



12 South Center Street
Bensenville, IL 60106

Office: 630.350.3404
Fax: 630.350.3438
www.bensenville.il.us

VILLAGE BOARD

President
Frank DeSimone

Board of Trustees
Rosa Carmona
Ann Franz
Agnieszka "Annie" Jaworska
McLane Lumar
Nicholas Panicola Jr.
Armando Perez

Village Clerk
Nancy Quinn

Village Manager
Evan K. Summers

September 21, 2017

Ms. Daria Palermo
Law Offices of Rubin & Associates, LLC
205 West Wacker Drive, Suite 705
Chicago, Illinois 60606

Re: September 14, 2017 FOIA Request

Dear Ms. Palermo:

I am pleased to help you with your September 14, 2017 Freedom of Information Act ("FOIA"). The Village of Bensenville received your request on September 14, 2017. You requested copies of the items indicated below:

"All documents, invoices, payments, vouchers and paid bills paid to the firm of Schirott & Luetkehans P.C, attorneys Phillip A. Luketkehans and Brian J. Armstrong in case #2006 TX 000006 Case name: In the Manner of Bensenville, DuPage and Cook Counties, Illinois North Industrial Park Special Assessment No. 1 for Roadway, Water Service, Sanitary Sewer and Reservoir Channel Improvements and All Related costs to such improvements."

After a search of Village files, the following documents are enclosed to fulfill your request:

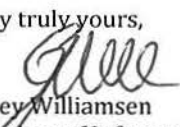
- 1) Invoices from Schirott & Luetkehans, P.C. from 1/05/2009, 3/27/2009, 4/16/2009, 4/22/2009, 4/27/2009 for Professional Services: Bensenville Special Service Area (BSSA). (13 pgs.)

These are all of the documents that can be discovered responsive to your request.

The Village of Bensenville was approved by the Local Records Commission of the State of Illinois on August 25, 2014 for record destruction. Part of the destruction approved for invoices ranging from the dates of 2005-2008. Records that would have been responsive to your request may or may not have been destroyed.

Do not hesitate to contact me if you have any questions or concerns in connection with this response.

Very truly yours,


Corey Williamsen
Freedom of Information Officer
Village of Bensenville

SCHIROTT & LUETKEHANS, P.C.
ATTORNEYS AT LAW
105 EAST IRVING PARK ROAD
ITASCA, ILLINOIS 60143

PHONE: 630 / 773-8500
FAX: 630 / 773-1006

James Johnson, Village Manager
Village of Bensenville
12 South Center Street
Bensenville IL 60106

Page: 1
01/05/2009
Account No: 3100-3508M
Statement No: 26

FOR PROFESSIONAL SERVICES:

Bensenville Special Service Area (BSSA)

			Hours
11/03/2008	BJA	Review Bourke deposition re: issues/objections to remaining improvements.	2.00
	PAL	Review Gorski email.	0.10
	PAL	Correspondence to Gorski and BJA.	0.60
11/06/2008	BJA	Draft #1 of Motion to Reconsider, Memorandum of Law and Notice of Appeal.	2.00
	BJA	Research re: Motion to Reconsider, staying enforcement of judgment and time to appeal.	3.00
11/07/2008	BJA	Meeting with PAL @ office re: strategy and settlement.	0.40
	BJA	Telephone conferences with Gorski and PAL.	0.40
	BJA	Review and revise Notice of Appeal, Motion to Reconsider and Memorandum of Law re: Motion to Reconsider.	0.70
	PAL	Telephone conferences with Gorski and BJA.	0.40
	PAL	Meeting with BJA re: strategy and settlement.	0.40
11/10/2008	BJA	Continued drafting Motion to Reconsider.	1.00
	BJA	Review depositions and revised estimate of costs and abandonment resolution to begin preparation of revised roll.	4.50
1/11/2008	BJA	Draft #1 of Memorandum re: issues re: spreading new roll.	1.00
	BJA	Review and abstract 2nd Session of Bourke deposition and begin abstracting McGree deposition.	6.00
1/12/2008	BJA	Review and revise abstract of McGree deposition.	1.00
	BJA	Continued preparation of abstract of McGree deposition.	1.00
	BJA	Review correspondence and FOIA requests received from	

Bensenville Special Service Area (BSSA)

			Hours	
		Marshall.	0.40	
	BJA	Correspondence to Marshall.	0.50	
	BJA	Review and revise abstract of Bourke deposition and memorandum re: Motion to Reconsider.	1.50	
/17/2008	LC	Pick-up Defendant's Bensenville original exhibits from Judge Popejoy @ Wheaton re: Howe.	0.50	
	BJA	Meeting with PAL @ office re: strategy.	0.20	
	BJA	Telephone conferences with Powers and Dwyer.	0.20	
	BJA	Review and revise Memorandum of Law re: Motion to Reconsider.	0.40	
	PAL	Review and revise Motion to Reconsider FOIA ruling.	0.40	
	PAL	Meeting with BJA @ office re: strategy.	0.20	
/18/2008	BJA	Draft #1 of abstract of Marshall deposition.	4.50	
/19/2008	LC	Clerk of the Circuit Court of DuPage County - file Notice of Motion, Notice of Filing, Motion to Reconsider and Memorandum in Support of Motion to Reconsider @ Wheaton re: Howe.	1.50	
	BJA	Correspondence to Ramello.	0.20	
/20/2008	BJA	Telephone conference with Marshall.	0.30	
	BJA	Correspondence to Judge Popejoy.	0.50	
/24/2008	BJA	Correspondence to Marshall.	0.10	
/25/2008	BJA	Review Larsen supplemental opinion disclosure.	0.50	
	BJA	Review ordinance.	0.20	
	BJA	Correspondence to Marshall and MaRous.	0.60	
	BJA	Review and revise Marshall deposition abstract.	2.00	
		For Current Services Rendered	39.20	6,135.00

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Phillip Luetkehans	2.10	\$190.00	\$399.00
Brian J. Armstrong	35.10	160.00	5,616.00
Law Clerk	2.00	60.00	120.00

1/17/2008 Westlaw computerized legal research for October 2008 (check no. 24279).

242.47

James Johnson, Village Manager

Page: 3

01/05/2009

Account No: 3100-3508M
Statement No: 26

Bensenville Special Service Area (BSSA)

11/17/2008	Law clerk travel expense to Wheaton re: Howe.	11.11
11/19/2008	Law clerk travel expense to Wheaton re: Howe.	22.23
11/30/2008	Photocopies for the month of November 2008.	12.90
11/30/2008	Postage for November 2008.	3.27
11/30/2008	Faxes for the month of November 2008.	3.00
	Total Expenses	294.98
	<u>Total Current Work</u>	6,429.98
	Previous Balance	\$14,423.95
	<u>Balance Due</u>	<u>\$20,853.93</u>

Your account is 30 days past due.

PLEASE INDICATE YOUR FILE NUMBER WHEN MAKING A PAYMENT
SCHIROTT & LUETKEHANS, P.C. FEDERAL ID# 36-3317368

SCHIROTT & LUETKEHANS, P.C.
ATTORNEYS AT LAW
105 EAST IRVING PARK ROAD
ITASCA, ILLINOIS 60143

PHONE: 630 / 773-8500
FAX: 630 / 773-1006

James Johnson, Village Manager
Village of Bensenville
12 South Center Street
Bensenville IL 60106

Page: 1
03/27/2009
Account No: 3100-3508M
Statement No: 29

FOR PROFESSIONAL SERVICES:

Bensenville Special Service Area (BSSA)

			Hours
02/02/2009	SJL	Research re: whether attorney fee petition after post trial motion tolls time to file appeal.	5.70
	BJA	Review correspondence from Gorski.	0.20
02/03/2009	SJL	Research re: whether fee petition tolls time to file appeal.	1.40
	BJA	Telephone conference with Storino.	0.10
	BJA	Review correspondence from JSD.	0.20
02/06/2009	BJA	Telephone conference with Storino.	0.50
02/08/2009	SJL	Research re: whether fee petition tolls time to file appeal.	0.60
02/10/2009	SJL	Meeting with BJA @ office re: research.	0.30
	BJA	Meeting with SJL @ office re: appeal.	0.30
02/11/2009	BJA	Telephone conference with Marshall.	0.50
02/16/2009	BJA	Draft #1 and #2 of response to procedural objection.	2.50
	BJA	Research re: standing, notice of defaulted parties.	2.00
	BJA	Telephone conference with MaRous.	0.30
02/17/2009	BJA	Continued drafting response to procedural objection.	2.00
	PAL	Meeting with Marshall @ Bensenville.	0.70
02/18/2009	BJA	Draft #1 and #2 of settlement letter.	1.00
	BJA	Review correspondence from Williamson and attachments.	0.20
	BJA	Correspondence to Gorski.	0.20
	BJA	Review correspondence from Gorski.	0.20

Bensenville Special Service Area (BSSA)

			Hours	
	PAL	Telephone conference with BJA.	0.20	
	BJA	Telephone conference with PAL.	0.20	
02/19/2009	BJA	Finalize response to procedural objections.	0.50	
	BJA	Prepare response to procedural objections for filing and service.	0.30	
02/20/2009	BJA	Correspondence to all counsel.	0.20	
	BJA	Correspondence to PAL, Gorski et al.	0.50	
	BJA	Review correspondence from Gorski.	0.20	
	LC	Clerk of the Circuit Court of DuPage County - File Notice of Filing and Petitioner's Response to the Procedural Objection of Capital Auto Enterprise, Inc. @ Wheaton.	0.50	
02/23/2009	BJA	Telephone conference with Marshall.	0.20	
	BJA	Review correspondence from Marshall and Gorski.	0.40	
		For Current Services Rendered	22.10	3,513.00

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Phillip Luetkehans	0.90	\$190.00	\$171.00
Brian J. Armstrong	12.70	160.00	2,032.00
Stephanie J. Luetkehans	8.00	160.00	1,280.00
Law Clerk	0.50	60.00	30.00

02/11/2009	Westlaw computerized legal research for January 2009 (check no. 24453).	56.21
02/20/2009	Law clerk travel expense to Wheaton.	10.45
02/28/2009	Photocopies for the month of February 2009.	44.50
02/28/2009	Postage for February 2009.	13.14
02/28/2009	Faxes for the month of February 2009.	6.00
	Total Expenses	130.30
	<u>Total Current Work</u>	3,643.30
	Previous Balance	\$5,297.35
	<u>Balance Due</u>	<u>\$8,940.65</u>

James Johnson, Village Manager

Page: 3

03/27/2009

Account No: 3100-3508M

Statement No: 29

Bensenville Special Service Area (BSSA)

Your account is 30 days past due.

PLEASE INDICATE YOUR FILE NUMBER WHEN MAKING A PAYMENT
SCHIROTT & LUETKEHANS, P.C. FEDERAL ID# 36-3317368

SCHIROTT & LUETKEHANS, P.C.
ATTORNEYS AT LAW
105 EAST IRVING PARK ROAD
ITASCA, ILLINOIS 60143

PHONE: 630 / 773-8500
FAX: 630 / 773-1008

James Johnson, Village Manager
Village of Bensenville
12 South Center Street
Bensenville IL 60106

Page: 1
04/16/2009
Account No: 3100-3508M
Statement No: 30

FOR PROFESSIONAL SERVICES:

Bensenville Special Service Area (BSSA)

			Hours
03/03/2009	BJA	Telephone conference with Hastings.	0.30
03/04/2009	BJA	Review response brief re: procedural objections.	0.50
03/06/2009	BJA	Telephone conferences with Marshall and Geils.	0.50
	BJA	Review and revise settlement offer letter.	0.70
03/09/2009	BJA	Telephone conference with Marshall.	0.50
	BJA	Review and revise correspondence re: offer letter.	0.50
03/10/2009	BJA	Correspondence to Geils, Marshall, et al.	0.30
	BJA	Review and revise offer letters re: water and sewer projects.	0.70
03/11/2009	BJA	Telephone conference with Marshall.	0.30
	BJA	Revise letters re: settlement offer.	0.50
	BJA	Review correspondence and revisions to letters from Marshall.	0.30
03/12/2009	BJA	Telephone conference with Ramello.	0.30
	BJA	Correspondence to Marshall, et al.	0.40
03/13/2009	BJA	Telephone conference with Marshall.	0.50
	BJA	Correspondence to counsel and Dwyer.	0.40
	BJA	Review and revise letters re: offers.	0.20
03/16/2009	BJA	Telephone conferences with Storino and Mary.	0.70
	BJA	Correspondence to Mary @ Bensenville.	0.20
03/19/2009	BJA	Telephone conference with Storino.	0.50

Bensenville Special Service Area (BSSA)

Account No:
Statement No:

			Hours
03/20/2009	BJA	Telephone conference with Martin.	0.10
03/24/2009	BJA	Telephone conference with Martin.	0.20
03/26/2009	BJA	Telephone conferences with Martin and PAL.	0.60
	BJA	Prepare argument re: motion to reconsider.	2.00
	PAL	Telephone conference with BJA.	0.20
03/27/2009	BJA	Telephone conference with PAL.	0.20
	BJA	Court appearance before Judge Popejoy re: hearing on motion to reconsider.	2.60
	BJA	Correspondence to Marshall.	0.50
	PAL	Telephone conference with BJA.	0.20
04/01/2009	SJL	Research re: whether a fee petition filed after a final order tolls the 30 day period to file an appeal.	3.10
04/02/2009	SJL	Meeting with BJA @ office re: research.	0.20
	SJL	Research re: whether 304 A language is required to prevent tolling of time to appeal due to statutory attorney fee shifting provision.	0.70
	BJA	Meeting with SJL @ office re: research.	0.20
04/03/2009	BJA	Telephone conference with Heinke.	0.10
04/06/2009	BJA	Review and analyze supplemental fee petition and time entries of Ramello.	1.50
04/08/2009	BJA	Telephone conferences with Heinke, PAL and Ramello.	0.80
	BJA	Prepare for argument on Augustynski motion re: notice to defaulted parties.	1.50
	PAL	Telephone conference with BJA.	0.20
04/09/2009	BJA	Telephone conference with Heinke.	0.30
	BJA	Correspondence to PAL.	0.20
	BJA	Court appearance before Judge Popejoy re: Ramello fee petition.	2.40
	BJA	Correspondence to Marshall and counsel.	1.30
	PAL	Review and respond to BJA e-mails re: strategy.	0.50
	BJA	Court appearance before Judge Dudgeon re: hearing on petition to abandon.	2.70
04/10/2009	PAL	Review BJA correspondence to Marshall.	0.20

James Johnson, Village Manager

Page: 3

04/16/2009

Account No: 3100-3508M

Statement No: 30

Bensenville Special Service Area (BSSA)

	Hours	
PAL Review MaRous bill.	0.10	
PAL Review Reinke e-mails re: Executive Session Minutes and litigation.	0.20	
PAL Review BJA e-mail re: Judge Dudgeon ruling.	0.10	
BJA Draft #1 of docketing statement.	1.50	
For Current Services Rendered	32.70	5,283.00

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Phillip Luetkehans	1.70	\$190.00	\$323.00
Brian J. Armstrong	27.00	160.00	4,320.00
Stephanie J. Luetkehans	4.00	160.00	640.00

03/17/2009	Westlaw computerized legal research for February 2009 (check no. 24505).	143.71
03/31/2009	Photocopies for the month of March 2009.	1.00
03/31/2009	Faxes for the month of March 2009.	7.00
03/31/2009	Postage for March 2009.	4.38
04/09/2009	BJA travel expense to Wheaton.	20.90
04/09/2009	Westlaw computerized legal research for March 2009 (check no. 24572).	2.51
04/10/2009	Photocopies for the month of April 2009.	5.50
04/10/2009	Postage for April 2009.	4.38
	Total Expenses	189.38
	<u>Total Current Work</u>	<u>5,472.38</u>
	Previous Balance	\$8,940.65
	<u>Balance Due</u>	<u>\$14,413.03</u>

Your account is 60 days past due.

PLEASE INDICATE YOUR FILE NUMBER WHEN MAKING A PAYMENT
SCHIROTT & LUETKEHANS, P.C. FEDERAL ID# 36-3317368

SCHIROTT & LUETKEHANS, P.C.

ATTORNEYS AT LAW
105 EAST IRVING PARK ROAD
ITASCA, ILLINOIS 60143

PHONE: 630 / 773-8500
FAX: 630 / 773-1006

James Johnson, Village Manager
Village of Bensenville
12 South Center Street
Bensenville IL 60106

Page: 1

04/22/2009

Account No: 3100-3508M
Statement No: 31

FOR PROFESSIONAL SERVICES:**Bensenville Special Service Area (BSSA)**

			Hours	
04/11/2009	BJA	Telephone conference with Marshall.	0.20	
	BJA	Review and revise docketing statement.	0.50	
04/14/2009	BJA	Draft #1 of motion to stay enforcement.	0.70	
	BJA	Research re: stay of enforcement of judgment.	0.50	
	BJA	Draft #1 and #2 of response to supplemental fee petition.	3.00	
04/16/2009	BJA	Research re: time for filing docketing statement and requesting report of proceedings.	0.50	
	BJA	Correspondence to clerk of court, court reporter and Judge Popejoy.	1.50	
	BJA	Prepare motion to stay enforcement of judgment for filing and service.	0.30	
	LC	Clerk of the Circuit Court of DuPage County - file Notice of Filing, Motion to Stay Enforcement of Judgment and deliver envelope to Judge Popejoy @ Wheaton re: Howe.	0.50	
		For Current Services Rendered	7.70	1,182.00

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Brian J. Armstrong	7.20	\$160.00	\$1,152.00
Law Clerk	0.50	60.00	30.00

04/16/2009	Law clerk travel expense to Wheaton.	20.90
04/22/2009	Photocopies through 04/22/09.	1.80

James Johnson, Village Manager

Page 2

04/22/2009

Account No: 3100-3508M

Statement No: 31

Bensenville Special Service Area (BSSA)

04/22/2009	Faxes through 04/22/09.	2.00
	Total Expenses	24.70
	<u>Total Current Work</u>	1,206.70
	Previous Balance	\$14,413.03
	<u>Balance Due</u>	<u>\$15,619.73</u>

Your account is 60 days past due.

PLEASE INDICATE YOUR FILE NUMBER WHEN MAKING A PAYMENT
SCHIROTT & LUETKEHANS, P.C. FEDERAL ID# 36-3317368

SCHIROTT & LUETKEHANS, P.C.
ATTORNEYS AT LAW
105 EAST IRVING PARK ROAD
ITASCA, ILLINOIS 60143

PHONE: 630 / 773-8500
FAX: 630 / 773-1006

James Johnson, Village Manager
Village of Bensenville
12 South Center Street
Bensenville IL 60106

Page: 1
04/27/2009
Account No: 3100-3508M
Statement No: 32

FOR PROFESSIONAL SERVICES:

Bensenville Special Service Area (BSSA)

			Hours	
04/24/2009	BJA	Court appearance before Judge Popejoy re: Motion to Stay.	3.00	
	BJA	Correspondence to Marshall and Ramello re: enforcement of judgment.	0.70	
	BJA	Prepare and file notice of appeal.	3.00	
	BJA	Draft #1 of Notice of Filing of Appeal to appellate court.	0.30	
		For Current Services Rendered	7.00	1,120.00

Recapitulation

<u>Timekeeper</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Brian J. Armstrong	7.00	\$160.00	\$1,120.00

Total Current Work

1,120.00

Previous Balance

\$15,619.73

04/24/2009	payment received--thank-you. Village of Bensenville (check no. 00121569) Statement #27.	-2,313.74
04/24/2009	payment received--thank-you. Village of Bensenville (check no. 00121569) Statement #28.	-2,983.61
04/24/2009	payment received--thank-you. Village of Bensenville (check no. 00121569) Statement #29.	-3,643.30
	Total Payments	-8,940.65
	<u>Balance Due</u>	<u>\$7,799.08</u>

James Johnson, Village Manager

Page: 2

04/27/2009

Account No: 3100-3508M

Statement No:

32

Bensenville Special Service Area (BSSA)

PLEASE INDICATE YOUR FILE NUMBER WHEN MAKING A PAYMENT
SCHIROTT & LUETKEHANS, P.C. FEDERAL ID# 36-3317368
