



Phillips Lytle LLP

Attorneys at Law
 One Canalside
 125 Main Street
 Buffalo, NY 14203-2887
 Telecopier # (716) 852-6100
 (716) 847-8400
 FED I.D. #16-0505790

Erie County Water Authority
 350 Ellicott Square Building
 295 Main Street
 Buffalo, NY 14203-2494

Invoice Number	890665
Invoice Date	12/07/16
Client Number	15235
Matter Number	00001
J G Schmidt Jr	

Re: INVESTIGATIVE POST MATTER

FOR PROFESSIONAL SERVICES RENDERED THROUGH NOVEMBER 30, 2016:

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
11/15/16	JGS	Telephone conference with J Burns and review of articles	0.1
11/16/16	J-H3	Research re water, legal issues	2.0
11/16/16	AJB	Discussions JGS and MGG re background of complaint re false reporting	0.2
11/17/16	JGS	Review of factual materials; Develop strategy; Telephone conference with ECWA team	1.3
11/17/16	MVJ	Confer with MGG regarding scope of work; investigation and research regarding legal issues; meet with MGG and Juyoun Han to brief MGG for meeting with Erie County Water Authority	2.1
11/17/16	MVJ	Locate citizen suit and review of docket, complaint and motion for preliminary injunction	1.4
11/18/16	MGG	Preparation for and meeting with ECWA regarding background, status and strategies	2.0
11/18/16	JGS	Review of articles and background material in preparation of client meeting	1.8

V7154(1)

\$19,413.50

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
11/18/16	JGS	Client meeting re facts and strategy	2.3
11/18/16	MVJ	Confer with MGG regarding result of meeting with ECWA; review of emails (4) from J. Han summarizing ECWA leases and management agreements; review of emails concerning fact issues	2.4
11/18/16	MVJ	Review of factual material; related summarizing for legal purposes	1.6
11/18/16	MVJ	Commence drafting of list of documents required to conduct review	0.7
11/18/16	J-H3	Research re legal issues	7.0
11/18/16	AJB	Review of background material and discussions JGS and MGG; Meeting and extended conference with client concerning incorrect fact allegations by third parties	2.3
11/18/16	MWG2	Create copies of factual electronic materials for purposes of evidentiary preservation at request of JGS	1.1
11/20/16	MVJ	Review of fact material circulated by MGG	0.4
11/21/16	JGS	Review background material from ECWA to develop strategy and fact background	1.5
11/21/16	MVJ	Redline revisions to J. Han scope of work; additional revisions concerning requests for relevant documents	0.7
11/21/16	J-H3	Research regarding relevant law and draft privileged memo	4.0
11/21/16	AJB	Confer with JGS and WR regarding background and outline of analysis of factual activities	0.2
11/21/16	MWG2	Collect web pages for purposes of evidentiary preservation at request of JGS	0.4
11/22/16	JGS	Develop strategy, memo to AJB/WVR re same	0.6

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
11/22/16	MVJ	Review of emails from J. Schmidt to AJB and W. Rossi regarding analysis of potential claims; emails to MGG and J. Han regarding priveleged chart and statements	0.7
11/22/16	AJB	Conference with JGS regarding scope of report to client and discuss WVR	0.4
11/23/16	WVR	Review notes, communications, and disputed publications to assess potential claims	1.4
11/23/16	WVR	Prepare outline of analysis of potential claim to summarize facts and applicable law to assess strength of case and decide that further evidence is needed	4.3
11/23/16	AJB	Prepare outline for memorandum to client re potential claims and legal considerations and confer WVR re content	0.8
11/28/16	MGG	Review regulatory matters; Assess allegations and work regarding scope of issues	1.6
11/28/16	JGS	Review factual material; Confidential email J Burns re same	0.5
11/28/16	MVJ	Review of additional factual material; email and transmit to litigation team for review; coordinate with AJB to have material preserved	0.7
11/28/16	MVJ	Email and analyze allegations versus facts re legal strategy	0.4
11/28/16	MVJ	Confer with MGG and J. Han regarding status of matter and next steps	0.2
11/28/16	AJB	Review of information and direct further research into background of those involved as well as legal issues arising from documentation	0.9
11/29/16	JGS	Emails/analyze status/facts and legal strategy	0.3
11/29/16	MVJ	Review of legislative history of law for use by AJB in analysis	0.9
11/29/16	J-H3	Research regarding potential suit	0.5
11/29/16	WVR	Research and summarize facts and statements made by potential defendants	1.3

15235 Erie County Water Authority
00001 Investigative Post Matter
December 7, 2016

Invoice Number 890665
Page 4 of 4

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
11/29/16	WVR	Research legal standard involving potential defendants	1.5
11/29/16	WVR	Research re legal issues	1.7
11/29/16	WVR	Work on advisory paper draft - standards	1.5
11/29/16	WVR	Work on advisory paper draft - standards and showings required	2.5
11/29/16	WVR	Work on advisory paper draft - application - what facts are actionable and what are privileged	2.0
11/29/16	AJB	Review information and work on draft of Memorandum	1.4
11/30/16	JGS	Review strategy with WVR re claims and underlying facts	1.3
11/30/16	WVR	Review fact material for statements	0.7
11/30/16	WVR	Work on advisory paper draft on potential claims - legal/fault standard	2.3
11/30/16	WVR	Research damages standard	1.7
11/30/16	WVR	Revise statement of facts and discussion of fact/opinion standard in advisory paper	0.4
11/30/16	AJB	Review research by WVR and results of investigation by librarian; Work on memorandum concerning parties, etc.	3.9

CURRENT FEES

\$19,413.50

TOTAL AMOUNT OF THIS INVOICE

\$19,413.50

AK

PAYMENT DUE UPON RECEIPT

TIMEKEEPER TIME SUMMARY:

Timekeeper	Hours		Rate	Value
MGG	3.6	at	435.00	1,566.00
JGS	9.7	at	400.00	3,880.00
MVJ	12.2	at	255.00	3,111.00
JH	13.5	at	185.00	2,497.50
WVR	21.3	at	185.00	3,940.50
AJB	10.1	at	410.00	4,141.00
MWG	1.5	at	185.00	277.50

CURRENT FEES \$19,413.50

TOTAL AMOUNT OF THIS INVOICE \$19,413.50

PAYMENT DUE UPON RECEIPT



Phillips Lytle LLP

Attorneys at Law
 One Canalside
 125 Main Street
 Buffalo, NY 14203-2887
 Telecopier # (716) 852-6100
 (716) 847-8400
 FED I.D. #16-0505790

Erie County Water Authority
 350 Ellicott Square Building
 295 Main Street
 Buffalo, NY 14203-2494

Invoice Number	895101
Invoice Date	01/23/17
Client Number	15235
Matter Number	00001
J G Schmidt Jr	

Re: INVESTIGATIVE POST MATTER

FOR PROFESSIONAL SERVICES RENDERED THROUGH DECEMBER 31, 2016:

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
11/28/16	AMS2	Research news, dockets, and the web	2.0
11/29/16	AMS2	Research public records, the web, news, dockets and cases	2.0
11/30/16	AMS2	Research web, cases and dockets	1.5
12/01/16	JGS	Review strategy, SOW and status; Telephone conference with client re status	1.0
12/01/16	WVR	Work on draft of analysis of possible claim - legal standard and application	1.8
12/01/16	WVR	Research application of privilege	1.7
12/01/16	WVR	Draft analysis of potential damages for corporation plaintiffs	1.3
12/01/16	WVR	Drafting statement of essential facts and analysis of involved parties in advisory paper regarding potential claims	0.8
12/01/16	AJB	Review transcription and new background information; Work on and revise report to client	1.8

V7154(1)

AK

\$22,781.50

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
12/01/16	AMS2	Verify research	1.0
12/01/16	AMS2	Contact appellate division library for cost of copy of record and briefs	0.2
12/02/16	MVJ	Confer with AJB and transmit environmental compliance scope of work for review	0.2
12/02/16	WVR	Drafting application section in advisory paper regarding potential claims	0.7
12/02/16	WVR	Drafting analysis and application of special "damages issue" in advisory paper	1.2
12/02/16	WVR	Drafting summary of operative facts and introduction of main issues in advisory paper	1.0
12/02/16	WVR	Research pleading standards for advisory paper regarding potential claims	0.9
12/02/16	WVR	Plan strategy for final draft and submission of advisory paper to client	0.4
12/02/16	AJB	Review and pursue further research re context of statements and nature of defenses; Review and revise draft of report to client	3.0
12/03/16	WVR	Supplement research on ability of corporation to seek damages, claim	1.0
12/03/16	WVR	Drafting advisory paper regarding potential claims, standards and application	4.5
12/03/16	WVR	Research issues	0.7
12/04/16	WVR	Draft executive summary of advisory paper	1.1
12/04/16	WVR	Drafting standard and application of defense in advisory paper	1.2
12/05/16	JGS	Revise report re claims/strategy	1.8
12/05/16	WVR	Research viability of claim based on allegations	1.0

15235 Erie County Water Authority
00001 Investigative Post Matter
January 23, 2017

Invoice Number 895101
Page 3 of 5

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
12/05/16	WVR	Draft discussion of claims	1.5
12/05/16	WVR	Draft explanation of offensive statements that are not-actionable as protected opinions	0.7
12/05/16	WVR	Draft conclusion and recommendations in advisory paper analysis of potential claims	0.4
12/05/16	AJB	Further review of law and application to client circumstance; confer WVR re research; Revisions to draft of report to client; Finalize draft and have style settings applied with table of contents; Present to JGS for use	3.8
12/07/16	AJB	Review status and statements; Confer JGS re status	0.1
12/09/16	JGS	Further develop strategy; Revise position paper	1.5
12/09/16	WVR	Receive and analyze final advisory paper for accurate legal and factual authority	1.3
12/09/16	AJB	Review status of report with JGS and WVR	0.1
12/12/16	JGS	Finalize project plan; Email ECWA re same/next steps	1.0
12/12/16	MVJ	Confer with environmental team regarding status of engagements and underlying compliance obligations	0.5
12/13/16	MVJ	Analyze EPA paper concerning long term revisions to Rule; confer with environmental team concerning proposed changes	1.6
12/14/16	JGS	Telephone conference with ECWA re status/strategy	0.2
12/15/16	JGS	Emails with ECWA re status	0.2
12/15/16	MVJ	Review of advisory memorandum prepared by litigation team; confer with MGG and J. Han regarding deliverable chart summarizing allegations; review of J. Han selected articles concerning status rule compliance nationally	2.2
12/16/16	MGG	Review rule and monitoring requirements and next steps; Work regarding follow up and assessment of claims and defenses	1.3

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
12/16/16	J-H3	Organized analysis of complaint and environmental compliance	5.2
12/19/16	MGG	Review regulations and rule issues; Review memorandum to client regarding claims and consideration of defenses; Review scope related to defenses and allegations of monitoring standards and practices	3.0
12/19/16	JGS	Emails with ECWA and team re status	0.2
12/19/16	MVJ	Conference with MGG and J. Han regarding status of ECWA proposed audit and meeting with ECWA commissioners; review of related emails from J. Han concerning documents	1.7
12/19/16	J-H3	Meeting with MGG and MVJ; Research regarding sampling /tier system	2.0
12/20/16	MGG	Assess regulatory issue and monitoring requirements and conference regarding same	1.0
12/20/16	MVJ	Continued review and analyze issues and guidance related thereto; confer with J. Han regarding research findings and summary thereof; continued preparation for meeting with ECWA commissioners	2.3
12/20/16	J-H3	Research on engineering and sampling practices in other cities for comparison	2.0
12/21/16	MVJ	Review of General Accountability Office's report on deficiencies in rule application and other research and investigation in preparation for meeting with ECWA commissioners; confer with MGG and J. Han regarding approach to meeting with Commissioners	2.9
12/21/16	J-H3	Research re final report and EPA action plan on	2.5
12/22/16	J-H3	Updated and compiled information and articles for MVJ	0.7
12/28/16	MGG	Review rule; Work and preparation for meeting with Commission and next steps	1.0
12/28/16	JGS	Emails to team re strategy session with ECWA	0.5

15235 Erie County Water Authority
00001 Investigative Post Matter
January 23, 2017

Invoice Number 895101
Page 5 of 5

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
12/28/16	MVJ	Prepare for ECWA meeting with Commissioners; meet with MGG and J. Han to discuss Safe Drinking Water Act and rule compliance approach	3.3
12/28/16	AJB	Review memorandum and prepare for meeting with client; Confer MVJ re preparations	0.8
12/29/16	JGS	Prepare for and attend executive session with team	1.5
12/29/16	MVJ	Prepare for and attend meeting with ECWA commissioners	2.7
12/29/16	AJB	Further review and meet with MVJ and JGS to prepare; Attend meeting with ECWA Commissioners and present report	2.0
12/30/16	AJB	Follow up review on outstanding issues	0.2

CURRENT FEES

\$22,766.50

FOR COSTS ADVANCED AND EXPENSES INCURRED:

Document Retrieval Work

VALUE
15.00

CURRENT EXPENSES

15.00

TOTAL AMOUNT OF THIS INVOICE

\$22,781.50

AK

PAYMENT DUE UPON RECEIPT



Phillips Lytle LLP

Attorneys at Law
 One Canalside
 125 Main Street
 Buffalo, NY 14203-2887
 Telecopier # (716) 852-6100
 (716) 847-8400
 FED I.D. #16-0505790

Erie County Water Authority
 350 Ellicott Square Building
 295 Main Street
 Buffalo, NY 14203-2494

Invoice Number	896486
Invoice Date	02/09/17
Client Number	15235
Matter Number	00002
J G Schmidt Jr	

Re: ENVIRONMENTAL REVIEW

FOR PROFESSIONAL SERVICES RENDERED THROUGH JANUARY 31, 2017:

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
01/04/17	MVJ	Strategize regarding environmental review process; email to client concerning engagement and telephone conference; identification of potential interviewees	1.9
01/05/17	JGS	Review status; Emails with MGG re same	0.1
01/05/17	J-H3	Lead regulation research - federal law	2.0
01/05/17	J-H3	Lead regulation research - state law	2.5
01/05/17	J-H3	Lead regulation research - media/county	3.0
01/06/17	MGG	Work regarding status and update on compliance update, next steps and preparation for interviews and assessment	1.7
01/06/17	J-H3	Preparation for client meeting; Conference call with client; Research NYS policies regarding lead and copper	4.3
01/09/17	MGG	Preparation for and meeting at ECWA for interviews and discussions with staff and follow up regarding same	5.5
01/09/17	JGS	Review status, potential planning	0.5

V7154(1)

\$30,293.20

AK

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
01/09/17	MVJ	Prepare for and commence environmental review at client's offices	6.4
01/09/17	MVJ	Transportation to and from client's offices for environmental review	0.8
01/09/17	J-H3	Research regarding contours of ECWA's duties	1.2
01/09/17	J-H3	Prepare for and attend meeting with client	5.5
01/10/17	MGG	Review compliance assessment issues	0.2
01/10/17	MVJ	Continued analysis of ECWA environmental review and research related thereto; commenced drafting table of contents outline to deliverable memorandum	5.2
01/10/17	J-H3	Research regarding ECWA duties; Compile information gathered from client meeting; Draft email to MGG and MVJ; Research regarding auditing/compliance protocols for pre-2016 materials	3.5
01/11/17	MVJ	Document request coordination with client and continued research and analysis related to environmental review	3.3
01/12/17	MVJ	Research and analysis regarding State and County regulations; team emails related thereto; continued efforts in connection with environmental review	4.2
01/12/17	J-H3	Research regarding roles/obligations of State DOH and County Health Department; Draft addendum-memo-regarding table of auditing requirements/categories; Review ECWA 2016 monitoring plan; Research regarding Erie County Sanitary Code	4.2
01/13/17	MGG	Meeting and conference with MVJ and J-H3 regarding issues and delineation of compliance assessment and regulatory items to consider	1.0
01/13/17	MVJ	Meeting with MGG and J. Han regarding plan of action; continued environmental review and commenced review of FOIL documents	4.1

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
01/13/17	MVJ	Conference with client regarding FOIL documents; continued review of client emails transmitting FOIL documents	0.7
01/13/17	J-H3	Brainstorm deliverables and audit strategies with MVJ; Research local and county ordinances/sanitary code referencing PWS duty in reducing lead; Drafted a chart listing the relevant laws for compliance audit; Meeting with MGG and MVJi; Reviewed FOIL documents from ECDOH/Telvock; Research on any monitoring or survey requirements for newly added service areas	4.5
01/16/17	MVJ	Confer with MGG and J. Han regarding client email and status of review	0.4
01/17/17	MVJ	Confer with J. Han regarding coordination of document review; review of ELI Lead Water Report	1.8
01/17/17	J-H3	Compiled information from FOIL documents and email correspondence between Caputo/Telvock; Issue spotted environmental compliance related information from FOIL documents and drafted preliminary analysis; Researched violation history on ECHO re Evans and Williamsville; Drafted list of follow up questions and request for additional documents; Reviewed 1991-1992 documents for discrepancies in the list of sites	5.5
01/18/17	MVJ	Confer with J. Han regarding review of FOIL'ed documents	0.3
01/18/17	J-H3	Research duties regarding federal/state/local government water system to replace lead service lines; Research violation history on Enviro Facts/SDWIS database; Research regarding successor liability of PWS owner/operator for past violations; Research regarding ECDOH's duty to direct PWS to conduct monitoring and provide notification; Summary regarding successor liability of PWS and ECDOH's duties to inform PWS	4.6
01/19/17	MVJ	Conference with J. Han; Continue analysis and investigation related to environmental review	2.7

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
01/19/17	J-H3	Research on Best Practices based on PCAST report and white paper; Research on State best practices based on Water Quality Report 2016; Draft findings of research; Draft memo subpart regarding legal and audit assumptions; Compile and merge legal/internal recommendations; Research EPA's proposed rules "Use of Lead Free Pipes - solder and flux"	3.7
01/20/17	MGG	Update research and document review for assessment of compliance	1.2
01/20/17	MVJ	Conference with J. Han; continue environmental review analysis	1.3
01/20/17	J-H3	Update follow up questions and document request based on memo format; Meeting with MVJ regarding compliance audit strategy; Revise follow up questions and document request; Draft memo subpart regarding federal SDWA and state rules; Draft memo subpart best practices based on American Water Works article	5.2
01/23/17	MGG	Work regarding update in research and review of compliance issues	1.5
01/23/17	MVJ	Environmental review, meetings and emails related thereto.	3.5
01/23/17	MVJ	Prepare for Environmental Review meeting at Client's service center; review reports and documents in connection thereto	2.9
01/23/17	J-H3	Review Engineering Environmental Technology Report 1993; Update memo/follow up questions to ECWA and J Burns; Review email to J Burns and ECWA staff; Meeting with MGG to review work and strategize	2.5
01/24/17	MVJ	Conference with ECWA staff regarding next steps in environmental review; review of documents and conferences related thereto	1.4
01/24/17	J-H3	Correspondence with ECWA requesting additional documents (P Whittam, Russ Stoll, Shari Zajdel)	0.5
01/25/17	J-H3	ECWA interview prep; ECWA call with J Mattina	0.7

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
01/26/17	MVJ	Prepare for and attend ECWA Environmental Review at Client's Service Center Office, including travel to and from Service Center	6.2
01/26/17	J-H3	Preparation for interview with ECWA; Attend interviews at ECWA (P Whittam, J Schlierf, J Sylvester)	5.1
01/27/17	MVJ	Commence drafting environmental review memorandum and continue environmental review process	4.1
01/27/17	J-H3	ECWA teleconference with J Schlierf regarding data retrieval	0.3
01/30/17	MVJ	Spreadsheet creation for internal audit of sampling as component of environmental review; confer with client representative regarding data management	1.6
01/30/17	J-H3	Data organization and review of new documents produced by ECWA on 1/26	0.7
01/31/17	MVJ	Ongoing environmental review and concurrent drafting and research related to audit memorandum	2.8
01/31/17	J-H3	Teleconference with J Schlieff regarding data production	0.2

CURRENT FEES \$30,291.00

FOR COSTS ADVANCED AND EXPENSES INCURRED:

	<u>VALUE</u>
Duplicating	2.20
CURRENT EXPENSES	2.20

TOTAL AMOUNT OF THIS INVOICE

\$30,293.20

PAYMENT DUE UPON RECEIPT



Phillips Lytle LLP

Attorneys at Law
 One Canalside
 125 Main Street
 Buffalo, NY 14203-2887
 Telecopier # (716) 852-6100
 (716) 847-8400
 FED I.D. #16-0505790

Erie County Water Authority
 350 Ellicott Square Building
 295 Main Street
 Buffalo, NY 14203-2494

Invoice Number	896483
Invoice Date	02/09/17
Client Number	15235
Matter Number	00001
J G Schmidt Jr	

Re: INVESTIGATIVE POST MATTER

FOR PROFESSIONAL SERVICES RENDERED THROUGH JANUARY 31, 2017:

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
01/03/17	JGS	Review audit strategy; Emails with team re same	0.5
01/03/17	MVJ	Emails and conference to discuss details re environmental review engagement and scope	0.3
01/03/17	AJB	Reviewed infomercial by client	0.2
01/06/17	MVJ	Organize and outline environmental review plan of action; prepare for conference call with client (R. Stoll and T. Gallagher); participate in conference call with client	3.2

CURRENT FEES

\$1,174.50

V7154(1)

\$1225.94

AK

15235 Erie County Water Authority
00001 Investigative Post Matter
February 9, 2017

Invoice Number 896483
Page 2 of 2

FOR COSTS ADVANCED AND EXPENSES INCURRED:

Searches	<u>VALUE</u> 51.44
CURRENT EXPENSES	<hr/> 51.44

TOTAL AMOUNT OF THIS INVOICE

\$1,225.94
AK

Summary of Account Receivable:

<u>DATE</u>	<u>INV#</u>	<u>LMS#</u>	<u>AMOUNT</u>	<u>PAYMENTS</u>	<u>BALANCE</u>
01/23/17	895101		<u>22,781.50</u>	0.00	<u>22,781.50</u>
			PRIOR BALANCE DUE		<hr/> 22,781.50
			TOTAL BALANCE DUE UPON RECEIPT		\$24,007.44

PAYMENT DUE UPON RECEIPT



Phillips Lytle LLP

Attorneys at Law
 One Canalside
 125 Main Street
 Buffalo, NY 14203-2887
 Telecopier # (716) 852-6100
 (716) 847-8400
 FED I.D. #16-0505790

Erie County Water Authority
 350 Ellicott Square Building
 295 Main Street
 Buffalo, NY 14203-2494

Invoice Number	899249
Invoice Date	03/13/17
Client Number	15235
Matter Number	00002
J G Schmidt Jr	

Re: ENVIRONMENTAL REVIEW

FOR PROFESSIONAL SERVICES RENDERED THROUGH FEBRUARY 28, 2017:

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
02/01/17	MVJ	Prepare for meeting with client on 2/2; continue analysis related to environmental review and audit spreadsheet	1.3
02/01/17	J-H3	Reviewed query tables created by J Schlierf; Research three missing addresses from 1992 list; Create audit table with all addresses/columns provided	1.5
02/02/17	MVJ	Prepare for and attend meeting with client at Service Center; continued review of ECWA documents	3.1
02/02/17	J-H3	On-site meeting with J Schlierf and consultant	2.8
02/03/17	MVJ	Document review of ECWA produced documents and data; contemporaneous drafting of audit memorandum	3.7
02/06/17	MVJ	Review of ECWA/DOH documents and correspondence; related strategizing with J. Han regarding approach to work order/service order document review.	1.7
02/06/17	J-H3	Review ECDOH correspondence files for history of monitoring, reduced frequency, etc.; Summarize interview notes from second interview	1.5

V7154(1)

\$21,271.50

AK

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
02/07/17	MVJ	Continued ECWA document review and contemporaneous drafting of audit memorandum	1.6
02/07/17	J-H3	Draft memo section regarding application to LCR to ECWA's protocols; Work regarding summary of interviews	1.5
02/08/17	MVJ	Document review of ECWA work orders, service orders for audit	2.7
02/08/17	PCK	Research and obtain "year built" dates for properties	0.4
02/08/17	J-H3	ECWA on-site meeting to audit 5 random account information with AS400 data; Drafted memo subsection re LCR summary and amendments in 2007, 2010; Drafted memo subsection re LCR summary and amendments in 2007, 2010; Collect data re work order and account information from ECWA and organize to EDT program with searchable tags; Drafted memo subsection re statute of limitations and record keeping duty	4.4
02/09/17	MVJ	Coordinate production of ECWA documents to EFT for review; commence document review of same	1.3
02/09/17	D-L2	Create new document repository case, prepare and load files collected, add users and tags, quality check documents render properly for review	2.6
02/09/17	PCK	Research and obtain "year built" dates for properties; Conference with MVJ regarding same; Document same in ECWA Audit Table	6.1
02/10/17	MVJ	Work with P. Kepfer regarding built-between audit of 2016 and 2013 lists	1.5
02/13/17	MVJ	ECWA document review and related drafting of environmental review memorandum	4.7
02/13/17	J-H3	Review and analyze customer complaints log (approx 490 complaints) for lead related concerns and responses; Review documents for 2016 materials survey on customer accounts info, meter/service forms; Research best management practices by reaching out to other water systems	5.0
02/13/17	AMS2	Cite check document for J-h3	1.4

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
02/14/17	MVJ	Draft environmental review memorandum and contemporaneous review of ECWA documents related thereto	5.8
02/14/17	J-H3	Compare analyzed customer complaints log with sampling sites list; Review documents for 1992 materials survey on customer accounts info, meter/service forms; Review documents for reduced sampling site selection information and changes to sampling sites between 1992 and 2013; Review documents for 2013 certification and requested more info; Research re Consecutive Public Water Systems and relevant requirements	5.2
02/15/17	MVJ	Continuing drafting environmental review and document review related thereto	3.4
02/15/17	D-L2	Assist with searching and setting up coding workflow and additional tags for review	0.8
02/16/17	MVJ	Continuing drafting environmental review document	5.7
02/16/17	MVJ	Prepare for and participate in phone conference with client (P. Whittam)	0.7
02/16/17	J-H3	Research Best Practice - corresponded with water system staff in Greater Cincinnati Water System, researched other public records in different regions; Teleconference with P Whittam	1.7
02/17/17	MGG	Review draft memorandum; Work with MVJ and J-H3 regarding research and audit for compliance; Work regarding same	1.6
02/17/17	MVJ	Confer with MGG and J. Han regarding status	0.8
02/17/17	J-H3	Research NY state law on sample collection method for first draw taps and lead service lines; Work re ECWA audit analysis	3.0
02/19/17	J-H3	Work re ECWA audit analysis; Research industry-based knowledge of lead presence indicators including tap dates, age of house, etc.	5.5
02/20/17	J-H3	Update on audit status and strategy brainstorming with MVJ	0.3

15235 Erie County Water Authority
00002 Environmental Review
March 13, 2017

Invoice Number 899249
Page 4 of 4

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
02/21/17	MVJ	Confer with J. Han regarding environmental review status and related drafting of memorandum sections	2.8
02/22/17	J-H3	Prepare questions for call with P Whittam; Call with P Whittam	0.9
02/23/17	J-H3	Summarized client deliverable Rules and Compliance Table	1.5
02/24/17	MVJ	Confer with J. Han regarding best management practices analysis for environmental audit; review of draft best management section for memorandum	1.7
02/24/17	J-H3	Summarized client deliverable Rules and Compliance Table; Drafted and summarized best management practice topics and recommendations	4.3
02/27/17	KAM	Review audit letter request and response concerning same	0.1
02/27/17	MGG	Review regarding compliance assessment and communications regarding same	0.3
02/27/17	MKM	Review auditor letter request; Investigate file; Work on response to auditor letter request	1.0
02/27/17	MVJ	Phone conference with J. Burns regarding timing of environmental review	0.2
02/28/17	MGG	Review assessment regarding audit letter response	0.2
02/28/17	JGS	Review Water Authority correspondence	0.2

CURRENT FEES

\$21,271.50

TOTAL AMOUNT OF THIS INVOICE

\$21,271.50

AK

PAYMENT DUE UPON RECEIPT



Phillips Lytle LLP

Attorneys at Law
 One Canalside
 125 Main Street
 Buffalo, NY 14203-2887
 Telecopier # (716) 852-6100
 (716) 847-8400
 FED I.D. #16-0505790

2016044
b

Erie County Water Authority
 295 Main Street, Room 350
 Buffalo, NY 14203-2494

Invoice Number 903407
 Invoice Date 04/21/17
 Client Number 15235
 Matter Number 00002
 J.G. Schmidt Jr

Re: ENVIRONMENTAL REVIEW

FOR PROFESSIONAL SERVICES RENDERED THROUGH MARCH 31, 2017:

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
03/01/17	KAM	Review audit letter request and response concerning same	0.1
03/01/17	MGG	Assess compliance and memorandum regarding same	0.2
03/01/17	MKM	Work on response to auditor letter request	0.2
03/02/17	MGG	Review issues regarding reporting of results and assessment of time	0.4
03/02/17	MKM	Work on response to auditor letter request	0.5
03/02/17	MVJ	Review of J. Han draft if memo section on ECWA database descriptions for environmental review memorandum	1.1
03/02/17	J-H3	Draft portion of client deliverable re Database Description and Analysis; Reviewed interview findings re database; Draft recommendations for database integration	2.3

√ 7154(1)

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
03/02/17	J-H3	Update ECWA Summary Table re sampling instructions and employee home sampling	1.0
03/02/17	GJB	Review and disposition of attorney audit letter response	0.3
03/03/17	MVJ	Redline revisions to Summary Audit chart; confer with J. Han regarding required revisions; client contact regarding additional questions	1.6
03/03/17	J-H3	Update ECWA Summary Table; Inquiries to P Whittam re ECWA's home instruction mailing list	1.3
03/03/17	J-H3	Research Minor Revisions to legal issues to determine additional requirements	1.7
03/06/17	J-H3	Research legal issues & plans under new administration; Edit ECWA Summary table to reflect parallel rules for federal and state regulations	3.0
03/07/17	MKM	Work on response to auditor letter request	0.3
03/07/17	MVJ	Ongoing drafting of ECWA environmental review; concurrent conference with J. Han and client regarding technical assessments	4.4
03/07/17	J-H3	Summarize meeting notes from meeting and organized points of recommendations; Redact personal information from ECWA records for exhibit; Redact personal information from ECWA records for exhibit; Respond to MVJ's request for converting records into document formats, identifying various files and records; Summarize analysis per MVJ's request	2.5
03/08/17	J-H3	Finalize result table; Compiled results for years 1992, 2013, 2016	3.3
03/09/17	MGG	Assess compliance and comments to examination of evidence, review of past years; Conference with J-H3 regarding next steps, memorandum and communications with MVJ	1.5
03/10/17	MGG	Review audit construct and presentation	0.2

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
03/10/17	J-H3	Summarize changes required for memorandum for MVJ based on comments with MGG	1.0
03/11/17	J-H3	Created addendum content and list for memo including underlying reports relevant to sampled sites, tax records, customer complaint records, redacted forms, etc.	1.0
03/12/17	MVJ	Continue drafting and revisions to memorandum and review of documents related thereto	3.3
03/13/17	MVJ	Commence draft of power point for client presentation and continue drafting memorandum	1.6
03/13/17	J-H3	Discuss PPT and meeting with MVJ; Conference with MGG regarding same	0.5
03/14/17	MVJ	Research and review of materials in connection with drafting power point presentation and memorandum	2.9
03/14/17	J-H3	Review emails with EC DOH	1.2
03/14/17	J-H3	Draft email to P Whittam clarifying certain reports	0.3
03/14/17	J-H3	Draft PPT for ECWA presentation	1.3
03/15/17	J-H3	Revise ECWA memo	3.5
03/15/17	J-H3	Research state labs and incorporate changes to memo re sampling	0.5
03/15/17	J-H3	Revise ECWA analysis	1.4
03/15/17	J-H3	Incorporate description of systems to ECWA memo	0.7
03/15/17	J-H3	Revise factual applications of ECWA memo	1.0
03/16/17	J-H3	Discussed PPT outline with MVJ; Draft memo portion on process; Revised PPT per MVJ's edits	2.4
03/17/17	MVJ	Ongoing review of underlying documentation and drafting of memo	2.0

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
03/17/17	J-H3	Draft memo regarding best practices and management	1.2
03/18/17	J-H3	Draft memo regarding best practices; Research on Statute of limitations; Respond to MVJ's request for documents including service contracts and analysis table	2.3
03/19/17	MVJ	Finalize evaluation document	11.3
03/20/17	MGG	Review and work on draft memorandum regarding findings, recommendations and presentation	2.2
03/20/17	MVJ	Revisions to memorandum and power point presentation	3.4
03/20/17	J-H3	Revise deliverable table summary and list of exhibits for MVJ; Review memo	1.2
03/21/17	MVJ	Revise ECWA memorandum	1.3
03/22/17	MVJ	Revisions to worksheet	1.1
03/23/17	MVJ	Review presentation to client	1.3
03/24/17	MVJ	Revisions to memorandum and exhibit list	1.6
03/27/17	MVJ	Conference with J. Han and revisions to memo, exhibits and powerpoint presentation for client meeting	1.7
03/28/17	MGG	Preparation for presentation	0.3
03/28/17	MVJ	Finalize memorandum, presentation and exhibits and prepare for client meeting presentation	3.1
03/28/17	J-H3	Revise ECWA memorandum to add policies and findings; Draft exhibit list and combine all exhibit documents; Revise slides 9-12 of presentation slides demonstrate process and database description	3.3
03/29/17	MGG	Further preparation for and meeting with ECWA representatives for a review and discussion of results and consideration of next steps	2.5

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
03/29/17	JGS	Attend conference re status with J Burns, R Stoll, team	2.0
03/29/17	MVJ	Further prepare for and present at client meeting; follow-up revisions to materials to reflect client recommendations	4.2
03/29/17	J-H3	Prepare for client meeting/presentation; Client meeting with ECWA	3.2
03/30/17	PTF	Analyze statute of limitations accrual dates and discovery; Analyze CPLR regarding same	0.4
03/30/17	J-H3	Research regarding SOL	2.8
03/31/17	JGS	Review issues raised by review	0.3
03/31/17	MVJ	Review additional topics of inquiry posed by JGS	1.1
03/31/17	J-H3	Research legal issues, accrual dates/tolling rules	5.6

TIMEKEEPER TIME SUMMARY:

Timekeeper	Hours		Rate	Value
KAM	0.1	at	420.00	42.00
MGG	7.3	at	435.00	3,175.50
JGS	2.3	at	400.00	920.00
MKM	1.0	at	170.00	170.00
PTF	0.4	at	240.00	96.00
MVJ	47.0	at	255.00	11,985.00
JH	49.5	at	185.00	9,157.50
GJB	0.3	at	385.00	115.50

OK to pay.

Jrc

CURRENT FEES

\$25,661.50

TOTAL AMOUNT OF THIS INVOICE

\$25,661.50

PAYMENT DUE UPON RECEIPT***

OKC



Phillips Lytle LLP

Attorneys at Law
 One Canalside
 125 Main Street
 Buffalo, NY 14203-2887
 Telecopier # (716) 852-6100
 (716) 847-8400
 FED I.D. #16-0505790

Erie County Water Authority
 295 Main Street, Room 350
 Buffalo, NY 14203-2494

Invoice Number 905716
 Invoice Date 05/16/17
 Client Number 15235
 Matter Number 00002
 J G Schmidt Jr

Re: ENVIRONMENTAL REVIEW

FOR PROFESSIONAL SERVICES RENDERED THROUGH APRIL 30, 2017:

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
04/02/17	J-H3	Draft summary of findings re application of SOL accrual rules per CPLR 214	1.7
04/03/17	MGG	Work re follow up to discussions with client	0.2
04/03/17	JGS	Follow up re review issues	0.2
04/03/17	E-L	Perform legal research J-H3.	0.6
04/10/17	JGS	Review presentation planning	0.3
04/17/17	J-H3	Research and draft memo re CPLR 214 discovery rules	3.0

TIMEKEEPER TIME SUMMARY:

<u>Timekeeper</u>	<u>Hours</u>		<u>Rate</u>	<u>Value</u>
MGG	0.2	at	435.00	87.00
JGS	0.5	at	400.00	200.00
EL	0.6	at	150.00	90.00
JH	4.7	at	185.00	869.50

✓7154(1)

QNT
 \$1246.50

15235 Erie County Water Authority
00002 Environmental Review
May 16, 2017

Invoice Number 905716
Page 2 of 2

CURRENT FEES	\$1,246.50
--------------	------------

TOTAL AMOUNT OF THIS INVOICE	\$1,246.50
------------------------------	------------

PAYMENT DUE UPON RECEIPT



Phillips Lytle LLP

Attorneys at Law
One Canalside
125 Main Street
Buffalo, NY 14203-2887
Telecopier # (716) 852-6100
(716) 847-8400
FED I.D. #16-0505790

Erie County Water Authority
295 Main Street, Room 350
Buffalo, NY 14203-2494

Invoice Number 905715
Invoice Date 05/16/17
Client Number 15235
Matter Number 00001
J G Schmidt Jr

Re: INVESTIGATIVE POST MATTER

FOR PROFESSIONAL SERVICES RENDERED THROUGH APRIL 30, 2017:

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
04/05/17	JGS	Review legal documents and article	0.8
04/19/17	JGS	Review status of legal matter; Emails with team re same	0.8
04/20/17	JGS	Further analysis of status/plan; Emails re same with client	0.5

TIMEKEEPER TIME SUMMARY:

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Value</u>
JGS	2.1	at 400.00	840.00

CURRENT FEES \$840.00

TOTAL AMOUNT OF THIS INVOICE

\$840.00

PAYMENT DUE UPON RECEIPT

√ 7154(1)

[Handwritten signature]



Phillips Lytle LLP

Attorneys at Law
 One Canalside
 125 Main Street
 Buffalo, NY 14203-2887
 Telecopier # (716) 852-6100
 (716) 847-8400
 FED I.D. #16-0505790

Erie County Water Authority
 295 Main Street, Room 350
 Buffalo, NY 14203-2494

Invoice Number	909196
Invoice Date	06/19/17
Client Number	15235
Matter Number	00002

J-G Schmidt, Jr

Re: ENVIRONMENTAL REVIEW

FOR PROFESSIONAL SERVICES RENDERED THROUGH MAY 31, 2017:

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
05/02/17	MVJ	Revisions to materials in connection with presentation	1.7
05/02/17	J-H3	Drafted memo re discovery rules	1.8
05/14/17	MVJ	Survey of updated law in preparation for client presentation	1.7
05/15/17	MVJ	Revisions to memorandum, exhibits and power point slide, and prepare for presentation	3.1
05/15/17	J-H3	Additional research on issues within internal memo re potential issues	1.4
05/15/17	J-H3	Revise internal memo re potential issues	2.0
05/15/17	J-H3	Revised PPT to add examples	0.8
05/16/17	MGG	Preparation for and meeting with team, presentation and results	3.5

V7154(1)

\$6774.80

AK

15235 Erie County Water Authority
00002 Environmental Review
June 19, 2017

Invoice Number 909196
Page 2 of 2

<u>Date</u>	<u>Tkpr</u>		<u>Hours</u>
05/16/17	JGS	Meeting re issues and goals	2.0
05/16/17	MVJ	Prepare for and participate in presentation	4.1
05/16/17	J-H3	Revised presentation slides and materials for review	1.0
05/16/17	J-H3	Presented findings	2.3

TIMEKEEPER TIME SUMMARY:

<u>Timekeeper</u>	<u>Hours</u>		<u>Rate</u>	<u>Value</u>
MGG	3.5	at	435.00	1,522.50
JGS	2.0	at	400.00	800.00
MVJ	10.6	at	255.00	2,703.00
JH	9.3	at	185.00	1,720.50

CURRENT FEES \$6,746.00

FOR COSTS ADVANCED AND EXPENSES INCURRED:

Duplicating	<u>VALUE</u>
	28.80
CURRENT EXPENSES	<hr/> 28.80

TOTAL AMOUNT OF THIS INVOICE

\$6,774.80

AK

PAYMENT DUE UPON RECEIPT