




January 17, 2017

## MEMORANDUM

**TO:** District Board of Trustees

**FROM:** Jim Murdaugh, President 

**SUBJECT:** Attorney Invoice - Andrews, Crabtree, Knox & Longfellow, LLP:  
November 29, 2016

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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 19, 2015 Board meeting and shall be effective through October 31, 2016. 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 shall be billed on an annual flat fee of \$195,000 for services of the firm as approved by the Board at the October 19, 2015 meeting. The Board approved the first annual renewal of this contract effective November 1, 2016 through October 31, 2017 at the September 19, 2016 Board meeting.

### Funding/Financial Implications

Funding is budgeted in Fund 1, the Current Unrestricted Fund. The current amount due is \$16,250.00.

### Staff Resource

Barbara Wills

### Recommended Action

Authorize payment of invoice as presented.

# ANDREWS, CRABTREE, KNOX & LONGFELLOW, LLP

1558 VILLAGE SQUARE BLVD.

SUITE 1

TALLAHASSEE, FL 32309

TAX ID #59-3621660

December 1, 2016

Barbara Wills  
Vice President for Administrative Services and CBO  
Tallahassee Community College  
444 Appleyard Drive  
Tallahassee, FL 32304

Invoice# 14180 JCK  
Our file# T00007 02276  
Billing through 11/29/2016

Tallahassee Community College (General)  
P.O. Number: PO-005527

## FOR PROFESSIONAL SERVICES RENDERED

10/28/2016	JCK	Receipt and review of email from E Jones re Subpoena (.1); Receipt and review of Subpoena to TCC for records and supporting documents (.4); Email to E Jones re subpoena (.1)	0.60 hrs.
10/31/2016	JCK	Attend faculty dismissal hearing (10.3)	10.30 hrs.
11/01/2016	JCK	Telephone conferences (x2) with A Moran re faculty dismissal hearing (.8); Receipt and review of email from E Jones re subpoena (.1); Receipt and review of subpoena with attachments (.3); Receipt and review of email from A Bradbury re contract review (.1); Receipt and review of Bucs Stadium Advertising Agreement (1.0); Receipt and review of Bucs Sponsorship Agreement (.8); Email to A Bradbury re contract review (.2)	3.30 hrs.
11/02/2016	JCK	Receipt and review of email from A Moran re recent public records request (.1); Receipt and review of public records requests (x3) (.6); Receipt and review of email from A Bradbury re contract review (.1); Receipt and review of Magic Sponsorship Agreement (1.4); Receipt and review of Tampa Bay Arena Agreement (1.3); Email to A Bradbury re contracts (.1);	4.10 hrs.

Telephone conference with F Moore-Davis (.3); Receipt and review of email from B Wills re contract review and employee issue (.1); Email to B Wills re employee issue (.1)

11/03/2016	JCK	Receipt and review of email from B Wills re Oracle contract (.1); Receipt and review of email from B Wills re telephone conference (.1); Receipt and review of email from C Dwyer re recent information (.1); Receipt and review of news article re WEI (.4); Telephone conference with A Moran re public records request (.9); Receipt and review of email from B Ingerman re Hayes MSA (.1); Receipt and review of revised Hayes MSA (.9); Email to B Ingerman re Hayes MSA (.1); Receipt and review of email from S Mathews re witness testimony at resumed faculty dismissal hearing (.1); Receipt and review of email from S Mathews re witness testimony (.1); Telephone conference with B Wills re issue with former employee (.1); Telephone conference with A Moran re public records requests (.5); Receipt and review of email from B Wills re Oracle contract (.1); Receipt and review of Oracle contract - Schedules HP&C (1.6); Email to B Wills re Oracle contract (.1); Receipt and review of email from S Mathews re Motion to Compel Attendance (.1); Receipt and review of Motion to Compel by faculty member (.4); Email to S Mathews re faculty dismissal hearing (.2)	6.00 hrs.
11/04/2016	JCK	Receipt and review of email from B Ingerman re Hayes contract (.1); Receipt and review of email from C Dwyer re contract request (.1); Receipt and review of email from A Moran re attachments to public records request (.2); Email to B Wills re Follet contract (.1); Preparation of current administrative articles and litigation memo to President Murdaugh (.8); Receipt and review of email from A Moran re public records request (.2); Email to A Moran re public records request (.1);	2.40 hrs.

Telephone conference with B Wills re employee issues (.1); Receipt and review of email from R Sniffen re witness attendance at faculty dismissal hearing (.1); Receipt and review of email from S Mathews re faculty dismissal hearing (.1); Receipt and review of motion and proposed order in faculty dismissal hearing (.4); Email to each side in faculty dismissal hearing (.1)

11/04/2016	MK	Review and analysis of bookstore agreement between TCC and Follet in preparation for drafting similar agreement between TCC and Flagler (.4)	0.40 hrs.
11/07/2016	JCK	Receipt and review of emails (x3) from A Moran re public records request (.4); Receipt and review of email from S Mathews re motion (.1); Receipt and review of motion filed by faculty members for dismissal hearing (.4); Email to Judge Clark re motion (.1); Receipt and review of email from R Sniffen re TCC's response to motion (.1); Telephone conference with K Vaughn re Trustee questions (.2); Conference with B Wills re employee issue and terminated grant (.4); Conference with A Moran re public records request (.2); Receipt and review of emails (x2) from A Moran re public records request (.3)	2.20 hrs.
11/07/2016	MK	Review and analysis of letter from Stephanie Johnson in preparation for determining whether fee waiver for GED programs should be given to those in foster care (.2); Review and analysis of case law and TCC policies to determine whether fee waiver for GED programs should be given to those in foster care and draft memo reflecting this information (1.2); Review and analysis of other college policies in Florida to determine whether they provide a fee waiver for GED programs to those in foster care (.8); Review and analysis of case law to see if a conflict would arise with board member's daughter	4.20 hrs.

serving as an architect for a company that is in an agreement with TCC (1.1); Review and analysis of case law re potential conflict of interest issue (2.0)

11/08/2016	JCK	<p>Receipt and review of documents re employee complaint of workplace mistreatment (1.2); Telephone conference with B Wills re allegations of workplace mistreatment (.3); Receipt and review of email from C Dwyer re class issue (.2); Telephone conference with C Dwyer re class issue (.2); Telephone conference with Judge N Clark re Motion in faculty dismissal hearing (.2); Telephone conference with R Sniffen re faculty dismissal hearing timing (.4); Receipt and review of email from S Rowland re tuition waiver issue (.7); Receipt and review of emails (x2) from K Moore re tuition waiver issue (.2); Receipt and review of email from S Rowland re tuition waiver issue (.1); Email to S Rowland re tuition waiver issue (.3)</p>	3.80 hrs.
11/09/2016	JCK	<p>Receipt and review of emails from B Wills re 21st CCLC Gadsden (.1); Review 21st CCLC Gadsden agreement (1.4); Preparation of correspondence to program directors re 21st CCLC Gadsden agreement (.6); Email to B Wills re 21st Gadsden agreement (.1); Receipt and review of emails (x2) from S Rowland re tuition fee waiver (.2); Receipt and review of emails (x2) from K Moore re tuition fee waiver (.2); Receipt and review of emails (x2) from C Dwyer re public records request (.2); Telephone conference with C Dwyer re public records request (.3); Receipt and review of email from B Wills re 21st CCLC agreement (.1); Receipt and review of email from T Harmon re faculty dismissal hearing (.1); Receipt and review of email from N Clark re faculty dismissal hearing (.1); Receipt and review of email from R Sniffen re faculty dismissal hearing (.1); Receipt and review of email from R Frazier re potential public</p>	4.30 hrs.

		records request (.1); Receipt and review of potential public records request (.4); Email to R Frazier re public records request (.1)	
11/09/2016	MK	Review OCR Complaint and prior documentation we had received in August in preparation for analyzing how to best proceed (1.1); Review and analysis of case law re what constitutes a reasonable ADA accommodation (.7)	1.80 hrs.
11/10/2016	JCK	Receipt and review of email from C Dywer re public records request (.1); Receipt and review of email from S Matthews re faculty dismissal hearing (.1); Receipt and review of email from S Matthews re supplemental exhibits (.1); Receipt and review of emails (x2) from R Sniffen re faculty dismissal hearing (.2)	0.50 hrs.
11/14/2016	JCK	Receipt and review of email from A Matthews re audio recording of Board Meeting (.1); Receipt and review of email from Judge Clark re supplemental exhibits for faculty dismissal hearing (.1); Receipt and review of email from C Dwyer re drone instructor issue (.2); Receipt and review of emails (x3) from R Sniffen re exhibits for hearing (.3); Receipt and review of S Matthews re exhibits for hearing (.1); Receipt and review of email from R Tolson re DOE Complaint (.3); Telephone conference with R Tolson re DOE Complaint (.1)	1.20 hrs.
11/15/2016	JCK	Attend faculty dismissal hearing (9.0)	9.00 hrs.
11/15/2016	MK	Review and analysis of case law and TCC policies re if an employee uses school email in other capacities can TCC receive a public records request for these emails or does it need to go to another source (1.2)	1.20 hrs.
11/16/2016	JCK	Receipt and review of email from E Jones re public records responses (.1); Receipt and review of public records responses to S Mathews (.6); Receipt and review of email from S Mathews' office re supplemental	7.90 hrs.

exhibits and impeachment exhibits (.1); Receipt and review of supplemental exhibits and impeachment documents for faculty dismissal hearing (.8); Receipt and review of email from S Mathews re TCC's supplement #27 (.1); Receipt and review of email from K Moore re public records request (.2); Receipt and review of email from B Ingraham re public records request (.1); Telephone conference with R Tolson re OCR Inquiry (.3); Receipt and review of email from R Tolson re OCR Inquiry (.1); Receipt and review of emails (x2) from A Moran re public records request (.2); Receipt and review of emails (x2) from C Dwyer re drone class (.2); Email to K Moore re public records request (.3); Receipt and review of email from A Bradbury re contract review (.4); Receipt and review of DUI Statewide Media Campaign contract (.4); Email to A Bradbury re contract review (.1); Preparation of Proposed Order for faculty dismissal hearing (.4); Email to parties re Proposed Order (.1); Receipt and review of emails (x2) from C Dwyer re drone class (.2); Receipt and review of email from B Jones re drone class (.1); Receipt and review of R Tolson re OCR complaint (.1); Email to R Tolson re OCR complaint (.1); Conference call with C Dwyer and B Ballard re Oyster Aquaculture class (.4); Receipt and review of email from B Wills re Oracle Contract (.1); Receipt and review of Oracle contract (1.7); Email to B Wills re Oracle contract (.2); Telephone conference with R Milton re 21st Century website (.1); Telephone conference with B Wills re 21st Century website with DOE(.1); Telephone conference with C Dwyer and B Ballard re Oyster Aquaculture class (.4); Email to S Rowland and F Moore-Davis re OCR claim (.2)

11/16/2016	MK	Review and analysis of case law re whether an architectural Masterplan is exempt from	4.90 hrs.
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disclosure under a public records request (.8); Review and analysis of case law re whether statute discussing career service status applies to a TCC employee who is arrested for felony (.5); Review and analysis of case law and TCC policies re employee discipline following a felony arrest (.9); Review and analysis of case law re public records request (1.9); Review and analysis of memorandums and research on drone class instruction to see what additional changes have been made in past few months in preparation to see if a non-licensed instructor can teach a class (.8)

11/17/2016	JCK	<p>Receipt, review and analysis of Board of Trustees Agenda (1.3); Conference with R Pople re Board of Trustees Agenda (.7); Telephone conference with B Ballard re Oyster Program (.4); Email to Bill Holimon re a patent issue (.1); Receipt and review of email from R Sniffen re proposed Order (.1); Receipt and review of email from F Moore-Davis re OCR complaint (.1); Receipt and review of emails (x3) S Rowland re OCR complaint (.3); Receipt and review of email from R Sniffen re faculty dismissal CMC (.1); Receipt and review of email from S Mathews office re faculty dismissal CMC (.1); Receipt and review of email from R Tolson re OCR complaint (.1); Email to S Rowland re OCR complaint (.1); Receipt and review of responses with documents for public records requests in faculty dismissal hearing (1.6); Receipt and review of email form A Maxwell re public records request (.1); Telephone conference with A Maxwell re public records request (.2); Receipt and review of email from E Jones re public records request (.1); Receipt and review of email from B Wills re 21st Century Grant (.1); Email to B Wills re 21st Century Grant (.2); Email to B Ballard re Oyster class (.1); Emails (x2) to B Hollimon re patent issue (.2); Receipt and review of emails</p>	9.50 hrs.
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(x2) from B Hollimon re patent issue (.2);  
 Receipt and review of email from S Mathews  
 re amended complaint with attachment (.4);  
 Review Florida Law re extraordinary dismissal  
 (.6); Telephone conference with S Mathews re  
 employee dismissal (.2); Receipt and review of  
 email from B Ballard re Oyster class (.1);  
 Email to B Ballard re Oyster class (.1); Emails  
 (x4) to A Maxwell re public records request  
 (.5); Receipt and review of email from A  
 Mathews re employee dismissal (.1); Email to  
 B Ballard re Oyster progress (.1); Receipt and  
 review of email from S Mathews re proposed  
 Order (.1); Email to Judge Clark re proposed  
 Order (.1); Receipt and review of email from  
 A Bradbury re Cambridge Systematics  
 contract (.1); Review/revise Cambridge  
 Systematic contract (.4); Email to A Bradbury  
 re Cambridge Systematics contract (.1);  
 Receipt and review of email from A Maxwell  
 re OCR complaint with email chain (.1); Email  
 to K Stewart re OCR Complaint (.2); Receipt  
 and review of email from K Stewart re OCR  
 complaint (.1)

11/18/2016	JCK	<p>Receipt and review of email from C Stringer          with attachments for OCR Inquiry (.4);          Receipt and review of email from R Sniffen re          CMC in Faculty Dismissal case (.1); Receipt          and review of email from Judge Clark re Order          in Faculty Dismissal case (.1); Email to all          counsel re Order in Faculty Dismissal case          (.1); Receipt and review of email from A          Maxwell re public records request (.1); Receipt          and review of email from D Herr re public          records request (.1); Receipt and review of          email from A Mathews re employee          suspension (.1); Receipt and review of          proposed letter of discipline (.4); Review          proposed letter of discipline (.9); Email to A          Mathews re employee discipline(.1); Receipt          and review of documents for response to OCR          Inquiry (2.8); Email to R Tolson re disability</p>	8.00 hrs.
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		complaint (.1); Telephone conference with J Barr re disability claim (.1); Receipt and review of email from B Wills re TCC Capitol Center lease (.2); Receipt and review of TCC Capitol Center lease (1.2); Email to B Wills re TCC Capitol Center lease (.4); Receipt and review of email from B Wills re Oracle contract (.1); Review Oracle contract (.4); Email to B Wills re Oracle contract (.2)	
11/21/2016	JCK	Telephone conference with A Maxwell re public records request (.3); Telephone conference with R Tolson re OCR Complaint (.3); Receipt, review and analysis of emails from K Stewart re OCR Complaint (.1); Receipt and review of documents from K Stewart responsive to OCR Complaint (.9); Telephone conference with J Boor re OCR Complaint (.1); Receipt and review of emails (x2) from R Tolson re OCR Complaint (.2); Receipt and review of email from A Mathews re employee discipline (.3); Attend Board of Trustees meeting (3.9)	6.10 hrs.
11/22/2016	JCK	Telephone conference with J Barr re OCR request (.4); Preparation of TCC's response to OCR request (1.8); Receipt and review of email from L Kling re potential public records request (.1); Email to L Kling re potential public records request (.2); Receipt and review of email from K Moore re Capital Center (.1); Attend conference at College re record production procedures (2.0); Continue preparation of response to OCR Complaint (1.4)	6.00 hrs.
11/23/2016	JCK	Final review of OCR response and assembly of attachments (1.3); Preparation of correspondence to counsel re CMC for faculty dismissal hearing (.2); Preparation of correspondence to Judge Clark re faculty meeting exhibit submissions (.1)	1.60 hrs.
11/28/2016	JCK	Receipt and review of email from A Mathews	1.80 hrs.

re employee discipline (.2); Receipt and review of documents relating to employee discipline (.4); Email to A Mathews re employee discipline (.1); Receipt and review of email from A Moran re public records request (.2); Email to A Moran re public records request (.1); Receipt and review of emails from A Mathews re employee discipline conference (.3); Telephone conference with A Mathews re employee discipline (.2); Telephone conference with J Crosland re union issue (.3)

11/28/2016	MK	Review and analysis of case law re HIPAA issue (.9)	0.90 hrs.	2,043.00
11/29/2016	JCK	Receipt and review of email from B Jones re premise liability claim with attachments and Notice of Claim (.3); Email to B Jones re Notice of Claim (.1); Receipt and review of email from R Frazier re potential public record request (.1); Receipt and review of documents re whether they request public records (.2); Email to R Frazier re potential public records request (.2); Receipt and review of email from A Maxwell re potential public records request (.2); Email to A Maxwell re potential public records request (.1); Receipt and review of emails (x3) from A Moran re potential public records request (.3); Receipt and review of email from S Matthews' office re closing argument (.1); Receipt and review of email from R Sniffen's office re closing argument (.1); Receipt and review of final argument from faculty member (.4); Receipt and review of closing argument from TCC (.6); Receipt and review of Motion to Reopen evidence or supplement exhibits (.4); Email to Judge Clark re Final Arguments (.1); Receipt and review of email to counsel re whether they are objecting to Motion to Reopen or Supplement Exhibits (.1); Receipt and review of email from A Moran re public records request (.1); Email to A Moran re public records request (.1);	4.60 hrs.	14,207.00

Receipt and review of email from B Wills re lease assignment (.1); Receipt and review of proposed lease assignment (.1); Receipt and review of current leases (.4); Email to B Wills re contract to assign lease (.2); Receipt and review of email to B Wills re contract to assign lease (.1)

11/29/16	JCK	Portion of Monthly Fee	\$14,207.00
11/29/16	MK	Portion of Monthly Fee	\$2,043.00
		Fees for this matter	\$16,250.00

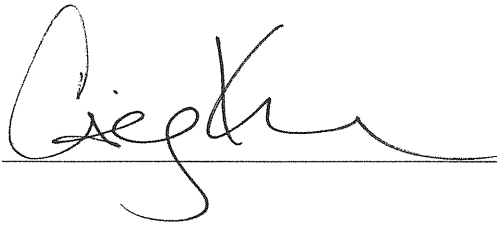
BILLING SUMMARY

Knox, J. Craig	Partner	93.20 hrs	\$14,207.00
Kelly, Michael	Attorney	13.40 hrs	\$2,043.00
Fees		106.60 hrs	\$16,250.00
Disbursements			\$0.00

TOTAL CHARGES FOR THIS BILL

\$16,250.00

*I certify that all costs and fees claimed for payment are accurate and were performed in furtherance of the Agreement between Andrews, Crabtree, Knox & Longfellow, LLP and the BOARD.*

 \_\_\_\_\_, *Firm Contract Administrator*