

HATTERY LAW OFFICES  
1326 Fifth Avenue, Suite 632  
Seattle, Washington 98101  
(206) 624-4288  
David P. Hattery, Esq. (*Pro Hac Vice*)

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>In re:</b>	<b>Chapter 11</b>
<b>ENRON CORP., et al.,</b>	<b>Case No. 01-16034 (AJG)</b>
<b>Debtors.</b>	<b>Jointly Administered</b>

**SUMMARY COVER SHEET - THIRD AND FINAL APPLICATION OF  
HATTERY LAW OFFICES FOR COMPENSATION AND REIMBURSEMENT  
OF EXPENSES INCURRED AS ATTORNEYS FOR THE DEBTOR FROM  
JANUARY 1, 2004 THROUGH APRIL 30, 2004**

**Name of Applicant:** Hattery Law Offices  
**Role in Case:** Attorneys in the Ordinary Course for EPC Estate Services, Inc (fka "NEPCO") and Enron Corp. in connection with NEPCO matters and proofs of claim.

**Fee Previously Requested:** Initial Application February 17, 2004, \$456,986.50  
Second Application June 14, 2004, \$160,750.00  
**Fee Previously Awarded:** *Pending*

**Expenses Previously Requested:** Initial Application February 17, 2004, \$11,071.43  
Second Application June 14, 2004, \$14,013.94  
**Expenses Previously Awarded:** *Pending*

**Current Application:** May 1, 2004 to July 15, 2004

<b>Fee Requested:</b>	<b>Fees Incurred:</b>	<b>\$112,865.00</b>
	<b>Fees Paid:</b>	<b>\$90,292.00</b>
	<b>20% holdback</b>	<b>\$22,573.00</b>
	<b>Fees Requested</b>	<b>\$112,865.00</b>

  

<b>Expenses Requested:</b>	<b>Expenses Incurred:</b>	<b>\$29,024.35</b>
	<b>Expenses Paid:</b>	<b>\$29,024.35</b>
	<b>Expenses Requested:</b>	<b>\$29,024.35</b>

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

**ENRON CORP., et al.,**

**Debtors.**

**Chapter 11**

**Case No. 01-16034 (AJG)**

**Jointly Administered**

**THIRD AND FINAL APPLICATION OF HATTERY LAW OFFICES FOR  
ALLOWANCE OF COMPENSATION FOR SERVICES RENDERED AND  
REIMBURSEMENT OF EXPENSES INCURRED AS ATTORNEYS FOR THE  
DEBTOR IN THE ORDINARY COURSE FROM MAY 1, 2004 THROUGH PLAN  
CONFIRMATION DATE OF JULY 15, 2004**

TO THE HONORABLE ARTHUR J. GONZALES  
UNITED STATES BANKRUPTCY JUDGE:

Hattery Law Offices (“Hattery”), attorneys for EPC Estate Services, Inc. (f.k.a. National Energy Production Corporation and NEPCO, hereinafter, “NEPCO”), and Enron Corp. (the “Debtors”), hereby submits its third and final application for allowance of compensation and reimbursement of expenses pursuant to sections 330(a) and 331 of title 11 of the United States Bankruptcy Code and Rule 2016 of the Federal Rules of Bankruptcy Procedure, and in accordance with the February 22, 2002 Order of this Court Authorizing *Nunc Pro Tunc* Employment of Professionals Utilized in the Ordinary Course, for professional services performed and expenses incurred for the period commencing May 1, 2004 through July 15, 2004 (the “Compensation Period”) and for

reimbursement of its actual and necessary expenses incurred during the Compensation Period. In support of its application, Hattery respectfully represents the following:

**SUMMARY OF PROFESSIONAL COMPENSATION  
AND REIMBURSEMENT OF EXPENSES REQUESTED**

1. Hattery Law Offices seeks allowance of compensation for professional services rendered in the ordinary course during the Compensation Period in the aggregate of \$112,865.00, and reimbursement of expenses incurred in the aggregate of \$29,024.35, for a total of \$141,889.35. During the Compensation Period, Hattery attorneys and paraprofessionals expended a total of 554.2 hours for which compensation is requested.

2. By this Third and Final Application, Hattery Law Offices requests immediate payment of \$54,903.00 which is the outstanding balance of the Approved Compensation and Reimbursement for this Compensation Period of \$22,573.00 plus the outstanding balance of \$32,330.00 pending from the Second Fee Application filed June 14, 2004.

3. This Application has been prepared in accordance with the amended Guidelines for Fees and Disbursements for Professionals in the Southern District of New York Bankruptcy Court adopted by the Court on April 19<sup>th</sup>, 1995 (the “Local Guidelines”). Pursuant to the Local Guidelines, a certification of compliance with the same is attached hereto as Exhibit A.

4. The fees charged by Hattery Law Offices in this proceeding are billed in accordance with its existing billing rates and procedures in effect during the Compensation Period. It is Hattery’s belief that such fees are at or below market rates

and reasonable based upon the customary compensation charged by comparable skilled practitioners in a competitive national legal services market.

5. Attached hereto as Exhibit B is a schedule setting forth all Hattery professionals and paraprofessionals who have performed services during the Compensation Period, the capacities in which each such individual performed services, the hourly rate charged for services performed, the aggregate number of hours expended in this matter, and the year in which the professional was admitted to practice law, if applicable.

6. Attached hereto as Exhibit C is a schedule setting forth the categories of expenses for which Hattery is seeking reimbursement and the total amount for each such expense category.

7. Attached hereto as Exhibit D is a schedule summarizing Hattery Law Office's time records billed during the Compensation Period, including a breakdown of project categories as appropriate.

### **JURISDICTION AND VENUE**

8. The Court has jurisdiction to consider this application pursuant to Title 28 U.S.C. Sections 157 and 1334. Venue is proper before this Court pursuant to Title 28 U.S.C. Sections 1408 and 1409.

### **BACKGROUND**

9. On December 2, 2001, the Debtors filed the first of several voluntary petitions under Chapter 11 of the Bankruptcy Code in this Court.

10. On February 22, 2002, this Court entered an Order Pursuant to Section 327 of the Bankruptcy Code Authorizing *Nunc Pro Tunc* Employment of Professionals

Utilized in the Ordinary Course of Business. Hattery Law Offices were included as an Ordinary Course Professional pursuant to Notice of Sixth Supplemental List of Ordinary Course Professionals, dated May 28, 2002 for the purpose of providing general legal advice to the NEPCO estate in the State of Washington and the Notice of Sixteenth Supplemental List of Ordinary Course Professionals, dated January 10, 2003 for the purpose of advising other debtor estates, including the Enron Corp. estate, on matters relating to the NEPCO estate and claims made against both the NEPCO estate and the Enron Corp. estate.

11. The Court's February 22, 2002 Order authorized Ordinary Course Professionals to incur fees and costs averaging no more than \$50,000 per month and provided that no Ordinary Course Professional shall receive in excess of \$500,000 in the aggregate in these chapter 11 cases unless approved by the Court. Hattery Law Offices filed an initial application dated February 17, 2004, which requested approval for fees and expenses already paid to the Hattery Law Offices by the Debtor as an ordinary course professional pursuant to the February 22, 2002 Order.

12. Hattery Law Offices submits this Third and Final Application for approval of payment for services rendered and expenses incurred as a retained professional during the Compensation Period from May 1, 2004 through the date of the plan confirmation on July 15, 2004. The specific services performed and expenses incurred are detailed in billing records that have been previously submitted to Debtors and are attached hereto as Exhibit D.

## SUMMARY OF SERVICES RENDERED

13. The following is a brief summary of work performed by the Hattery Law Offices during the Compensation Period, which is based on detailed daily time records included as Exhibit D.

A. NEPCO Proofs of Claim Reconciliation.

Total Hours 490.5, Total Amount \$98,532.50.

14. NEPCO is a wholly owned subsidiary of Enron Corp. Prior to its filing for bankruptcy protection on May 20, 2002, NEPCO was engaged in the business of designing and constructing independent power generating facilities throughout the country and in many parts of the world. NEPCO performed its work for project owner clients on a turn-key lump-sum basis typically for a firm fixed price with schedule and performance guarantees. NEPCO clients typically required and obtained Enron Corp. guarantees to support NEPCO's contractual obligations under its design and construction contracts.

15. As of Enron Corp.'s bankruptcy filing on December 2, 2001, NEPCO was actively under design and construction on approximately sixteen power generation facility projects in twelve different states. Following NEPCO's bankruptcy filing, project owners have filed Proofs of Claim against the NEPCO estate and corresponding claims against Enron Corp. under the NEPCO project guarantees. These claims are summarized as follows:

Claimant	Claims Nos.	Amount of Claim
Union Power Partners, L.P.	14244, 23204, 13761, 23205	\$124,327,204
Panda Gila River, L.P.	13717, 23203, 14229, 23206	\$78,125,244
Coyote Springs 2, LLC	13575, 13040, 13576, 13030	\$75,197,000

Goldendale Energy, Inc.	12729, 12730, 4179, 22162	\$39,619,036
Southaven Power, LLC	11937, 21120, 12195	\$39,646,857
Caledonia Generating, LLC	11935, 12196, 12197	\$31,658,687
Quachita Power, LLC	11314, 12200	\$0 (to be determined)
Green Country Energy, LLC	12295, 12199, 12198	\$0 (to be determined)
LSP Kendall Energy LLC	16037	\$35,000,000
LSP Nelson Energy LLC	16035	Amount to be Determined
TPS Dell, LLC	10822, 10823	\$34,105,940
TPS McAdams, LLC	10820, 10821	\$11,876,641
East Coast Power LLC	10723, 22089, 22090	\$6,606,357
Lake Worth Generation, LLC	19011	\$73,537,820
Fountain Valley Power LLC	19086, 19085, 21851	\$7,530,283

16. Hattery Law Offices' services in connection with these claims have included research, obtaining and assembling claims documentation, and preparation of detailed factual and legal analysis of issues raised by the individual claims. Hattery has worked closely with in-house Enron attorneys, staff, accounting professionals in the performance of these tasks, which are focused on addressing major issues presented by the various claims by assembling factual and legal arguments that the Debtor anticipates will be used to negotiate agreed amounts for these disputed claims. Hattery respectfully submits that it is uniquely qualified to perform these services, as David P. Hattery is an attorney with fifteen years' experience litigating and counseling clients with regard to construction claims, who represented debtor NEPCO as outside counsel on various matters as a partner in the Seattle firm of Stoel Rives, LLP from 1997 to 2001, and who

briefly served debtor NEPCO as in-house counsel in 2001 and 2002 both before and after the Enron Corp. bankruptcy.

17. As nearly all of these claims relate to NEPCO's liability for completion costs for the various projects, many of the tasks have required close analysis of project records, interviews of former NEPCO managers and project level staff and accounting staff. Project documentation is extremely voluminous; each of the projects have generated hundreds of boxes of documents that are located in Redmond, Washington, which is close to Hattery Law Offices in Seattle.

18. There has been significant progress on the NEPCO claims during the Compensation Period. At the firm's recommendation, a claims team of independent consultants has been retained by the estate. These individuals are all highly skilled and experienced power plant construction management professionals. At the firm's direction and coordination, this claims team has been actively engaged in collecting and reviewing project documentation that forms the basis for the Proofs of Claim with the goal of providing the estate with a basis for negotiation and settlement of these major claims. The initial focus of this effort has been on the claims asserted by Union Power Partners, Panda Gila River, TPS Dell and TPS McAdams, all of which are project entities controlled by TECO Energy Inc ("TECO"). Based upon the work of the firm and the claims team, it is presently contemplated that the estate will be in position to negotiate directly with TECO on all of these claims in the July or August 2004 timeframe, with the potential for quite significant reductions in the aggregate amount of the relevant Proofs of Claim. Detailed descriptions of the services provided by the firm in the Compensation Period are set forth in the attached Exhibit D.



B. HSB Engineering Insurance Limited v. NEPCO (Kabirwala Project).

Total Hours 3.9, Total Amount \$877.50

19. NEPCO designed and built a power generating facility in Kabirwala, Pakistan that achieved commercial operation in 1999. During the course of the project, NEPCO incurred insured losses and made a claim for coverage under certain insurance provided by HSB. HSB initially paid a portion of the claim, then denied coverage. HSB subsequently initiated an action in the High Court of Justice, Queen's Bench Division, Commercial Court. NEPCO, through litigation counsel Speechly Bircham and Mr. Jonathan Rosshandler, has counterclaimed for policy proceeds in an amount in excess of \$3 million, plus additional damages, costs and fees.

20. During the Compensation Period, Hattery Law Offices continued to provide construction claims expertise in coordination with London counsel and Weil Gotshal attorneys involved in complex procedural issues.

C. NEPCO Litigation.

Total Hours 59.8, Total Amount \$13,455

21. NEPCO is the focus of a number of adversary actions relating principally to certain letters of credit provided by Enron Corp. on its behalf as credit support in connection with its construction activities. During the compensation Period, the firm has been requested to perform a number of tasks in connection with this litigation, which is under the direction and control of other estate attorneys and firms. Tasks performed by attorneys during the Compensation Period have included the updating and coordination with litigation counsel regarding ongoing analysis of the various Proofs of Claim

effected by the litigation and availability of NEPCO records for discovery, and reporting on status of litigation to the estate. This category has also been used to collect hours spent by attorneys in complying with fee procedures that are over and above typical and ordinary daily timekeeping, such as the preparation of this fee application. Tasks in this category performed by paraprofessionals during the Compensation Period have included a generalized review of NEPCO's legal department files for privileged documents, the preparation for and production of documents pursuant to subpoenas and updating and coordination of NEPCO document retention systems and procedures.

22. The above-described professional services performed by Hattery Law Offices are described in detail on a day-by-day basis in billing records attached hereto as Exhibit D. Hattery respectfully submits that its ordinary course services were necessary and valuable to the NEPCO Debtors estates. Compensation as requested is commensurate with the complexity, importance and nature of the legal and factual issues, problems and tasks involved. The professional services were performed with expedition and in an efficient manner.

23. During the Compensation Period, Hattery's hourly rate was \$225 per hour. Paralegal support rate was \$125 per hour. These rates are at or below market rates for similarly qualified and experienced professionals and is equal to or below rates charged by the firm to other clients.

#### **ACTUAL AND NECESSARY DISBURSEMENTS**

24. As detailed in Exhibit C hereto, Hattery Law Offices has disbursed \$27,742.22 as expenses incurred in providing professional services in the Compensation

Period. These expenses include travel expenses, outside copying and delivery charges, and miscellaneous fees billed as reimbursable expenses.

### **LEGAL BASIS FOR AWARD**

25. The Bankruptcy Court is authorized to award a professional person employed under section 327 of the Bankruptcy Code “reasonable compensation for actual, necessary services rendered by the . . . attorney and by any paraprofessional person employed by any such person, and . . . reimbursement for actual, necessary expenses.” 11 U.S.C. §330. The Bankruptcy Court must consider the nature, extent and value of such services, taking into account all relevant factors to determine whether the request for payment in connection with such services is fair and reasonable. Id.

26. In this case, the services provided, as summarized above and as detailed in time records set forth in Exhibit F hereto, were necessary for representing NEPCO debtors’ interests in liquidating assets, settling claims by the estates against third parties on a favorable basis, and providing legal guidance on orderly investigation and negotiation of claims against the NEPCO debtors and Enron Corp. estates. Time records were maintained on a contemporaneous daily basis. Pursuant to Local Guidelines, Hattery Law Offices billed in tenths of an hour increments.

27. In sum the services rendered by Hattery Law Offices were necessary and beneficial to the interests of the Debtors, and were consistently performed in a timely manner commensurate with the complexity, importance and nature of the issues involved, and approval of the compensation sought herein is warranted.

## **MEMORANDUM OF LAW**

28. Hattery submits that because the relevant legal authorities are set forth herein, and because there exists no novel issue of law, there exists cause to waive the filing of a separate memorandum pursuant to Local Bankruptcy Rule 9013-1.

## **NOTICE**

29. Copies of this Application have been provided in accordance with the attached Certificate of Service.

## **CONCLUSION**

WHEREFORE, Hattery Law Offices respectfully requests i) approval of interim compensation for professional services rendered during the Compensation Period in the amount of \$112,865.00 and reimbursement for actual and necessary expenses Hattery Law Offices incurred during the Compensation Period in the amount of \$29,024.35 (“Approved Compensation and Reimbursement”); ii) immediate payment of \$54,903.00 which is the outstanding balance of the Approved Compensation and Reimbursement for this Compensation Period of \$22,573.00 plus the outstanding balance of \$32,330.00 pending from the Second Fee Application filed June 14, 2004; iii) allowance of such compensation for professional services rendered and reimbursement of actual and necessary expenses incurred be without prejudice to Hattery’s right to seek additional compensation for services performed and expenses incurred during the Compensation Period that were not processed at the time of this Application; and iv) such other and further relief as the Court deems just.

Respectfully submitted,

Hattery Law Offices  
Attorneys for Debtors

By: \_\_\_\_\_/S/ David P. Hattery\_\_\_\_\_

Dated: August 10, 2004  
Seattle, Washington

**CERTIFICATE OF SERVICE**

I hereby certify that the attached Third and Final Application of Hattery Law Offices For Allowance Of Compensation For Services Rendered And Reimbursement Of Expenses Incurred As Attorneys For The Debtor In The Ordinary Course From May 1, 2004 Through July 15, 2004 was served upon the parties identified in the attached Service List via First Class U.S. Mail on August 11, 2004.

Dated: August 11, 2004

Seattle, WA

By:   /s/ David P. Hattery  

David P. Hattery, Esq.

## SERVICE LIST

**John Marquess** (hard copy and disc)  
Automated Application Analyst  
Legal Cost Control  
255 Kings Highway East  
Haddonfield, New Jersey

**Joseph Patchan, Committee Chairman**  
14800 County Line Road  
Hunting Valley, Ohio 44022  
(440) 247-5158

**John Silas Hopkins, III, Applications Analyst** (hard copy and disc)  
376 Martin Meadow Pond Road  
Lancaster, New Hampshire 03584-3218  
(603) 837-2173

**Howard L. Klein** (hard copy and disc)  
25550 Chagrin Boulevard, Suite 204  
Beachwood, Ohio 44122  
(216) 831-7600, Extension 14

**United States Bankruptcy Court**  
**Southern District of New York**  
United States Courthouse  
One Bowling Green  
New York, NY 10004  
Attn: The Honorable Arthur J. Gonzalez

**Enron Corp.**  
Attn: K. Wade Cline, esq.  
Four Houston Center  
1221 Lamar Street  
Houston, TX 77010

**Office of the US Trustee** (hard copy and disc)  
33 Whitehall Street, 21<sup>st</sup> Floor  
New York, NY 10004  
Attn: Mary Elizabeth Tom

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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

**ENRON CORP., et al.,**

**Debtors.**

**Chapter 11**

**Case No. 01-16034 (AJG)**

**Jointly Administered**

**ORDER PURSUANT TO 11 U.S.C. § 330 AWARDED ALLOWANCE OF  
COMPENSATION FOR PROFESSIONAL SERVICES RENDERED AND FOR  
REIMBURSEMENT OF ACTUAL AND NECESSARY EXPENSES INCURRED  
BY HATTERY LAW OFFICES AS ATTORNEYS FOR THE DEBTORS IN THE  
ORDINARY COURSE**

Upon consideration of the application of Hattery Law Offices, attorneys of the Debtors in the ordinary course, for allowance of compensation for professional services rendered and reimbursement of actual and necessary expenses incurred during the period commencing May 1, 2004 through July 15, 2004; and hearing having been held; and notice having been given pursuant to Federal Rules of Bankruptcy Procedure 2002 (a)(7) and (c)(2); and due consideration having been given to any responses thereto; and sufficient cause having been shown therefore, it is hereby,

ORDERED that the Application is granted to the extent set forth in Schedule A.

Dated: New York, New York

\_\_\_\_\_, 2004

\_\_\_\_\_  
The Honorable Arthur J. Gonzales  
United States Bankruptcy Judge



Case Number: 01-16034 (AJG)

Case Name: In re Enron, et al.

Applicant	Date/Docket Number of Application	Fees Requested	Fees Allowed (Incl. Fees Held back).	Fees Payable By Debtor	Expenses Requested	Expenses Allowed and Payable by Debtor
Hattery Law Offices		\$112,865.00			\$29,024.35	

SCHEDULE A(1)

DATE: \_\_\_\_\_

INITIALS: \_\_\_USBJ



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**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<p><b>In re:</b></p> <p><b>ENRON CORP., et al.,</b></p> <p><b>Debtors.</b></p>
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**Chapter 11**

**Case No. 01-16034 (AJG)**

**Jointly Administered**

**CERTIFICATION OF DAVID P. HATTERY IN SUPPORT OF HATTERY LAW  
OFFICE'S THIRD AND FINAL APPLICATION FOR COMPENSATION AND  
REIMBURSEMENT FOR EXPENSES INCURRED AS ATTORNEYS FOR THE  
DEBTOR IN THE ORDINARY COURSE FROM  
MAY 1, 2004 THROUGH JULY 15, 2004**

David P. Hattery hereby certifies as follows:

1. I am an attorney engaged in practice as the Hattery Law Offices, with responsibility for representing EPC Estate Services, Inc. (f.k.a. National Energy Production Corporation and NEPCO) and related Debtors, including Enron Corp with respect to NEPCO matters.
2. This Certification is made in support of Hattery Law Office's application dated August 10, 2004 (the "Application") for compensation and reimbursement of expenses for the period commencing May 1, 2004 through July 15, 2004 (the "Compensation Period").

3. Pursuant to the Guidelines for Fees and Disbursements for Professionals in the Southern District of New York Bankruptcy cases (the “Local Guidelines”), I certify that:

(a) I have read the Application,

(b) To the best of my knowledge, information and belief formed after reasonable inquiry, the fees and disbursements sought in the Application fall within the Local Guidelines;

(c) To the best of my knowledge, information and belief formed after reasonable inquiry, the fees and disbursements sought in the Application fall within the Local Guidelines;

(d) The fees and disbursements sought are billed at rates in accordance with practices customarily employed by Hattery Law Offices and generally accepted by Hattery Law Office’s clients; and

(e) In providing a reimbursable service, Hattery Law Offices does not make a profit on that service, whether the service is performed by Hattery Law Offices in-house or through a third party.

4. I further certify that on August 11, 2004, Hattery Law Offices provided the Office of the United States Trustee, the Debtor, bankruptcy counsel for the Debtor, and counsel for the Unsecured Creditors’ Committee with a copy of the Application.

5. By this certification, Hattery Law Offices does not waive or release any rights or entitlements it has under the February 22, 2002 Order of this Court approving the employment of ordinary course professionals.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: August 11, 2004  
Seattle, Washington

/s/ David P. Hattery

David P. Hattery, esq.

## Exhibit B

<b>Attorney</b>	<b>Rate</b>	<b>Hours</b>	<b>Year Admitted</b>
David P. Hattery	\$225/hour	435.9	1988
<b>Paralegals</b>			
Lisa McClary	\$125/hour	118.3	

## Exhibit C - Disbursement Summary Schedule

	Invoice Date	Charge	Total
Outsourced Photocopying	May-04	\$10,320.89	
	June-04	\$438.71	
	July-04	\$1,606.46	
			\$12,366.06
Document Delivery Services	May-04	\$648.03	
	June-04	\$174.46	
	July-04	\$5,062.31	
			\$5,884.80
Travel Airfare	May-04	\$2,751.70	
	June-04	\$3,273.20	
	July-04	\$763.70	
			\$6,788.60
Ground Transportation	May-04	\$285.80	
	June-04	\$134.00	
	July-04	\$99.00	
			\$518.80
Meals	May-04	\$542.93	
	June-04	\$439.93	
	July-04	\$211.17	
			\$1,194.03
Hotels	May-04	\$1,323.84	
	June-04	\$622.96	
	July-04	\$325.26	
			\$2,272.06
			<b>\$29,024.35</b>





**Summary of May 1, 2004 to July 15, 2004 Invoices - Hattery Law Offices**

		Proofs of Claim Analysis		NEPCO Litigaton		HSB Kabirwala		Total	Expenses	
		Hours	Fees	Hours	Fees	Hours	Fees	Hours	Fees	
<b>May</b>	DPH	153.6	\$34,560.00	28.8	\$6,480.00	0	\$0.00	182.4	\$41,040.00	\$15,873.19
	Paralegal	70.1	\$8,762.50					70.1	\$8,762.50	
<b>June</b>	DPH	135.6	\$30,510.00	26.3	\$5,917.50	3.9	\$877.50	165.8	\$37,305.00	\$5,083.26
	Paralegal	24.4	\$3,050.00					24.4	\$3,050.00	
<b>July to the 15th</b>	DPH	83	\$18,675.00	4.7	\$1,057.50	0	\$0.00	87.7	\$19,732.50	\$8,067.90
	Paralegal	23.8	\$2,975.00					23.8	\$2,975.00	
	<b>Total DPH</b>	372.2	\$83,745.00	59.8	\$13,455.00	3.9	\$877.50	435.9	\$98,077.50	\$29,024.35
	Paralegals	118.3	\$14,787.50	0.0	\$0.00	0	\$0.00	118.3	\$14,787.50	
		490.5	<b>\$98,532.50</b>	59.8	<b>\$13,455.00</b>	3.9	<b>\$877.50</b>	554.2	<b>\$112,865.00</b>	

Payment Received	Fees and Expenses	20% Fee Holdback
<b>May</b>	\$55,715.19	\$9,960.50
<b>June</b>	\$37,367.26	\$8,071.00
<b>July to the 15th</b>	\$26,233.90	\$4,541.50
		<b>total \$22,573.00</b>

**May 2004 - Hattery Law Offices**

<b>Date</b>	<b>Timekeeper</b>	<b>Description</b>	<b>Time</b>
5/3/2004	DPH	Travel to Redmond, meet with claims team (S. Barnett, S. Johnson) (1.3) Lead document production at SNC offices for UPP claim documents (5.4) Read and study SNC project reports re changed scope, purchase order close-outs (1.4) shepard OCP payment issues for NEPCO claims team (1.2)	9.3
5/3/2004	LM	Paralegal - Work at SNC-Lavalin to assist Hattery, Barnett and Johnson review of project files; locate files, coordinate copies.	7.5
5/4/2004	DPH	Travel to SNC offices in Redmond, WA, coordinate claims analysis tasks by claims team (S. Barnett, S. Johnson, A. Bacon) on UPP project analysis (5.4) Discuss and review preliminary analysis of issues list (1.6) interview T. Whipple - UPP project director (0.7) Receive and review new claim revision on TECO Dell and McAdams (1.2)	8.9
5/4/2004	LM	Paralegal - Work at SNC-Lavalin to assist Hattery, Barnett Johnson and Bacon review of project files; locate files, coordinate copies.	7.3
5/5/2004	DPH	Travel to SNC offices in Redmond, WA, meet with N. Viscount and claims team, review UPP project records and issues list with team (4.2), receive and review new claim documentation from TECO re revised Dell and McAdams completion cost estimates (2.2)	6.4
5/5/2004	LM	Paralegal - Work at SNC-Lavalin to assist Hattery, Barnett Johnson, Bacon and Viscount review of project files; locate files, coordinate copies.	8.4
5/6/2004	DPH	Travel to SNC offices in Redmond, WA, develop in detail legal entitlement positions re claim elements and developing issues statement with claims team (5.6) Meet with M. McClurkin, T. Whipple, J. Teranova re claim elements (2.5) receive and send e-mail re OCP payments, NEPCO claims tasks update, Cogentrix discovery, negotiation timeline. (1.4)	9.5
5/6/2004	LM	Paralegal - Work at SNC-Lavalin to assist Hattery, Barnett Johnson, Bacon and Viscount review of project files; locate files, coordinate copies.	8.5
5/7/2004	DPH	Travel to SNC offices in Redmond, WA, review UPP project issues list in detail with claims team (4.2) Meet with T. Whipple, SNCL Project Director re UPP and PGR (1.3) Develop Cogentrix Southaven and Linden 6 document request, transmit and calls with C, Gehle (2.3) Organize and schedule claims team tasks for immediate future, discuss resource optimization options (1.8)	9.6
5/10/2004	DPH	Conferences with Claims team members; SKB re task list, remaining document tasks in Redmond, plan ahead (1.4), prepare for and participate in conference call with R. Fox, C. Fracassia, S. Dieball re TPS Dell swept funds litigation status (1.2) e-mail and call with N. Viscount re Caledonia documents, contractual distinctions from TECO projects (0.8). Receive and review PGR monthly reports, UPP weekly reports (2.4) Review and expand task list for remainder of projects (1.4) calls with C. Gehle (0.6) call to L. Ricke re NRG claims (0.5). Organize notes and documentation from work session last week (1.6)	9.9
5/10/2004	LM	Paralegal - Work at SNC-Lavalin to refile and organize documents from review of project files. Calls from/to Viscount and Fleetwood regarding additional documents; confer with Hewes and Rittenberg re retrieval of electronic files. Call to Hattery re status of tasks .Request Warrick retrieve project files from archives for Bacon's review next week.	2.1
5/11/2004	DPH	NEPCAN - review file, call to D. Geoghan (Togut) re adversary action dismissal status (0.4) call to B. Brown (0.3) review and send draft settlement agreement to Geoghan (0.4), message to T. Cochrane (0.2). Teco Claims, plan travel logistics, calls to Teco, SKB, L. McClary (2.3) Review Claims issues list, edit to add explanation and return (1.3). Call to C. Gehle re overall claims tasks list and reporting standards (0.3) Review CS2 Confidentiality agreement, prior negotiation notes, transmit to S. Dieball for review (0.9) Receive and review Bluewater and SKB invoices, calls and fax to SJ and SKB (1.4) Review file, send e-mail to C. Cooper re McCarter & English OCP invoices, retainer reconciliation (0.7).	8.2
5/11/2004	LM	Paralegal - Calls to/from Hattery, Barnett, SNC re coordination of review of TECO project files in Florida. Calls to/from Warrick requesting additional archived records for Bacon's review next week. Call to Fleetwood re electronic files. Calls to/from Barnett, Warrick,	1.3

	Hewes, Sound Legal Copy re scanning contract documents (vol. 2 of 2) in PDF format for Barnett and Hattery. Call to Hattery re status of task.	
5/12/2004 DPH	Review claims analysis spreadsheet in detail, multiple conferences with A. Bacon, S. Barnett re items and documentation (3.6) conferences with J. Grajewski re cash analysis, documentation missing, limitations on SAP accounting (0.8) Plan claims team deployment, tasks, meeting agenda for Tampa and Atlanta trips (1.5) Review and incorporate Green Country contract terms into discovery, work on draft (2.3) Review Bluewater and Viscount billing situation (0.4)	8.6
5/12/2004 LM	Paralegal - Calls from/to Bacon re document review of UPP field documents next week. Call to Warrick re Calls from/to Fleetwood re electronic documents for Viscount. Calls to Hattery re status of tasks, coordinating review of TECO project files in Tampa, FL next week.	0.7
5/13/2004 DPH	Work on Cogentrix discovery (1.6) multiple calls to claims team re logistics for Tampa travel, meeting advance planning in Atlanta, Tampa (2.2) Receive and review N. Viscount analysis spreadsheet, compare and contrast to SKB work product (2.3) conferences with S. Barnett, N. Viscount, A. Bacon re current tasks and work product on UPP claim analysis, applicability to PGR project and corresponding documentation (1.7) Call with S. Dieball, B. Brown re NEPCO claims oversight and reporting (0.4)	8.2
5/13/2004 LM	Paralegal - Coordinate travel plans to Tampa, FL. Call to Ellis at TECO confirming arrangements of reviewing project files next week; receive from Ellis confirmation by email. Calls to/from Hewes re confirmation of electronic files emailed to Hattery and Viscount. Call from Barnett re coordination of review of TECO files next week; and status of locating and copying missing project files at SNC-Lavalin; calls to/from Hewes re same. Confer with Hattery re status of tasks. (1.2) Calls to/from Warrick re retrieval of project files for Bacon's review next week. (0.3) Receive CD-ROMs of scanned contract documents in PDF format for Hattery and Barnett. Call to Barnett re discs. (0.3)	1.8
5/14/2004 DPH	Conferences with S. Dieball, others re CS2 Confidentiality Agreement (0.4) Work on and complete Green Country/Jenks project draft discovery (2.4) Convert Green Country discovery for use on the Quachita project (1.6) transmit discovery to A. Troop in advance of Tuesday Conf Call with follow up voicemail (0.6) Conferences with B. Rowan (St Paul) re Fountain Valley settlement conference 5/17 potential for POC negotiation (0.5) calls to B. Brown re FV proposal (0.4) call with M. Libor (FV counsel) re potential for walk-away (0.4) research FV files, forward prior analysis with recommendation to Houston, follow up calls (1.6)	7.9
5/14/2004 LM	Paralegal - Call to/from M. Hewse and Warrick confirming arrangements for Bacon's document review. Call to Hattery re status of tasks, confirmation of travel arrangements to TECO. (0.6)	0.6
5/16/2004 DPH	Sunday - Review and categorize claim reconciliation e-mail files (1.4) Study prior analysis and correspondence on Fountain Valley lien claim, bond litigation and proof of claim review (0.8) Travel to Atlanta from Seattle (Actual time 7.2 hours less 2.2 working hours = 5.0 billed at one-half) (2.5)	4.7
5/16/2004 LM	Paralegal - Sunday Travel from Bellevue, WA to Tampa, FL (13.7 hours billed at half-time).	6.9
5/17/2004 DPH	Meetings in Atlanta with S. Barnett, J. Grajewski re UPP claim items from team analysis of documentation in Redmond, Tampa (4.3) Meeting with S. Johnson, S. Barnett re particular change order and variance items (3.3) Calls with D. Nicholson re January FIE cost report, swept funds calculation (0.8) calls with L. McClary re Tampa documentation, organization and access issues (0.6) draft issues list onto spreadsheet for overall analysis (0.7)	9.7
5/17/2004 LM	Paralegal Work at TECO's Tampa offices to coordinate review of project files. Confer with Ellis re organization of TECO project files. Calls to/from Hattery re documents requested from TECO.	6.3
5/18/2004 DPH	Travel from Atlanta to Tampa - 5.0 hours actual time (2.5) Meet with L. McClary and team re available records, review and analysis tasks (1.2) meet with D. Nicholson re overall strategy, claim support documentation and negotiations potential (0.7) work session with claims team on UPP details, review cash reconciliation figures, draft list of missing documentation (3.2) Call to L. Ricke re NRG claims (0.3) call to S. Dieball re claim oversight strategy (0.4) calls with L. Stoler, standby and conference on claims reporting	9.5

	changes (1.2)	
5/18/2004 LM	Paralegal - Work at TECO to assist Hattery, Barnett and Grajewski review of project files.	7.2
5/19/2004 DPH	Meet in Tampa with claims team, reconsider travel deployment; reschedule (0.7) work session at TECO offices with D. Nicholson, complete and review missing documentation letter, schedule for production (3.2) Travel from Tampa to Houston - actual time 6.2 hours (3.1) work in Houston on claim tasks and UPP analysis spreadsheets (0.7)	7.7
5/19/2004 LM	Paralegal - Travel from Tampa, FL to Bellevue, WA (11.8 hours billed at half-time).	5.9
5/20/2004 DPH	Meet in Houston with B. Brown, C. Gehle re new claims management and reporting metrics, Weil team members and support (0.7) Meet with J. Grajewski and C. Gehle re CS2 claims, sub and supplier claims (1.3) complete and distribute new estimated negotiating position on UPP claim (2.4) Meet with Gehle, Brown, Grajewski re claim metrics in detail for 5/25 presentation (0.7) calls with A. Troop re Weil support and time for review session (0.4) call to L. Ricke re NRG claims (0.2) work on task list for Gehle/Barnett/Grajewski/Brown communications (0.9) review and respond to e-mail with claims team re specific UPP tasks (0.8) Travel from Houston to Seattle - 8.5 hours actual time less (0.8) hours work on tasks spreadsheet = 7.7 hours at 1/2 = (3.8)	11.2
5/21/2004 DPH	Prepare for and participate in call with A. Troop, L. Stoler re NEPCO claims overall (0.8) update claims tasks on Gehle spreadsheet (0.9) calls with S. Barnett re UPP claims issues, project scheduling issues for delay and prolongation costs claim (1.2) call to L. Ricke re NRG claims (0.3) calls to M. Libor, C. Abrams, S. Dieball re Fountain Valley Settlement (0.7)	3.9
5/24/2004 DPH	Two lengthy calls with A. Troop re NEPCO claims overall (2.2) status conference with S. Barnett re UPP and PGR claims, assessment of schedule for completion of analysis for internal review (0.8) conferences with C. Gehle re claim tasks reporting, report 198 metrics, BK code section 509 effect on sub claims (0.7) draft and transmit list of tasks and information to A. Troop (2.1) call with L. Ricke re NRG claims on Nelson and Kendall (0.4) follow up reporting to Gehle (0.4) Review UPP documents re consideration of replacement contractors other than SNC, call with SKB re same (1.1) calls with D. Nicholson re TECO documents, engineers reports (0.6) review CD of reports from TECO (0.5)	8.8
5/24/2004 LM	Organize documents received from TECO and SNC-Lavalin. Call to Bacon re review of project files at SNC-Lavalin.(2.6) Organize Dell Project documents received from TECO. (1.4) Organize McAdams Project documents received from TECO. (1.6)	5.6
5/25/2004 DPH	Conferences with C. Gehle re subcontractor claims (0.7) Work on TECO document analysis for Delland McAdams (1.4) review recent pleadings in adversary actions (0.8) calls with A. Bacon re UPP and PGR review in SNC offices (0.4) calls with S. Barnett re status of UPP claim, additional steps (0.8) Conference call with R. Fox and C. Fracassia re swept funds litigation (1.3) prepare for and participate in claims review meeting by teleconference (1.6) Begin work on Fee Application for Jan/Feb/ Mar/April (1.7)	8.7
5/26/2004 DPH	Fountain Valley: Conferences with J. Duffy, M. Libor re Fountain Valley settlement, documentation (0.6) review Weil forms for claims release, BSI databases (0.8) Draft settlement agreement, review lien and bond claim files (2.2). Conferences with S. Barnett, A. Bacon re UPP and PGR claims, tasks, schedule, work sessions in next three weeks (1.2) call with D. Nicholson re TECO documents (0.4) call to D. Geoghan re NEPCAN preference action (0.3) conferences with A. Newman, S. Dieball, C. Abrams re CS2 confidentiality agreement (0.6) Work on sub claims - subrogation issues with C. Gehle, review Goldendale settlement agreements in file for assignment of claims, etc. (1.6)	7.7
5/27/2004 DPH	Complete draft of Fountain Valley settlement Agreement, pleadings for waiver and release of POCs (2.7) Conference with C. Gehle re Wyman Gordon POC - subrogation argument (0.4) Review and transmit PGR monthly reports to N. Viscount in NJ (0.9) Call to TECO counsel re documents requested, logistics (0.3) Conferences with S. Barnett re deployment and tasking of claims team; new spreadsheet of UPP issues, item by item entitlement review (1.7) Review recent pleadings in swept funds and letter of credit litigation (0.8) call to NRG counsel re claim documentation (0.4) call to A. Troop re status of NRG and Cogentrix discovery progress (0.3)	7.5

5/28/2004 DPH	Conference call with D.Nicholson re TECO documents, responses on insurance, construction oversight, legal costs, delay damages (1.2) Conferences with S. Barnett, S. Johnson re status of claims review (0.9) study and discuss newly revised claim analysis summary for UPP, review progress for PGR, overall schedule (1.4) Conference with S. Dieball re new claims process, CS2 confidentiality agmt, Fountain Valley Settlement (0.8) e-mail exchange with Fountain Valley counsel re settlement terms, process (0.6) receive and review several newly updated spreadsheets for TECO re cash analysis, insurance, completion costs, repayment of SNC advance, exec presentations, etc. (2.1) Work on analysis of invoices for second fee request for Jan 04 to April 04 (1.3)	8.3
5/29/2004 DPH	Download and study TECO/SNC executive presentation exhibits, correlate issues with claim review issues (2.1) Work on reconciliation for second interim fee request for Jan-	3.8
5/31/2004 DPH	Review TECO spreadsheets, compare to prior TECO documents and claims team analysis (1.3) Read and study executive team presentations for PGR (1.7) Work on Second interim fee application, may invoice and time records (1.4)	4.4

Total David P. Hattery (DPH) @ \$225/hour	182.4	\$41,040.00
Total - Paralegal 1 - Lisa McClary (LM) @ \$125/hour	70.1	\$8,762.50
<b>Total Fees</b>		<b>\$49,802.50</b>
<b>80% of Fees</b>		<b>\$39,842.00</b>

Expenses

5/3 mileage to SNC Offices, Redmond (28 mi @ 0.35/mi)	\$9.80
5/4 mileage to SNC Offices, Redmond (28 mi @ 0.35/mi)	\$9.80
5/5 mileage to SNC Offices, Redmond (28 mi @ 0.35/mi)	\$9.80
5/6 mileage to SNC Offices, Redmond (28 mi @ 0.35/mi)	\$9.80
5/7 mileage to SNC Offices, Redmond (28 mi @ 0.35/mi)	\$9.80
5/27 mileage to SNC Offices, Redmond (28 mi @ 0.35/mi)	\$9.80
Fed Ex 4/2 - Fauji docs Houston to Seattle	\$11.00
Fed Ex 4/26 Teco docs from Tampa to Seattle and Atlanta	\$32.44
Fed Ex 4/27 Teco docs from Tampa to Seattle and Atlanta	\$222.24
Fed Ex - 5/7 UPP Documents to SKB Atlanta 2nd Day	\$41.45
Fed Ex - 5/7 PGR Monthly Reports Documents to SKB Atlanta 2nd Day	\$214.12
Fed Ex - 5/5 UPP Monthly Reports to SKB Atlanta	\$126.78
Sound Legal Copy - 5/6 - UPP Monthly reports 2 sets total 10,682 copies, BW oversize and	\$2,376.98
Sound Legal Copy - 5/6 - PGR Monthly reports 2 sets total 26,294 copies, BW oversize and	\$4,797.95
Sound Legal Copy - 5/7 - UPP Weekly Reports 2 sets total 2,428 copies, BW and color	\$370.53
Sound Legal Copy - 5/24 UPP Field documents	\$44.91
Presentations Group - Tampa - 2 sets of TECO project records 15,818 copies	\$1,944.68
Presentations Group - Tampa - 2 sets of TECO project records 7,144 copies	\$785.84
<b>Travel - May 16 to May 20</b>	
DPH Airfare - Delta SEA, ATL, Tampa RT (return changed to Continental via IAH, non-refundable, credit retained for future Enron travel)	\$1,350.90
DPH Airfare - Continental Tampa - Houston 5/19 Houston- Seattle 5/20	\$832.70
LM Airfare - 5/16 to 5/18 - Seattle Tampa RT	\$357.40
LM Airfare - change ticket for earlier return on 5/18 - Tampa Seattle	\$210.70
DPH Shuttle to Airport 5/16 - Vashon Shuttle RT	\$78.00
LM - Taxi Bellevue to Seatac 5/16	\$40.00
LM - 5/16 Airport food	\$5.60
LM 5/16 Taxi Tampa Airport to Hotel	\$25.00
5/17 lunch in Atlanta w/ Claims Team	\$19.13
5/16, 5/17 Holiday Inn Roswell GA	\$348.08

5/18 Lunch in Tampa - Lucky Dill	\$14.58
5/18 Dinner in Tampa, SKB, JG, LM, DPH	\$357.89
5/16 to 5/18 Hyatt Regency Tampa	\$813.13
McClary 5/16 to 5/18, DPH 5/17 to 5/18	
5/18 to 5/19 Budget rental car	\$80.25
5/19 DPH dinner in Houston Bossa	\$54.78
LM 5/19 Airport food	\$10.70
5/19 DPH Hotel in Houston - Magnolia Inn	\$162.63
LM 5/19 Taxi SEA to home	\$40.00
5/20 DPH shuttle to IAH from downtown	\$19.00
5/20 DPH taxi in Seattle	\$25.00

<b>Total Expenses</b>	<b>\$15,873.19</b>
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<b>Credit for Payment of February Invoice for Barnett Law Offices - Subsequently paid directly as an OCP - Correcting Entry</b>	<b>-\$29,074.50</b>
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<b>Total Due this Invoice</b>	<b>\$26,640.69</b>
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**June 2004 - Hattery Law Offices**

<b>Date</b>	<b>Timekeeper</b>	<b>Description</b>	<b>Time</b>
6/1/2004	DPH	Receive and review new TECO documents re UPP (2.2) e-mail and calls with claims team re UPP and PGR analysis work in weeks ahead, turnover of resources to Dell and McAdams (1.3) call with A. Troop re Cogentrix discovery, status of research for Dell McAdams, NRG, etc., potential meeting next week in Atlanta (0.6) call with J. Grajewski re TECO cash analysis (0.4) calls with C. Gehle re sub claims, subrogation legal issues (0.6) Prepare for and participate in NEPCO weekly claims conference (1.5) Receive and review UPP issues statements (1.3) e-mail and calls with TECO counsel re documents and framework for negotiations (0.7)	8.6
6/2/2004	DPH	Calls with claims team re UPP refinements, insurance proceeds, entitlement to liquidated damages and variances (1.8) calls with D. Nicholson re claim back-up documents, claim negotiation framework (0.7) study insurance policies for UPP, claims made and asserted by SNC (1.4) Analyze a number of management presentation documents produced by TECO in support of UPP and PGR claims (1.1) Work on presentation ideas for UPP and PGR negotiations and meetings in Houston 6/24 and 6/25 (2.4)	7.4
6/3/2004	DPH	Study recent pleadings for treatment of NEPCO issues (1.2) review claims team logistics for upcoming weeks, calls with S. Barnett, S. Johnson, L. McClary (1.6) work on second fee request (1.7) draft and transmit letter to TECO re outstanding documentation (0.9) review UPP insurance claim summary, compare to project correspondence collected by claims team (1.1) call with C. Abrams re CS2 confidentiality agreement, call to A. Neumann re same (0.7) call with A. Troop re 6/10 meeting in Houston, change travel plans (1.3)	8.5
	LM	Paralegal - Meet and confer with Hattery re status of tasks, upcoming document review at Iron Mountain [IM] 6/14 – 18.	0.6
6/4/2004	DPH	Review Fountain Valley settlement, e-mail and call with J. Duffy re POC on Corp. guaranty (0.7) Review UPP claim elements, update spreadsheet, review and revise claim issue summaries (3.2) Receive and new documentation from TECO, calls with D. Nicholson, S. Barnett re same (3.7) Work on second fee request (0.6)	8.2
	LM	Calls/emails to IM and SNC-Lavalin Sound Legal Copy [SLC] and Barnett to coordinate document review 6/14 – 18. Email team with directions, map to Iron Mt.	1.0
6/6/2004	DPH	Sunday - Work on UPP claim review, prepare for 6/7 meetings (1.2) work on fee statement, review and compile time records (0.6) travel from Seattle to Atlanta, actual time 8.7 hours less 1.8 working = 6.9 billed at 1/2 time (3.4)	5.2
6/7/2004	DPH	Meetings in Atlanta with S. Barnett to review and summarize UPP claim issues in detail (6.8) call with D. Nicholson, request, review and study Milam change orders (1.1) Draft analysis framework for PGR claim (1.4)	9.3
	LM	Paralegal - UPP - Organize documents and files from TECO and SNC-Lavalin. Call to Bacon at SNC-Lavalin re status of reviewing and copying project files. (1.8) PGR - Organize documents and files from TECO and SNC-Lavalin. Call to Hattery in Atlanta re coordination of document review 6/14 – 18. Organize and buy supplies for document review. (1.3)	3.1
6/8/2004	DPH	Receive and respond to e-mail (0.4) Draft Second Fee Statement (2.3) e-mail re Swept Funds litigation coordination (0.4) call with C. Gehle re FV settlement, sub claims (0.3) voice message to C. Abrams re CS2 CA (0.2) review and transmit prior draft FV settlement agreement to J. Duffy, FV counsel (0.8) update UPP delay claim with CO 15A time extension (0.6) meeting with J. Grajewski re UPP cash analysis (0.7) work with J. Grajewski, S. Barnett on UPP claim presentation ideas, ppt files (3.1) Complete narrative and schedules for Second Fee Application (1.4)	10.2
	LM	Calls to/from Warrick at SNC-Lavalin re retrieval of archived project files for Bacon's review next week.	0.4

6/9/2004	DPH	Analyze Arkansas sales and use tax implications in UPP claim, deduct (0.7) work session with S. Barnett J. Grajewski re UPP and PGR claim, lessons learned and process planning for upcoming NEPCO claims analysis (1.6) Update UPP spreadsheet (0.4) Review Viscount work product re PGR claim (0.8) conference call with Viscount, Barnett re PGR analysis (0.8) Revise and extend PGR spreadsheet, analyze COs included and excluded from claim (1.5) Travel from Atlanta to Houston (Actual time of 6.1 hours at one-half rate) (3.0)	8.8
	LM	Paralegal - Calls to Warrick at SNC-Lavalin re receipt of final list of project file boxes archived at IM. Calls/emails to Barnett and Hattery transmitting list and coordinating review 6/14 – 18.	0.8
6/10/2004	DPH	Prepare for and meet in Houston with A. Troop, L. Stoler, B. Brown, C. Gehle re NEPCO TECO claims, update claims team process, timetables (3.6) Work session with C. Gehle re Fountain Valley settlement (0.8) work with E. Chavez re OCP invoices for Viscount and Johnson (0.6) draft spreadsheet templates for Dell and McAdams (0.7) calls with L. McClary re Iron Mountain session next week (0.3) Call with S. Barnett re UPP acceleration costs, travel and agenda for next week, OCP for Bacon (0.5) call with Nicholson re status of additional documentation, Grajewski review of SNC payment and other records next week. (0.4) Travel from Houston to Seattle (Actual time of 9.2 hours billed at one-half rate) (4.6)	11.5
	LM	Paralegal - Calls/emails with Barnett re review 6/14 – 18. Calls/emails with SNC-Lavalin and IM re scope of project.	0.9
6/11/2004	DPH	Review and advance Fountain Valley Settlement with numerous calls (1.2) work on UPP and PGR claim analysis issues list (0.7) calls with L. McClary, S. Barnett re claims team work sessions next week (0.6) work on Second Fee Statement (1.3)	3.8
6/12/2004	DPH	Work on Second Fee Application, allocation of time, drafting pleadings	2.1
6/14/2004	DPH	Meet with L. McClary, claims team in Kent at Iron Mountain, review PGR records in aggregate, lien waivers in particular (2.8) Complete, file and send off Second Fee Statement (1.6) Meet with Claim review team re PGR issues, review monthly report review work product (1.6) recap UPP progress with S. Barnett (1.1) Review Dell and McAdams claims for creation of analysis sheet (2.2)	9.3
	LM	Paralegal - Meet and work with Hattery, Barnett, Johnson and Bacon at IM to review all archived project files. Coordinate review and copying select files with IM, SLC, SNC-Lavalin.	8.3
6/15/2004	DPH	Breakfast meeting with claims team, review priorities (1.4) update UPP and PGR spreadsheet claim analysis (0.7) work on presentation materials, preparation (2.6) meet with claims team to review issues list for PGR in detail, assign tasks for further review (4.5)	8.5
	LM	Coordinate with Bacon and Johnson review at IM.	0.8
6/16/2004	DPH	Breakfast meeting with claims team, assign tasks (1.3) calls with J. Grajewski re TECO tasks in Tampa (0.4) call with C. Fraccascia re TPS Dell litigation status (0.3) calls with D. Nicholson re updated and changed construction oversight claim, other issues (0.4) review new claim materials from Nicholson (1.2) review documentation and e-mail to Nicholson re legal costs in claims (1.4) draft new narrative for UPP delay damages issue (0.8) meet with claims team re PGR cash analysis, issues, changes, variances (2.6)	8.4
	LM	Calls/emails/faxes with IM account executive Weber re retrieving boxes of archived project files for closer inspection by Bacon. Coordinate with Bacon and SLC re review. Call to Hattery re updated status of review at IM.	1.5
6/17/2004	DPH	Meet with claims team, comprehensive review of all PGR issues, changes, variances and charges against claim to date (4.4) Calls with E. Chavez, J. Grajewski re OCP overpayment issues, return of wire transfer (0.7) Call with C. Abrams re CS2 confidentiality agreement (0.3) e-mail and calls with C. Gehle, K. Ahern re Cogentrix documents to be produced, confidentiality agreement (0.8) review FV dash, call with J. Duffy re FV settlement agreement (0.7) Meet again with claims team, follow up on work items, LD legal analysis (2.3)	9.2
	LM	Paralegal - Coordinate with Bacon and IM continued review of archived project files. Call	0.3



to Hattery re updated status of review at IM.

6/18/2004	DPH	UPP PGR Claims team meeting, review task lists, completed items (2.3), draft LD analysis for PGR (1.1) Fountain Valley - redraft DASH, calls with St. Paul representative re bond litigation settlement (1.3) Cogentrix - work on confidentiality issues, SNC inclusion, documents requested, claims team prep (1.1) Calls with D. Nicholson re construction oversight revisions, legal costs included, Milan and Barcus costs, changes (0.8) Review PGR issues list in detail with claims team, prepare revised spreadsheet of adjustments (1.5)	8.1
	LM	Paralegal - Confer with Hattery re status of project tasks.	0.4
6/21/2004	DPH	Complete FV dash, transmit to Gehle (1.9) conferences with Brown, Stoler and Troop re UPP and PGR claim status, review meeting re-scheduling (1.4) reschedule travel (0.4) analyze UPP legal costs in spreadsheet (0.8) receive and review CS2 confidentiality agreement, call to A. Newman (0.7)	5.2
	LM	Organize and index TECO record set of files, record and organize files recently selected at Iron Mountain and SNC Lavalin.	6.3
6/22/2004	DPH	Complete review and analysis of UPP and PGR claimed legal costs, forward spreadsheet to SKB (2.4) work on risk adjustments to UPP and PGR claims (3.3) Participate in bimonthly NEPCO claim status conference call (0.7) conference with S. Barnett, J. Grajewski re results of payment sampling, inclusion in claim analysis (0.4) select and send HSB materials to A. Troop for conference with V. Beagles (0.8) Handle AES Wolf Hollow safety warning re gage cocks on boiler level controls. forward to D. Crowe (0.4) Transmittal letter to A. Niemann re CS2 CA (0.6)	8.6
6/23/2004	DPH	Conference with L. Stoler, A. Troop, B. Brown, S. Barnett re UPP and PGR claims, TECO negotiations (1.4) Study cash analysis for UPP PGR (1.2) continue work on PowerPoint for UPP claim (3.2) HSB - calls and e-mail with A. Troop re prior analysis, need to compel cooperation (0.7)	6.5
6/24/2004	DPH	Read and study UPP claim documentation, create and revise PowerPoint presentation (4.8) Receive and review new analysis of construction oversight, calls with S. Barnett (1.1) Review Fountain Valley Settlement draft, proof of claim v. Enron Corp. (0.5) Organize travel plans to Houston 7/6 to 7/8 (0.6) Set up and organize conference re HSB Pakistan litigation with Troop, Beagles, Rosshandler. (0.8)	7.8
6/25/2004	DPH	Conference with D. Nicholson re scheduling of negotiations (0.8) calls with S. Barnett, J. Grajewski re payments made after commercial operation, construction oversight (1.3) follow up with D. Nicholson re 6/28 work session (0.6) Work draft PowerPoint on UPP to completion, transmit to Barnett for review (2.4) calls with T. Cochrane, message to B. Brown re Nepcan (0.4) transmit potential defect in valve notice to Donne Crowe, counsel to Wolf Hollow (0.4) Review HSB memo, e-mail on status of Weil support (0.8) Review and respond to Fountain Valley Settlement revisions (0.9) e-mail to K. Ahern re Cogentrix/SNC confidentiality issues (0.6) call to A. Niemann re Coyote Springs 2 Confidentiality Agreement (0.3)	8.5
6/30/2004	DPH	Prepare for and participate in HSB conference call (1.5) calls with S. Barnett, S. Dieball re TECO negotiations scheduling, preparation sessions in Houston (0.6)	2.1

Total David P. Hattery (DPH) @ \$225/hour	165.8	\$37,305.00
Total - Paralegal 1 - Lisa McClary (LM) @ \$125/hour	24.4	\$3,050.00
<b>Total Fees</b>		<b>\$40,355.00</b>
<b>80% of Fees</b>		<b>\$32,284.00</b>

Expenses

Outside Copy Expenses

5/28 Minuteman - Goldendale settlements	\$32.01
6/1 - Sound Legal Copy A. Bacon PGR documents	\$117.50
5/31 Presentations Group Tampa, TECO documents	\$17.28
5/12 Sound Legal Copy - McAdams Contract scan w/exhibits	\$251.81
6/14 Minuteman - Second fee stmt copies	\$20.11

Delivery Charges

5/28 Fed Ex from Tampa to SEA	\$30.53
5/27 DHL PGR Monthly to Viscount ion NJ	\$110.26
5/28 DHL Goldendale Settlement Agmts to Gehle in Houston	\$13.10
6/14 Postage for Second Fee Stmt USPS	\$20.57

**Travel - 6/6 to 6/10 Atlanta, Houston**

Airfare coach ticket SEA to ATL Roundtrip Delta (carry forward credit of \$1055.10)	\$2,031.50
Ticket change - add Houston - Continental	\$1,241.70
Ground Transportation - 6/6 Vashon Shuttle to Seatac	\$56.00
6/9 Houston IAH - Downtown	\$19.00
6/10 Downtown to IAH	\$19.00
Meals - 6/7 lunch with S Barnett	\$69.58
6/7 Dinner with S. Barnett	\$71.58
6/8 Lunch with J. Grajewski, S. Barnett	\$63.77
6/9 Lunch w/Grajewski, Barnett	\$65.44
6/9 Breakfast - Hotel	\$12.65
Lodging Roswell, GA Holiday Inn 6/6 to 6/8	\$394.81
Four Seasons Houston 6/9	\$228.15
6/14 dinner with claims team, Bacon, McClary, Viscount	\$102.27
6/15 Lunch with claims team, Barnett, Viscount	\$54.64
6/14 mileage to meet w/claims team in Kent, WA	\$20.30
6/14 parking, ferry toll	\$19.70

**Total Expenses** **\$5,083.26**

**Total Due this Invoice** **\$37,367.26**

**To July 15, 2004 - Hattery Law Offices**

<b>Date</b>	<b>Timekeeper</b>	<b>Description</b>	<b>Time</b>
6/28/2004	LM	Paralegal - Organize documents, chron files - Dell (2.1) McAdams (2.2)	4.3
7/5/2004	DPH	Read and study new UPP claim analysis (2.2), incorporate changes into PowerPoint (4.6) Calls with S. Barnett re scheduling, deployment of claims team (0.6) review e-mails and new audit results for UPP and PGR (1.4)	8.8
7/6/2004	DPH	Review and expand PGR Powerpoint presentation (2.3) Study UPP and PGR audit results for incorporation into presentation (2.2) revise and edit UPP .ppt file (1.3) Travel to Houston - actual time of 8.2 hours, less 3.5 hrs worked = 4.7 hours billed at 1/2 time) (2.3) Meet with S. Barnett in Houston, review new claim risk analysis spreadsheets (0.9) revise UPP ppt in preparation for meeting (0.4)	9.4
7/7/2004	DPH	Meetings in Houston w/ A. Troop, L. Stoler, B. Brown, S. Barnett re TECO claims negotiation preparation, review strategy (3.3) Work with S. Barnett re UPP claim presentation materials revisions (1.1) meeting with S. Dieball, L. Stoler, A. Troop, B. Brown re meeting preparations, strategy (1.6) work session with S. Barnett reviewing analysis revising claim sheets (3.8)	9.8
7/8/2004	DPH	Meetings in Houston with TECO negotiation team (3.1) conference with D. Nicholson re claim analysis, meeting expectations (0.3) work with S. Barnett re risk assessment analysis (2.7) work in transit on presentation outline and strategy (1.2) travel from Houston to Vashon Island WA (actual time of 7.7 hours less 1.2 work in transit = 6.5) (3.2)	10.5
7/9/2004	DPH	Conference with S. Barnett re claim covers and documentation presentation (0.4) receive and review claim cover sheets (2.6) conferences with D. Nicholson re claim analysis reactions (0.8) conference with Barnett, summarize in e-mail (1.2) revise .ppt introduction, transmit to B. Brown (0.6) receive and review OCP invoices from Viscount, Barnett (0.7) work on Fountain Valley settlement dash (0.6) Cogentrix, review recent correspondence and claim memo (1.2) Call from Nicholson re rescheduling 7/15 meeting (0.4)	8.5
7/10/2004	DPH	Review potential to change UPP and PGR claims re construction oversight, review audit results and proration methodology (2.1) continue work on presentation, coversheet summaries (0.8)	2.9
7/12/2004	DPH	Assemble and update claims files for UPP PGR (1.2) E-mail to negotiation team re possibility for rescheduling of 7/15 meeting (0.4) conference with S. Dieball, A. Troop CDU claims team re Calpine sub claims objections (0.8) research recent TECO management changes (0.7) continue review and edit of claim cover sheets (2.7) receive Cogentrix claim boxes, review contents (0.4) review Southaven and Caledonia memos for legal justification (2.1) review UPP and PGR audit results for conference call Tuesday AM (0.8)	9.1
	LM	Paralegal - meetings at SNC avalin, Redmond, WA with N. Viscount reviewing documents for Dell (1.3) McAdams (1.2)	2.5
7/13/2004	DPH	Prepare for and conduct conference with J. Grajewski, S. Barnett re audit results and proration (1.7) calls with B. Brown, L. Stoler re TECO negotiations (0.8) receiver and review new warranty claim from TECO, conference with S. Barnett (1.1) read and study KPMG audit, transmit to J. Grajewski (1.7) calls with N. Viscount at SNC offices (0.4) meeting with L. McClary re Cogentrix claims and documents, filing systems (0.4) prepare for and participate in NEPCO "engineering claims" status meeting (0.8) calls and e-mail with C. Gehle re Fountain Valley settlement (0.7) work on Calpine Goldendale audit, transmit to J. Grajewski (0.6)	8.2
	LM	Paralegal - meetings and work at Seattle office reviewing Dell and McAdams project files selected for copying be claims team; Dell (3.2) McAdams (3.3)	5.5

7/14/2004 DPH		9.1	
	Revise and redraft UPP powerpoint, incorporating new cover sheets and analysis, calls with S. Barnett, N. Viscount (4.3) calls with D. Nicholson, S. Barnett re TECO audit additional information (0.8) work on OCP issues for Bacon (0.7) review June OCP invoices, transmit to Houston (0.8) conference with B. Kirshofer re CDU claims process (0.4) e-mail to J. Duffy re Fountain Valley Enserco involvement (0.6) work on audit results summary for UPP (1.5)		
LM	Paralegal - review archived project files with A. Bacon, S. Johnson and N. Viscount at Iron Mountain, Kent, WA; Dell (3.9) McAdams (3.9)	7.8	
7/15/2004 DPH		11.4	
	Conferences with J. Grajewski re TECO audit information requests (0.6) continue work on UPP presentation and analysis (4.6) calls and e-mail with C. Gehle re Fountain Valley DASH, study new draft DASH (1.3) work on PGR claim presentation using new updates (3.8) calls with claims team re Dell and McAdams document review at Iron Mountain, options for obtaining information from SNC (1.1)		
LM	Paralegal - review archived project files with A. Bacon, S. Johnson and N. Viscount at Iron Mountain, Kent, WA; Dell (1.8) McAdams (1.9)	3.7	
	Total David P. Hattery (DPH) @ \$225/hour	87.7	\$19,732.50
	Total - Paralegal 1 - Lisa McClary (LM) @ \$125/hour	23.8	\$2,975.00
	<b>Total Fees</b>		<b>\$22,707.50</b>
	<b>80% of Fees</b>		<b>\$18,166.00</b>
	<b>Expenses</b>		
	<u>Outside Copy Expenses</u>		
	Sound Legal Copy - Gila River inv 21314	\$1,029.07	
	Sound Legal Copy - Dell McAdams Inv 21831	\$214.38	
	Sound Legal Copy - Dell McAdams Inv 21769	\$119.59	
	Sound Legal Copy - Dell McAdams Inv 21809	\$224.82	
	Minuteman Press - TECO	\$18.60	
	<u>Delivery Charges</u>		
	Federal Express TECO Claims	\$109.61	
	Express One - DHL - PGR	\$13.44	
	Iron Mountain - UPP PGR Access and filing 6/14	\$3,820.31	
	Iron Mountain - Dell McAdams access and filing 7/14	\$1,118.95	
	<u>Travel - 7/6 to 7/8 Houston</u>		
	Airfare Continental Coach	\$763.70	
	Taxi to Airport Seattle 7/6	\$28.00	
	Houston Shuttle IAH to Downtown	\$19.00	
	Magnolia Inn 7/6, 7/7	\$325.26	
	Dinner 7/6 - S. Barnett	\$45.40	
	Dinner 7/7 - S. Barnett	\$80.00	
	Lunch 7/8 Brown, Dieball, Barnett, DPH	\$55.47	
	Houston Shuttle Downtown to IAH	\$22.00	
	Taxi to Ferry from SeaTac 7/8	\$30.00	
	Lunch w/Nick Viscount Seattle	\$30.30	
	<b>Total Expenses</b>		<b>\$8,067.90</b>
	<b>Total Due this Invoice</b>		<b>\$26,233.90</b>