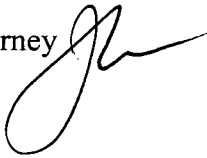


MEMORANDUM

TO: The Honorable Chair and City Councilmembers
FROM: John C. Wolfe, City Attorney 
DATE: December 18, 2006
RE: Payment of Outside Counsel for Representation in Titan/Ocean Jewel Bankruptcy

The City's claims against Titan Cruise Lines, Inc. and Ocean Jewel Casino & Entertainment, Inc. in bankruptcy court have been concluded. As you will recall, because of the complexities of the maritime and bankruptcy issues involved, I authorized the employment of Fowler, White, Boggs & Banker, P.A. ("Fowler White") to represent the City's interest pursuant to the City Attorney's authority to expend up to \$5,000.00 for outside counsel. Fowler White has represented the City in the past in matters relating to maritime and bankruptcy law.

On July 6, 2006, City Council authorized continuing Fowler White's representation and authorized a total expenditure of \$15,000.00. On April 28, 2006, the City paid Fowler White \$4,653.20.

The City's original claims totaled \$161,137.95. Through Fowler White's efforts in the bankruptcy proceedings, the City has recovered a total amount of \$152,491.85. The Titan bankruptcy case as to the City's claim has concluded and Fowler White's representation is complete.

Since the first payment to Fowler White, the City has received two invoices totaling \$15,048.51. I am requesting authorization for a full and final payment of \$20,048.41, which covers Fowler White's representation in this matter and includes the previous authorization of \$15,000.00, plus an additional \$5,048.41.

Resolution No. 2006-_____

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO PAY THE LAW FIRM OF FOWLER, WHITE, BOGGS & BANKER, P.A. AS SPECIAL COUNSEL FOR LEGAL SERVICES ASSOCIATED WITH CITY'S CLAIMS IN THE CHAPTER 11 BANKRUPTCY OF TITAN CRUISE LINES, INC. AND OCEAN JEWEL CASINO AND ENTERTAINMENT, INC. IN AN AMOUNT NOT TO EXCEED \$20,048.41 AS FULL AND FINAL PAYMENT FOR LEGAL SERVICES RENDERED AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is a creditor of Titan Cruise Lines, Inc. and Ocean Jewel Casino & Entertainment, Inc., both of which are currently in bankruptcy under Chapter 11 of the United States Bankruptcy Code; and

WHEREAS, because of the complexities of maritime and bankruptcy issues involved, the law firm of Fowler, White, Boggs & Banker, P.A. ("Fowler White") was originally retained by the City Attorney to represent the City in that proceeding, including but not limited to filing claims, appearing at hearings, and recovering amounts due to the City under previously executed, but now terminated agreements, and;

WHEREAS, City Council authorized continuation of representation and payment of fees and costs not to exceed \$15,000.00; and

WHEREAS, the total amount of the City's bankruptcy claim was \$161,137.95; and

WHEREAS, Fowler White has successfully recovered \$152,491.85 for the City; and

WHEREAS, the City has paid Fowler White \$4,653.20 to date; and

WHEREAS, the City has received two invoices from Fowler White, since the last payment, in the total amount of \$15,048.51 which represents the remaining costs and fees due for its representation; and

WHEREAS, the payment authorization requested herein includes all prior authorizations, plus an additional \$5,048.40; and

WHEREAS, Fowler White's representation of the City in the bankruptcy case is complete;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the City Attorney is hereby authorized to pay fees and legal costs in the amount of \$20,048.41 to the law firm of Fowler White Boggs & Banker, P.A. as special counsel for legal services associated with the City's claims in the Chapter 11 bankruptcy of Titan Cruise Lines, Inc. and Ocean Jewel Casino and Entertainment, Inc.

This resolution shall take effect immediately upon its adoption.

City Attorney (Designee)

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