

MEMBERS OF COUNCIL

HON. KIM REYNOLDS
GOVERNOR

HON. PAUL D. PATE
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HON. ROB SAND
AUDITOR OF STATE

HON. ROBY SMITH
TREASURER OF STATE

HON. MIKE NAIG
SECRETARY OF AGRICULTURE



Executive Council of Iowa

CAPITOL BUILDING
DES MOINES, IOWA 50319
PHONE: 515 281-5368

April 1, 2024

Accounting Department
Office of the Treasurer
Lucas Building
321 E 12th Street
Des Moines, IA, 50319

The Executive Council, in a meeting held on this date, approved payment of the following cost items:

Landmark Law, PLLC.....\$2,553.00
7 West 6th Avenue, Suite 518
Helena, MT 59601
McCleary v. Nelmark and Beattie, United States District Court of Montana

EXECUTIVE COUNCIL OF IOWA

Victoria Newton
Victoria Newton
Executive Secretary

BRENNA BIRD
ATTORNEY GENERAL

LEIF OLSON
CHIEF DEPUTY ATTORNEY GENERAL



1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-954-9564
Email: leif.olson@ag.iowa.gov
www.iowaattorneygeneral.gov

IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

March 25, 2024

Victoria Newton
Executive Secretary
Executive Council
State Capitol
L O C A L

Re: Payment of Claims for Fees by Outside Counsel

Dear Victoria:

Our office requests Executive Council approval for payment of attorney fees and costs in the amount of \$2,553.00 to represent District Judges David Nelmark and Scott Beattie of the Fifth Judicial District of Iowa in *McCleary v. Nelmark and Beattie*. Dale Schowengerdt, of The Landmark Law, PLLC, in Helena, Montana, has been retained to represent the State of Iowa as local counsel.

The amount of the claim appears to be reasonable and our office recommends payment.

Sincerely,

Leif Olson
Chief Deputy Attorney General

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Executive Council of Iowa

CAPITOL BUILDING
DES MOINES, IOWA 50319
PHONE: 515 281-5368
FAX: 515 281-7562

March 14, 2024

Mr. Leif Olson
Chief Deputy Attorney General
Attorney General Office-Hoover Bldg.
L O C A L

Re: Approval of attorney fees

Dear Mr. Olson:

I received the enclosed statement from Landmark Law for the following fees:

McCleary v. Nelmark and Beattie, United States District Court of Montana

Current balance	\$2,553.00
Waiting for AG recommendation	\$0.00
Pending EC Approval	\$0.00
Claims in Process	\$0.00
Warrant sent	\$0.00
Outstanding Total	\$2,553.00

May I please have your recommendation of this payment request?

EXECUTIVE COUNCIL OF IOWA

Victoria Newton

Victoria Newton
Executive Secretary

Landmark Law, PLLC

7 West 6th Avenue, Suite 518
Helena, Montana 59601
United States
Phone: 406-457-5496
Email: dale@landmarklawpllc.com

INVOICE

Invoice # 167
Date: 03/09/2024
Due On: 04/08/2024

State of Iowa

2/5/2024 EC Approval
\$400 per hour for Dale Schowengerdt
General Fund

00032-State of Iowa

McCleary v. Nelmark and Beattie

Services

Type	Attorney	Date	Notes	Quantity	Rate	Total
Service	DS	02/07/2024	Phone call with Jeff Peterzalek to discuss complaint and next steps in case.	0.30	\$400.00	\$120.00
Service	DS	02/07/2024	Review and analyze complaint, and make notes of potential defenses.	0.50	\$400.00	\$200.00
Service	DS	02/21/2024	Review and analyze complaint and draft brief in support of motion to dismiss, and conduct follow-up research on jurisdiction and edit draft brief.	2.20	\$400.00	\$880.00
Service	DS	02/26/2024	Review local rules for pro hac vice, review Jef Peterzalek pro hac vice motion, declaration, and proposed order to ensure compliance, and email Jeff.	0.30	\$400.00	\$120.00
Service	DS	02/26/2024	Review local rules on notice of appearance and draft notice.	0.20	\$400.00	\$80.00
Service	DS	02/28/2024	Review and edit final drafts of motion to dismiss, brief in support, pro hac vice motion, and proposed order, finalize and file.	1.70	\$400.00	\$680.00
Service	DS	02/28/2024	Review order granting pro hac vice motion, email to Jeff P. with sample acknowledgement form.	0.10	\$400.00	\$40.00
Service	DS	02/28/2024	Review local rules to ensure pro hac vice motion complies.	0.20	\$400.00	\$80.00
Service	DS	02/28/2024	Email Judge's chambers with proposed pro hac vice order.	0.10	\$400.00	\$40.00

Service	DS	02/29/2024	Review pro hac vice acknowledgment filing.	0.10	\$400.00	\$40.00
					Services Subtotal	\$2,280.00

Expenses

Type	Date	Notes	Quantity	Rate	Total	
Expense	02/28/2024	Pro Hac Vice fee for federal court for Jeff Peterzalek.	1.00	\$273.00	\$273.00	
					Expenses Subtotal	\$273.00

See page 4

Time Keeper	Position	Quantity	Rate	Total	
Dale Schowengerdt	Partner	5.7	\$400.00	\$2,280.00	
				Subtotal	\$2,553.00
				Total	\$2,553.00

Detailed Statement of Account

Current Invoice

Invoice Number	Due On	Amount Due	Payments Received	Balance Due	
167	04/08/2024	\$2,553.00	\$0.00	\$2,553.00	
				Outstanding Balance	\$2,553.00
				Total Amount Outstanding	\$2,553.00

Please make all amounts payable to: Landmark Law, PLLC

Please pay within 30 days.

Dale Schowengerdt

From: do_not_reply@psc.uscourts.gov
Sent: Wednesday, February 28, 2024 10:37 AM
To: Dale Schowengerdt
Subject: Pay.gov Payment Confirmation: MONTANA DISTRICT COURT

Your payment has been successfully processed and the details are below. If you have any questions or you wish to cancel this payment, please contact: DaLynn Nickell at 406-829-7146.

Account Number: 4413397
Court: MONTANA DISTRICT COURT
Amount: \$273.00
Tracking Id: AMTDC-3219067
Approval Code: 180117
Card Number: *****1009
Date/Time: 02/28/2024 12:36:31 ET

NOTE: This is an automated message. Please do not reply

Landmark Law, PLLC

7 West 6th Avenue, Suite 518
Helena, Montana 59601
United States
Phone: 406-457-5496
Email: dale@landmarklawpllc.com

INVOICE

Invoice # 167
Date: 03/09/2024
Due On: 04/08/2024



Pay your invoice online

To pay your invoice, open the camera on your mobile device and place the QR code in the camera's view.

Or, [click here](#) if you're viewing on a computer or smartphone.