #
6/4/2007	36972

Bill To
City of Costa Mesa P.O. Box 1200 Costa Mesa, CA 92628 Attn: City Manager

In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
5/3/2007	DP- Received and reviewed Reporter's Transcript of Proceedings Hearing held April 9, 2007 re: Acosta.	1	165.00
5/9/2007	RW- Telephone call with Sean Peca re: Discovery.	0.1	10.30
5/9/2007	RW- Email D. Peelman re: Discovery.	0.2	20.60
5/9/2007	RW- Searched file re: complaint re Acosta	0.3	30.90
5/9/2007	DP- Review case file, staff conference with M. Guimond, prepare for 6/11/07 court re: Acosta.	1.5	247.50
5/10/2007	DP- (2) emails from and to Rose W., telephone call to and from attorney S. Peca, review case file re: Acosta.	1	165.00
5/17/2007	YMS- Review Acosta Petition for Writ of Prohibition/Mandate; review CCP and CRC re: extensions of time; telephone call to attorney for Petition re: stipulating to continuance; draft stipulation to Continue to attorney for Petitioner; call court clerk re: filing.	3	495.00
5/17/2007	MG- Research re: Opposition to Writ of Prohibition; time for filing.	0.3	30.90
5/17/2007	MG- Telephone call to Appellate Div. re: stipulation "to extend time for filing preliminary opposition".	0.2	20.60
5/17/2007	MG- Research court rules re: format and filing of stipulation.	0.4	41.20
5/18/2007	YMS- Email correspondence with attorney for Petitioner; finalize stipulation to continue and prepare for filing with trial court appellate department.	0.4	66.00
5/18/2007	MG- Review email from Belinda Escobar re: stipulation.	0.1	10.30
5/18/2007	MG- Prepare, serve and submit writ stipulation for filing	0.7	72.10

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In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
5/21/2007	YMS- Research in Opposition to Acosta Writ of Prohibition; check status of criminal prosecution from court.	1.6	264.00
5/21/2007	MG- Review Minute Order re: Writ; forward to K. Barlow, D. Peelman.	0.2	20.60
5/22/2007	YMS- Consult with E. Gerli re: Acosta pretrial court appearance.	0.1	16.50

Total		\$1,676.50
Payments/Credits		\$-1,676.50
Balance Due		\$0.00
Department Balance		\$14,963.30

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Date	Invoice #
7/5/2007	37202

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City of Costa Mesa P.O. Box 1200 Costa Mesa, CA 92628 Attn: City Manager

In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
6/1/2007	GP- Begin the review of all the materials which comprise the Writ petition on the Benito Acosta matter. Review the petition and all the voluminous exhibits and make notes during review. Outline the important issues to emphasize in our informal response to Petition and prepare and revise the informal response. Consult with Y. Summerhill re: same.	5.5	907.50
6/1/2007	KHB- Review and respond to email re: petition for writ filed with 4th Dist. Court of Appeal.	0.1	16.50
6/1/2007	YMS- Legal research for reply to Acosta writ.	1.6	264.00
6/4/2007	YMS- Finalize research and informal reply to Acosta Writ.	3.9	643.50
6/8/2007	YMS- Email E. Gerli in preparation for Acosta pretrial conference on 6/11/07.	0.1	16.50
6/11/2007	EG- Benito Acosta court appearance.	2	330.00
6/29/2007	GP- Watch the 1/3/06 council meeting video relative to the Acosta case and watch the television coverage of same event.	1.5	247.50

Total		\$2,425.50
Payments/Credits		\$-2,425.50
Balance Due		\$0.00
Department Balance		\$14,963.30

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Date	Invoice #
9/7/2007	37844

Bill To
City of Costa Mesa P.O. Box 1200 Costa Mesa, CA 92628 Attn: City Manager

In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
8/1/2007	DLP- Review case file, telephone call to and from opposing counsel, staff conference with City Attorney K. Barlow re: Acosta	1.4	231.00
8/3/2007	DLP- Review case files, draft/prepare Request for Trial Continuance, email with attached Request to D. Menicucci re: Acosta.	1	165.00
8/7/2007	DLP- Review case file. attempt to arrange meeting with Mayor, prepare for trial re: Acosta	1.5	247.50
8/8/2007	DLP- Review case file, trial preparation, telephone call from Mayor A. Mansoor re: Acosta.	1	165.00
8/13/2007	DLP- Review file; telephone call from A. Robinson.	3.2	528.00
8/14/2007	DLP- Prepare for 8/15/07 trial, telephone call from Mayor Mansoor.	0.7	115.50
8/14/2007	KHB- Review article re: requested continuance of prosecution.	0.1	16.50
8/15/2007	DLP- Appear in court in Dept. H1 for trial, meet and confer with opposing counsels, trial continued, review case file, read reports, telephone call to police department witnesses, telephone call to Mayor A. Mansoor, prepare trial file re: Acosta.	8	1,320.00
8/16/2007	DLP- Telephonic interview of Sgt. B. Glass, trial preparation re: Acosta.	1	165.00
8/18/2007	DLP- Telephone call from Officer J. Tobin, trial preparation re: Acosta.	0.2	33.00

Total	
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9/7/2007	37844

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Date	Description	Hrs/Rate	Amount
8/20/2007	DP-Review case files, trial preparation. Telephone call from Lt. D. Anderson. Returned call to Reserve Officer J. Turbin, attempted to locate J. Hensley re Acosta	4.8	792.00
8/22/2007	DP-Telephone call from Inv. E. Everett, trial preparation re Acosta	0.3	49.50
8/24/2007	DP-Return telephone call from E. Everett, trial preparation Acosta	0.3	49.50
8/27/2007	DLP- Review case files, prepare for trial re: Acosta.	3.5	577.50
8/29/2007	DLP- Trial preparation, draft witness list, review case files re: Acosta.	3	495.00
8/31/2007	DLP- Review case files, prepare for trial re: Acosta.	2	330.00
7/31/2007	LexisNexis June 07	1	1.65
6/25/2007	LexisNexis - May 2007		1.83

Total	\$5,283.48
Payments/Credits	\$-5,283.48
Balance Due	\$0.00
Department Balance	\$14,963.30

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Attorneys at Law
 3777 N. Harbor Blvd.
 Fullerton, CA 92835

Invoice

Date	Invoice #
10/2/2007	37969

Bill To
City of Costa Mesa P.O. Box 1200 Costa Mesa, CA 92628 Attn: City Manager

In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
9/4/2007	DP- Returned telephone call to Officer D. Guth, interview ex - Chief of Police J. Hensley, finalized proposed witness list and exhibit list, email with attachments to Debbie M., review case files.	3	495.00
9/5/2007	DP- Staff conference with D. Menicucci re: Acosta.	0.5	82.50
9/6/2007	DP- Received and reviewed witness/exhibit lists from opposing counsel, legal research re: Acosta.	0.5	82.50
9/7/2007	DP- Review case files, telephone call to Attorney B. Helzer re: Acosta.	0.6	99.00
9/12/2007	DP- Review case files, prepare for trial re: Acosta.	1.5	247.50
9/13/2007	DP- Prepare for trial, telephonic interview of Officer D. Guth re: Acosta.	1	165.00
9/17/2007	DP- Review case files, prepare for trial, receive and review Pre-Trial Discovery from opposing counsel re: Acosta.	3.5	577.50
9/20/2007	DP- Review case file, prepare for court, subpoena trial witnesses, telephone call from Mayor A. Mansoor and Police Department re: Acosta.	2	330.00
9/20/2007	MG- Telephone call re: service of subpoena for mayor.	0.1	10.30
9/24/2007	DP- Telephone call from opposing counsel, staff conference with D. Menicucci, telephone call from A. Mansoor's staff report assistant, prepare for 9/25/07 trial re: Acosta.	3	495.00

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Invoice

Date	Invoice #
10/2/2007	37969

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In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
9/25/2007	DP- Appear in court in department H1 and H3 for trial, prepare jury instructions, prepare filing copy of Witness List and Exhibit List, telephone all witnesses, prepare for 9/26/07 trial re: Acosta.	8	1,320.00
9/26/2007	MD- Attend second chair with Dan Peelman on the Acosta trial.	6	990.00
9/26/2007	DP- Appear in court in department H3 for trial (day 2), witness meeting with Mayor A. Mansoor, telephone all witnesses (trial status), review City Council DVD (1/3/06), prepare for 9/27/07 trial re Acosta	16.5	2,722.50
9/27/2007	DP- Appear in court in department H3 for trial (day 3), witnesses meeting with Mayor A. Mansoor and Ofcr. D. Guth, obtain video from Costa Mesa City Hall, telephone all witnesses (trial status), review case/trial files, prepare for 9/28/07 trial re Acosta	15.5	2,557.50
9/28/2007	DP- Prepare for 9/28/07 trial, review case/trial files, appear in court in department H3 for trial (day 4), witness meetings with Ofcr. Guth and Lt. Andersen re Acosta	14.5	2,392.50
9/28/2007	MD- Court appearance, 2nd chair with Dan Peelman.	6	990.00
9/29/2007	DP- Legal research (character evidence & prosecutorial misconduct), email to K. Barlow re Acosta	2	330.00
9/30/2007	DP- files, telephone 10/1/07 witnesses, prepare Legal research (in camera reporter), review trial for 10/1/07 trial re Acosta	5	825.00
9/27/2007	KHB- Review and respond to email from C. Goldsworthy re: press inquiries.	0.1	16.50

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10/2/2007	37969

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In reference to
Acosta Prosecution

Date	Description	Hrs/Rate	Amount
9/11/2007	Janney & Janney - Invoice # OC4174830-1	1	25.00
10/1/2007	Janney & Janney - Invoice # OCP014554-3	1	65.00
10/1/2007	Janney & Janney - Invoice # OCP014555-3	1	20.00
10/1/2007	Janney & Janney - Invoice # OCP014556-3	1	20.00
10/1/2007	Janney & Janney - Invoice # OCP014557-3	1	20.00
10/1/2007	Janney & Janney - Invoice # OCP014558-3	1	20.00
10/1/2007	Janney & Janney - Invoice # OCP014559-1	1	65.00

Total		\$14,963.30
Payments/Credits		\$0.00
Balance Due		\$14,963.30
Department Balance		\$14,963.30

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