

Chuck Hodgkinson
Town of Chilmark
401 Middle Road
P.O.Box 119
Chilmark, MA 02535

RACKEMANN
SAWYER & BREWSTER
PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

160 Federal Street
Boston, MA 02110-1700
TEL 617 542-2300
FAX 617 542-7437

www.rackemann.com

RE: Douglas Sacks/ Land Court Zoning Appeal

November 18, 2010
Invoice Number: 171920

FOR PROFESSIONAL SERVICES RENDERED
through October 31, 2010, per the attached
detailed printout.

Total Fees..... 23,172.50

DISBURSEMENTS:

Photocopy	446.50
Postage	16.12
Misc Copy Room	646.43

Total Disbursements..... 1,109.05

Total Fees and Disbursements..... 24,281.55

EWV
013474-000001

RACKEMANN, SAWYER & BREWSTER
BILLING MEMORANDUM
THRU 10/31/10

CLIENT	013474	Chilmark Zoning Board of Appeals	Billing Attorney	0048	ERIC W. WODLINGER
MATTER	000001	Douglas Sacks/ Land Court Zoning Appeal	Supervising Attorney	0048	ERIC W. WODLINGER
			Originating Attorney	0048	ERIC W. WODLINGER

* * * F E E S * * *

Date	TTK		Hours	Rate	Value	Diary
10/1/10	0048	Eric W. Wodlinger	0.70	325.00	227.50	Review plaintiff's summary judgment motion and memo of law; E-mail C. Hodgkinson;
10/1/10	0275	Gareth I. Orsmond	1.00	325.00	325.00	Correspondence regarding Summary Judgment Motion. Attention to same.
10/4/10	0048	Eric W. Wodlinger	2.50	325.00	812.50	Review all pleadings; Conference with GIO regarding reply to SJ motion on Count IV;
10/4/10	0048	Eric W. Wodlinger	3.00	325.00	975.00	E-mail D. Hodgkinson; Review Town meeting warrants and minutes; Legal research regarding construction of bylaw, prior special permits for pools;
10/4/10	0275	Gareth I. Orsmond	2.80	325.00	910.00	Correspondence regarding Summary Judgment Motion. Work on same.
10/5/10	0048	Eric W. Wodlinger	0.50	325.00	162.50	Review Planning Board minutes regarding pool heaters and e-mails C. Hodgkinson;
10/5/10	0275	Gareth I. Orsmond	2.60	325.00	845.00	Review correspondence and Summary Judgment Memorandum. Work on Cross-Motion and Memorandum.
10/7/10	0275	Gareth I. Orsmond	4.40	325.00	1,430.00	Work on Summary Judgment papers.
10/8/10	0275	Gareth I. Orsmond	2.20	325.00	715.00	Work on Summary Judgment papers.
10/12/10	0275	Gareth I. Orsmond	0.10	325.00	32.50	Correspondence from C. Hodgkinson regarding bylaws and other evidence.
10/13/10	0048	Eric W. Wodlinger	0.50	325.00	162.50	Review Town meeting materials, e-mail Chuck H. regarding 2001 STM;
10/13/10	0048	Eric W. Wodlinger	0.70	325.00	227.50	Conference with GIO regarding Answer to c. 240, Section 14A count;
10/13/10	0275	Gareth I. Orsmond	1.80	325.00	585.00	Confer with E. Wodlinger. Correspondence with same and C. Hodgkinson regarding evidence for opposition and cross-motion. Draft answer to Third Amended Complaint.
10/14/10	0048	Eric W. Wodlinger	2.50	325.00	812.50	Trial prep; E-mail C. Hodgkinson regarding documents and plans; Review plans in file vs. minutes; Outline exam of Horiuchi and L. Jason; Telephone call with L. Jason regarding testimony

RACKEMANN, SAWYER & BREWSTER
BILLING MEMORANDUM
THRU 10/31/10

CLIENT	013474	Chilmark Zoning Board of Appeals	Billing Attorney	0048	ERIC W. WODLINGER
MATTER	000001	Douglas Sacks/ Land Court Zoning Appeal	Supervising Attorney	0048	ERIC W. WODLINGER
			Originating Attorney	0048	ERIC W. WODLINGER

Date	TTK		Hours	Rate	Value	Diary
						and issues; Legal research regarding remand order; Telephone call regarding availability of Whaling Church basement;
10/14/10	0048	Eric W. Wodlinger	2.00	325.00	650.00	Trial prep regarding other uses governed by special permit under Section 4.2; Review guest house and tennis court special permits; Revise Answer regarding c. 240, Section 14A and file;
10/14/10	0275	Gareth I. Orsmond	4.10	325.00	1,332.50	Complete answer and forward to E. Wodlinger. Work on opposition and cross-motion memorandum, appendix. Correspondence regarding research non-swimming pool special permits.
10/15/10	0275	Gareth I. Orsmond	1.50	325.00	487.50	Work on Summary Judgment papers. Correspondence with E. Wodlinger regarding same.
10/18/10	0048	Eric W. Wodlinger	0.50	325.00	162.50	Review documents from C. Hodgkinson; Voicemail to Tim Carroll; Conference with GIO regarding summary judgment memo;
10/18/10	0275	Gareth I. Orsmond	6.00	325.00	1,950.00	Work on Summary Judgment papers. Confer with E. Wodlinger regarding same.
10/19/10	0048	Eric W. Wodlinger	1.70	325.00	552.50	Telephone call with Land Court regarding summary judgment and trial; E-mail C. Hodgkinson; Telephone call with D. Bazy regarding plans and testimony; E-mail J. Lipnick regarding testimony;
10/19/10	0275	Gareth I. Orsmond	1.00	325.00	325.00	Correspondence with E. Wodlinger regarding Summary Judgment. Review notices of decision for Section 4.2A and 4.2B special permits. Work on Summary Judgment papers.
10/20/10	0048	Eric W. Wodlinger	5.50	325.00	1,787.50	Legal research regarding separate statement of reasons by each board member; Draft legal memo section of pre-trial brief; Draft outline of D. Bazy testimony; Telephone call with L. Jason regarding number of bedrooms in Sacks house; E-mail Bazy and C. Hodgkinson regarding trial issues;
10/20/10	0275	Gareth I. Orsmond	1.10	325.00	357.50	Attention to Summary Judgment papers.
10/21/10	0048	Eric W. Wodlinger	7.50	325.00	2,437.50	Telephone call with W. Rossi, Chris Murphy and e-mail J. Lipnick regarding testimony; Review plaintiff's draft joint pre-trial memo and fill in Town and ZBA responses regarding points of law, agreed facts, exhibits, fact witnesses and expert witnesses; E-mail special permits and photos and

RACKEMANN, SAWYER & BREWSTER
BILLING MEMORANDUM
THRU 10/31/10

CLIENT	013474	Chilmark Zoning Board of Appeals	Billing Attorney	0048	ERIC W. WODLINGER
MATTER	000001	Douglas Sacks/ Land Court Zoning Appeal	Supervising Attorney	0048	ERIC W. WODLINGER
			Originating Attorney	0048	ERIC W. WODLINGER

Date	TTK		Hours	Rate	Value	Diary
						exhibits to Lanza; Mail plans to Bazzy;
10/22/10	0048	Eric W. Wodlinger	3.00	325.00	975.00	Revise summary judgment brief;
10/22/10	0048	Eric W. Wodlinger	1.00	325.00	325.00	Telephone call with M. Lanza and revise Joint Pre-Trial Memo;
10/22/10	0275	Gareth I. Orsmond	1.50	325.00	487.50	Correspondence from E. Wodlinger regarding authentication of exhibits for Summary Judgment. Review comments on Summary Judgment papers from E. Wodlinger. Revisions to brief.
10/25/10	0048	Eric W. Wodlinger	2.20	325.00	715.00	Pre-Trial conference in Land Court; Hire Court Reporter;
10/25/10	0275	Gareth I. Orsmond	1.00	325.00	325.00	Confer with E. Wodlinger regarding Summary Judgment filing. Draft Summary Judgment Motion. Attention to Appendix.
10/26/10	0275	Gareth I. Orsmond	2.10	325.00	682.50	Final revisions, cite check, and proof-reading of Summary Judgment Brief. Correspondence with G. Young and attention to appendix for same.
10/27/10	0048	Eric W. Wodlinger	2.00	325.00	650.00	Review and edit memo and appendix; Telephone call with M. Lanza regarding settlement;
10/28/10	0048	Eric W. Wodlinger	1.30	325.00	422.50	Telephone call with L. Jason regarding pools vs. hot tubs; E-mail M. Lanza; Telephone conference with Lipnick and Scheuer;
10/28/10	0048	Eric W. Wodlinger	1.00	325.00	325.00	E-mail Lanza; Telephone call from G. Brush;
TOTAL			71.30		23,172.50	

* * * A T T O R N E Y S U M M A R Y * * *

Timekeeper	Title	Hours	Rate	Value
0048 Eric W. Wodlinger	Director	38.10	325.00	12,382.50
0275 Gareth I. Orsmond	Director	33.20	325.00	10,790.00
TOTAL		71.30		23,172.50

* * * D I S B U R S E M E N T S * * *

RACKEMANN, SAWYER & BREWSTER
BILLING MEMORANDUM
THRU 10/31/10

CLIENT	013474	Chilmark Zoning Board of Appeals	Billing Attorney	0048	ERIC W. WODLINGER
MATTER	000001	Douglas Sacks/ Land Court Zoning	Supervising Attorney	0048	ERIC W. WODLINGER
		Appeal	Originating Attorney	0048	ERIC W. WODLINGER

Class	Amount
02 Photocopy	446.50
04 Postage	16.12
42 Misc Copy Room	646.43
TOTAL DISBURSEMENTS	1,109.05
TOTAL FEES AND DISBURSEMENTS	<u>24,281.55</u>