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**SNOW CALDWELL BECKSTROM & WILBANKS, PLLC**  
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# EMPLOYMENT AND FEE AGREEMENT

**CLIENT'S NAME:** *Town of Apple Valley, a Utah municipal corporation*

**FILE NO.:** *03030.01*

**DEFINITIONS:** "Firm" or "Law Firm" means *Snow Caldwell Beckstrom & Wilbanks, PLLC*  
"Client" means: *Town of Apple Valley*  
"Attorney" means: *Heath H Snow, Esq.*

**MATTER:** In consideration of Client's engagement of Law Firm, Client and Firm hereby agree that the Firm will provide legal representation of Client for the following matter:

*General Legal Representation of the Town of Apple Valley*

## FEES & COSTS

In return for legal representation by Firm, Client agrees to pay to Firm all attorney fees, expenses and costs together with interest that are in any way connected in representing Client in the above matter. It is understood and agreed by Client that the Firm has the sole discretion to determine which attorney may assist on Client's case and that the bill to be rendered by Firm is based on the novelty and difficulty of the matter, the time needed to perform the service or the hourly time charge, the value of the service performed or the value of the legal product produced, the amount of damages, the time limitations imposed by Client and other circumstances, including but not limited to the results obtained.

## HOURLY RATE

The hourly rate of the Attorney initially working on Client's case is **\$275.00**, but Client understands that the Firm may employ the assistance of other attorneys, paralegals and legal assistants as it deems necessary to complete the functions requested by Client. The hourly rate for other attorneys assisting the Client will be to **\$275.00** per hour and the hourly rate for paralegals and legal assistants working on this matter will be up to **\$165.00**. Client specifically agrees that these rates may increase from time to time. Client will receive notice of rate changes in the form of the monthly billings.

## PAYMENT TERMS

Client has made an initial payment of **\$0.00** for the reservation of the exclusive services of the Firm, the Attorney, and the Firm's associate attorneys, paralegals and legal assistants ("Retainer"). The Retainer will be applied towards payment of any fees or costs due the Firm under this Agreement. The Firm will send statements to Client monthly. Client agrees to pay the statements within fifteen (15) days after receipt. Accounts over 30 days past due will bear interest at 1.5% per month (18% ANNUAL PERCENTAGE RATE) from the initial statement date. All payments shall be made to the Firm at its address in St. George unless designated otherwise by the Firm. If it becomes necessary for the Firm to make collection efforts to collect fees and costs under this agreement (including if a judgment is obtained against client in a civil action), client agrees to pay the Firm's time in collection efforts based on hourly rates. Payments are applied first to collection costs (if any), then to interest, then to costs and expenses, then to fees. Any funds of Client in the Firm's possession for whatever reason, may be applied by the Firm towards any fees and



EXHIBIT A

## SCHEDULE OF FEES & COSTS

### PROFESSIONAL FEES (HOURLY)

Attorney (Partner)	\$275.00
Attorney (Associate)	\$275.00
Paralegal	\$165.00
Legal Assistant	\$135.00

### MISCELLANEOUS FEES

Filing Fees	Actual cost
Service of Process Fees	Actual cost
Court Reporter Fees	Actual cost
Private Investigator Fees	Actual cost
Title/Escrow Fees	Actual cost
Engineering Fees	Actual cost
Credit Card Payment Convenience Fee	3% of total transaction

### MISCELLANEOUS COSTS

Copies	\$.20 per page
Facsimile (incoming)	\$.30 per page
Facsimile (outgoing)	\$.50 per page
Postage	Actual cost
Postage (overnight-express)	Actual cost
Online Legal Research (Westlaw)	\$40.00 session (10 min or longer)
Online Searches (Pacer/XChange, etc)	\$15.00 per search
Mileage	\$.55 per mile
Other Travel Costs	Actual cost