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Tax I.D. 38-3510534

GPW USSIC  
Shawn Murphy, Treasurer  
City of Grosse Pointe Woods  
20025 Mack Plaza  
Grosse Pointe Woods MI 48236

Page: 1  
January 04, 2022  
Claim No: JPJPC-20222Q  
Statement No: 1

USSIC v City of Grosse Pointe Woods

**For Professional Services through : 12/31/2021**

					<u>Rate</u>	<u>Hours</u>	
12/14/2021	TAD	L510	A104	Review/analyze Complaint against Grosse Pointe Woods in Federal Court - Identify sources of contention.	285.00	5.30	1,510.50
	TAD	L510	A108	Communicate (other external) - Telephone call to counsel for USSIC re: request for extension of time to answer the Complaint.	285.00	0.10	28.50
	TAD	L510	A108	Communicate (other external) - E-mail to counsel for USSIC re: proposed Stipulated Order to Extend Time to Answer the Complaint.	285.00	0.10	28.50
	TAD	L510	A104	Review/analyze voluminous file materials (begun) - Check Docket entries in our case and Grosse Pointe Park's, initial preparation for insurance coverage analysis.	285.00	2.80	798.00
	TAD	L510	A108	Communicate (other external) - Telephone call with Bruce Smith re: press inquiry about the special City Council Meeting.	285.00	0.10	28.50
12/15/2021	TAD	L510	A104	Review/analyze Press Release from Bruce Smith - Make minor revisions.	285.00	0.10	28.50
	TAD	L510	A108	Communicate (other external) - E-mails (4) from and to Bruce Smith and Lisa Anderson re: Press Release related to the lawsuit.	285.00	0.40	114.00
	TAD	L510	A104	Review/analyze Complaint against Robert Bucko - Potential third-party claim.	285.00	2.50	712.50
	TAD	L510	A108	Communicate (other external) - E-mails (4) to and from USSIC's counsel re: second Stipulation to Extend time to Answer the Complaint.	285.00	0.40	114.00
	TAD	L510	A104	Review/analyze Property Coverage Form re:			

USSIC v City of Grosse Pointe Woods

					<u>Rate</u>	<u>Hours</u>	
				potential claim of Grosse Pointe Woods for its own damages from the flooding.	285.00	1.80	513.00
	TAD	L510	A102	Research re: waste as a pollutant - Initial research.	285.00	3.70	1,054.50
12/16/2021	TAD	L510	A104	Review/analyze Insurance Policy - Preliminary review for Insurance Coverage Analysis.	285.00	2.70	769.50
	TAD	L510	A103	Draft/revise Appearance for Grosse Pointe Woods and Stipulation to Extend Time to File Answer - E-file.	285.00	0.20	57.00
12/17/2021	TAD	L510	A102	Research for use in coverage analysis re: sewage back-up as subject to Pollution Exclusion under Michigan law.	285.00	3.60	1,026.00
	TAD	L510	A102	Research re: change to ISO Policy from "waste" to "waste material" - Potentially different meaning under Pollution Exclusion.	285.00	3.50	997.50
12/19/2021	TAD	L510	A102	Research re: whether "per claim" deductible applies to each class member or the class as a whole (Sunday work).	285.00	3.40	969.00
12/20/2021	TAD	L510	A102	Research re: "per claimant" deductible in Sewage Sublimit - National search of case law on the question of whether the deductible applies to the class as a whole or to each individual class member.	285.00	2.50	712.50
12/21/2021	TAD	L510	A104	Review/analyze Notice of Voluntary Dismissal in U.S. District Court by USSIC.	285.00	0.10	28.50
	TAD	L510	A108	Communicate (other external) - E-mails (5) to and from Counsel for USSIC re: Voluntary Dismissal in U.S. District Court, filing in Wayne County Circuit Court, request for conference.	285.00	0.20	57.00
	TAD	L510	A108	Communicate (other external) - E-mails (4) to and from Lisa Anderson re: Voluntary Dismissal by USSIC to be filed in Wayne Circuit Court - USSIC's Counsel's request for conference to discuss "defense arrangements"	285.00	0.70	199.50
	TAD	L510	A104	Review/analyze Sublimit Sewage Endorsement re: defense costs eroding the Policy - Analyze implications of joint defense of three defendants by same law firm.	285.00	0.50	142.50
	TAD	L510	A108	Communicate (other external) - E-mails (4) from and to Jonathan Walton, Counsel for USSIC re:			

## USSIC v City of Grosse Pointe Woods

					<u>Rate</u>	<u>Hours</u>	
				Reservations of Rights Letters.	285.00	0.20	57.00
	TAD	L510	A104	Review/analyze USSIC's Reservation of Rights Letters - Analyze to prepare for call with Counsel for USSIC re: "defense arrangement".	285.00	0.80	228.00
12/22/2021	TAD	L510	A108	Communicate (other external) - E-mail to Lisa Anderson re: we expect USSIC to file their Complaint with the Wayne County Circuit Court at any time - We need Robert Bucko's e-mail communications with USSIC Underwriting.	285.00	0.20	57.00
12/23/2021	TAD	L510	A104	Review/analyze Sublimit Endorsement - Identify strategy for handling USSIC's view that the deductible must be met for each claimant before it owes defense costs.	285.00	2.00	570.00
	TAD	L510	A108	Communicate (other external) - Telephone calls (2) with Jonathan Walton, Counsel for USSIC re: payment of defense costs.	285.00	0.60	171.00
	TAD	L510	A108	Communicate (other external) - Telephone call with Lisa Anderson (lengthy) re: USSIC's position on defense costs.	285.00	0.40	114.00
	TAD	L510	A102	Research re: potential remedies and counter-claims against USSIC based on the outrageousness of a \$2.5 million deductible on a \$1 million policy.	285.00	2.40	684.00
	TAD	L510	A108	Communicate (other external) - E-mail to Robert Bucko and his Counsel, Michael Costello re: communications relating to application of deductible.	285.00	0.20	57.00
12/27/2021	TAD	L510	A108	Communicate (other external) - Telephone call with Michael Costello, Counsel for Robert Bucko re: "per claimant" deductible language.	285.00	0.30	85.50
	TAD	L510	A103	Draft/revise detailed analysis for Lisa Anderson of the different defense arrangement options that may be available to the City and strategy for meeting with Robert Bucko, his Counsel, and Counsel for Grosse Pointe Park.	285.00	0.90	256.50
12/29/2021	TAD	L520	A108	Communicate (other external) - E-mails (3) from and to Lisa Anderson and Debra Walling re: Ms. Walling will now be representing the City of Grosse Pointe Woods.	285.00	0.10	28.50
	TAD	L520	A104	Review/analyze Sublimit Endorsement for Sewer Backup Claims and Pollution Exclusion.	285.00	1.80	513.00

USSIC v City of Grosse Pointe Woods

				<u>Rate</u>	<u>Hours</u>	
	TAD	L520	A102			
			Research re: whether a Sublimit of Coverage can be applied as to a loss that is not otherwise covered - A potential method to harmonize the Sublimit Endorsement with the excess coverage form.	285.00	3.80	1,083.00
12/30/2021	TAD	L510	A102			
			Research re: recent Supreme Court case that overruled a prior holding based on a change in the language of the standard insurance policy - Possible argument against the unfavorable 2005 decision re: sewer back-up claims.	285.00	0.60	171.00
			For Current Services Rendered		49.00	13,965.00
			<b>Total Fees and Costs:</b>			13,965.00
			<b><u>Balance Due</u></b>			<b><u>\$13,965.00</u></b>

Billing History			
<u>Fees</u>	<u>Expenses</u>	<u>Finance Charge</u>	<u>Payments</u>
13,965.00	0.00	0.00	0.00

Task Code Summary

		<u>Fees</u>	<u>Expenses</u>
L510	Appellate Motions and Submissions	12340.50	0.00
L520	Appellate Briefs	1624.50	0.00
L500	Appeal	13,965.00	0.00

Please Remit \$13,965.00

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SM 1/5/2022

FS 1-3-22

Final Statement Run Totals 01/04/2022

Statements Printed:	1
Hours:	49.00
Fees:	13,965.00