



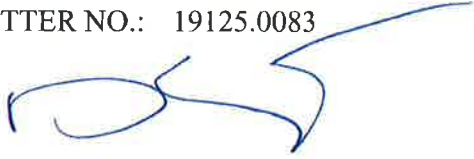
MEMORANDUM

TO: Central Florida Expressway Authority Board Members CLIENT-MATTER NO.: 19125.0083

FROM: David A. Shontz, Esq., Right-of-Way Counsel

DATE: January 23, 2017

RE: State Road 429 Wekiva Parkway, Project 429-203; Parcel 166 – Howard Riley Proposed Mediated Settlement Including Fees and Costs

A handwritten signature in blue ink, appearing to be "David A. Shontz", is written over the "FROM:" line and extends into the "CLIENT-MATTER NO.:" field.

Shutts & Bowen LLP, Right-of-Way Counsel, seeks the approval by the CFX Board of a proposed mediated settlement between Howard Riley dba The Rat Guy, (the "Owner") and the Central Florida Expressway Authority (the "CFX") for the acquisition of leasehold improvements located on Parcel 166 (the "Taking" or "Property") for the construction of State Road 429 Wekiva Parkway, Project 429-203.

DESCRIPTION AND BACKGROUND

Howard Riley dba The Rat Guy, was a tenant on Parcel 166 ("Subject Property") from which 4.014 acres was acquired for construction of the Wekiva Parkway, Section 429-203. During his approximate 4-year tenancy, Mr. Riley constructed a rodent-breeding facility consisting of two (2) mobile trailer homes over which was built a 1,750 sf wooden frame pole barn. The facility includes dirt floors, open sides and a metal roof, plumbing, electrical, and contained cages for containment of the rats which were sold as reptile food. Mr. Riley additionally had a metal shed used as the actual breeding facility for the rats.

The CFX's appraisal of Parcel 166 was prepared by Christopher D. Starkey, MAI, of Integra Realty Resources Orlando which included no contributory value for the improvements which were subsequently determined to be owned by Mr. Riley. Approximately one (1) week before the Order of Taking hearing in this matter, David Holloway, counsel for Mr. Riley, advised that Mr. Riley had tenant-owned improvements on the subject property that were not valued, and threatened to attempt to defeat the Order of Taking. Accordingly, Mr. Starkey was instructed to prepare an addendum to his report. He used Marshall Valuation Service to estimate the depreciated replacement cost of the 1,750 sf pole barn, without including in his estimate the 2 mobile trailer homes because they were considered non-permanent structures, capable of being moved. The effective age of the improvements was estimated to be 12 years and the economic

life of the improvements was estimated to be 25 years, providing the depreciation rate of 48% for the structure. The estimated replacement cost new of the structure, including indirect costs and entrepreneurial profit was \$24,371; the 48% depreciation was \$11,698, providing an indicated value of \$12,700 for the pole barn.

Bradley J. Pierson of Pierson Appraisal Group provided an appraisal of contributory improvements on behalf of Mr. Riley. Mr. Pierson considered the tenant improvements and equipment, including the electric and water service, metal sinks and racks, a small metal shed, an 8' x 12' metal trailer, wood steps and decking, and one of two metal pole structures, as a "functional unit" for the rodent-breeding facility. Additionally, Mr. Pierson indicated the actual age of the improvements is 4 years, based upon when Mr. Riley actually constructed the facility, and the average estimated effective age as 10 years with a life expectancy of 25 to 35 years. Mr. Pierson valued total reproduction cost of the tenant-owned improvements, including site work, profit, soft costs, legal and engineering costs, permitting and management at \$92,690. Utilizing Marshall Swift, Mr. Pierson opined the improvements should be depreciated at 20% (\$18,540), leaving an indicated value of the entire improvement package by the cost approach of \$74,150.

Although not commonly seen in claims relative to tenant owned improvements, Mr. Holloway's theory of a "functional unit" was created by the New Jersey Supreme Court in 1964 and is recognized under Florida Law. The argument raised by Mr. Holloway and valued by Mr. Pierson was that the rat breeding business was a functional unit and therefore it was worth much while in place but worth little when disassembled.

We certainly disputed the functional unit argument, however it is ultimately a question of fact for the jury to decide and likely would not have been precluded via pre-trial motions. If it was determined that the rat breeding business was a functional unit, the valuation would be the difference between the value of the machinery in place and its salvage value, which is exactly the valuation provided by Mr. Pierson. Alternatively, the cost of disassembling, trucking and reassembling the machinery may be calculated and should not exceed the valuation reached under the first method.

When analyzing what we believed to be the likely lesser valuation of disassembling, trucking and reassembling the rat breeding business, those numbers would likely be in excess of \$53,000. Furthermore, the attorney's fees incurred by Mr. Holloway in prosecution of this matter would fall under §73.092(2), *Florida* Statutes, which provides an hourly basis, in addition to expert's costs.

Trial of this matter was scheduled to begin on April 10, 2017, and the parties agreed to mediation prior to completion of extensive pre-trial discovery. During mediation, the parties were able to reach a settlement in the amount of \$102,000 including all claims related to the improvements and business damages, attorney's fees and costs and experts' fees and costs.

For the above-cited reasons, Right-of-Way counsel requests the Board approve the all-inclusive mediated settlement in the amount of \$102,000 which is in the CFX's best interest. Settlement of the underlying claim, and all fees and costs will eliminate further risk and

unnecessary expenses that the CFX will ultimately incur with further litigation of the condemnation action to acquire the tenant-owned improvements located on Parcel 166.

At its January 25, 2017 meeting, the CFX Right-of-Way Committee voted to recommend approval of the mediated settlement to the CFX Board.

RECOMMENDATION

We respectfully request that the CFX Board approve the proposed settlement agreement with a total settlement of \$102,000 in full settlement of all claims for compensation in the acquisition of the tenant-owned improvements located on Parcel 166, including all statutory attorney's fees and costs and all experts' fees and costs.

ATTACHMENTS

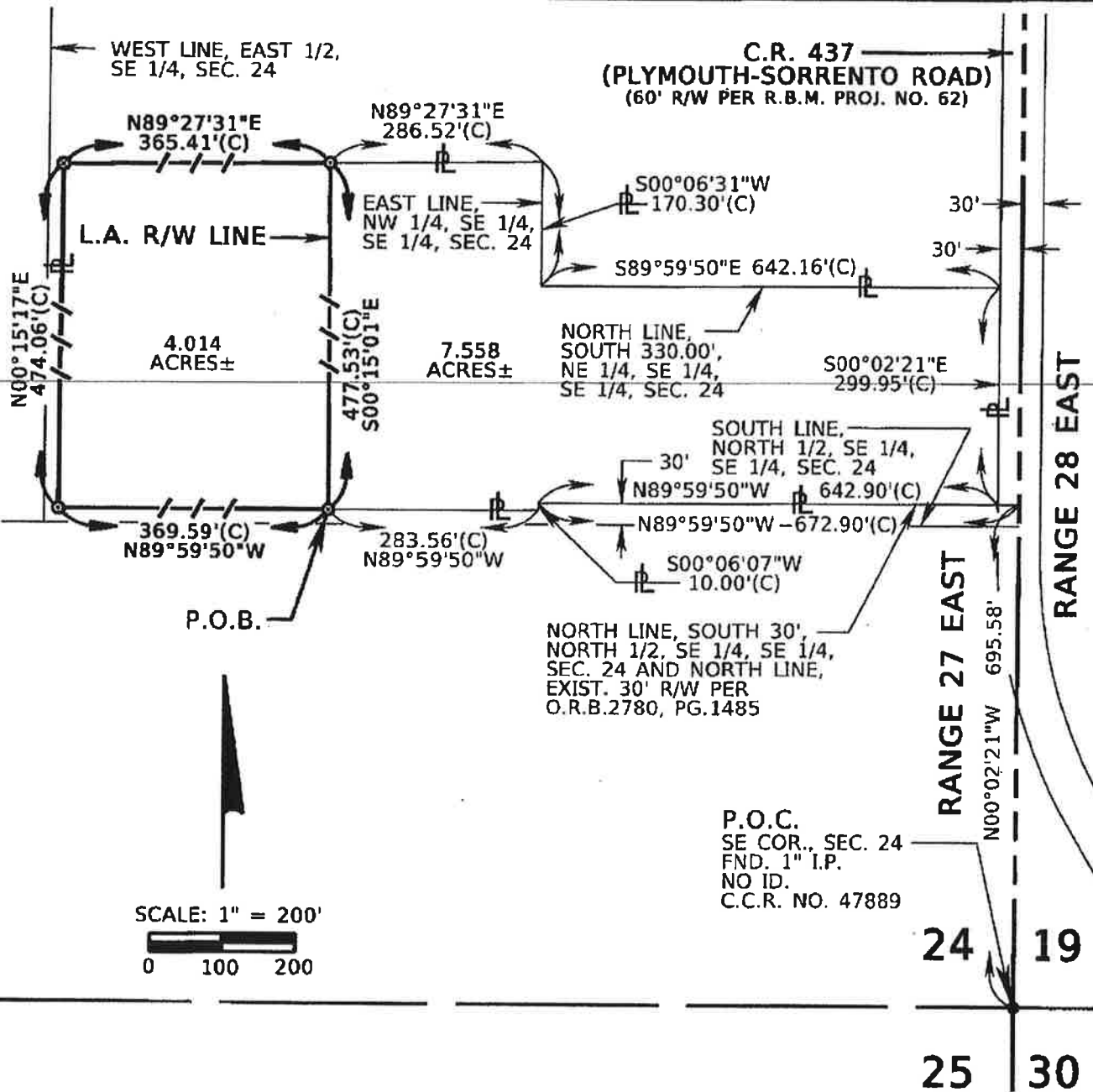
- Exhibit "A" – Sketch of the Subject Property
- Exhibit "B" – Photographs of the Subject Property and Area
- Exhibit "C" – Mediated Settlement Agreement – All Inclusive – Parcel 166
- Exhibit "D" – Experts Invoices

Reviewed by: _____


General Counsel

ORLDOCS 15176393 1

BEARING STRUCTURE BASED ON THE EAST LINE OF THE SOUTHEAST 1/4 OF SEC. 24-20-27, BEING $N00^{\circ}02'21''W$, FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1983/2007 ADJUSTMENT.



SECTION 24, TOWNSHIP 20 SOUTH PROJECT NO. 429-203

I HEREBY CERTIFY THAT THIS SKETCH OF DESCRIPTION IS IN ACCORDANCE WITH THE "MINIMUM TECHNICAL STANDARDS" AS REQUIRED BY CHAPTER 5-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

William E. Byrd 3/16/13 DATE
 WILLIAM E. BYRD, R.S.M. LICENSE NUMBER 2442

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

CERTIFICATION OF AUTHORIZATION No. LB 1221



520 SOUTH MAGNOLIA AVENUE
 ORLANDO, FLORIDA 32803
 (407) 643-5120
 FAX 407-649-8664

SKETCH OF DESCRIPTION. THIS IS NOT A BOUNDARY SURVEY.

S.R. 429 (WEKIVA PARKWAY)
 ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY
 ORANGE COUNTY, FLORIDA

PARCEL 166

SCALE: 1" = 200'

SHEET 2 OF 2



Area of Taking



Parent Tract

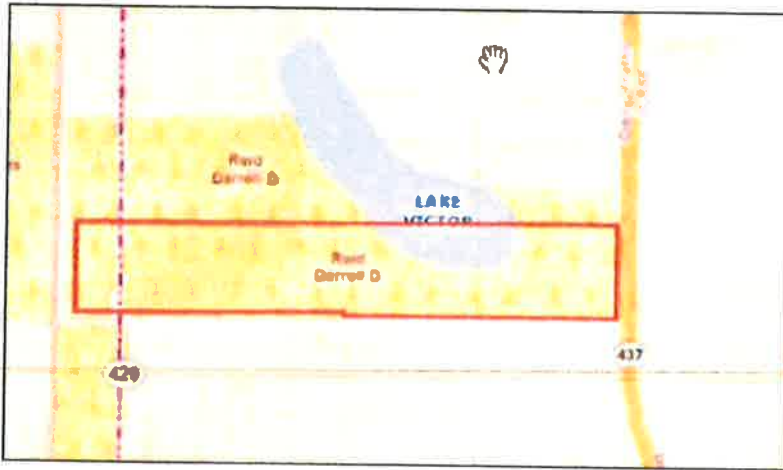
Wekiva Parkway Project 429-203(1B) Parcel 166

3134 Plymouth Sorrento Road

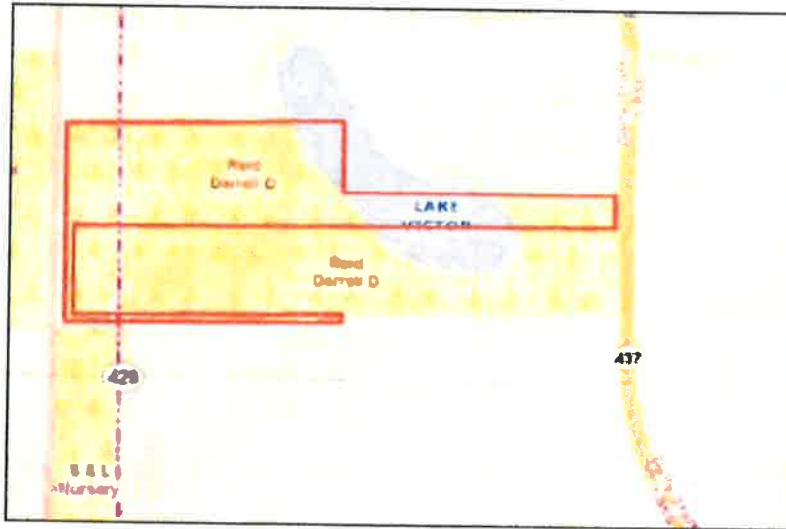
Apopka, Florida

Tax Maps

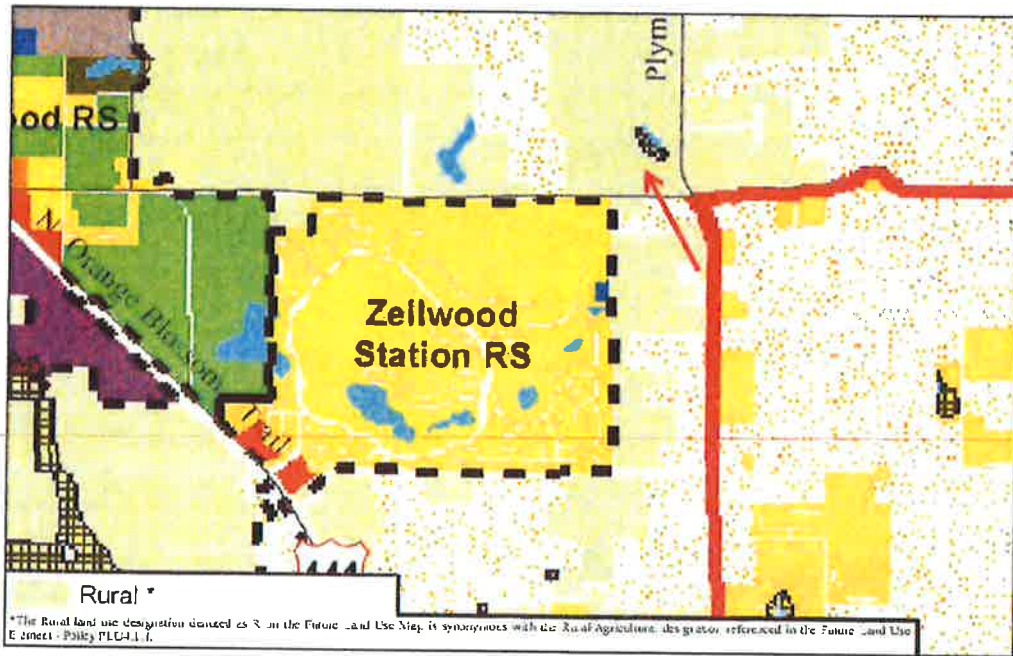
Parcel 24-20-27-0000-00-010



Parcel 24-20-27-0000-00-107



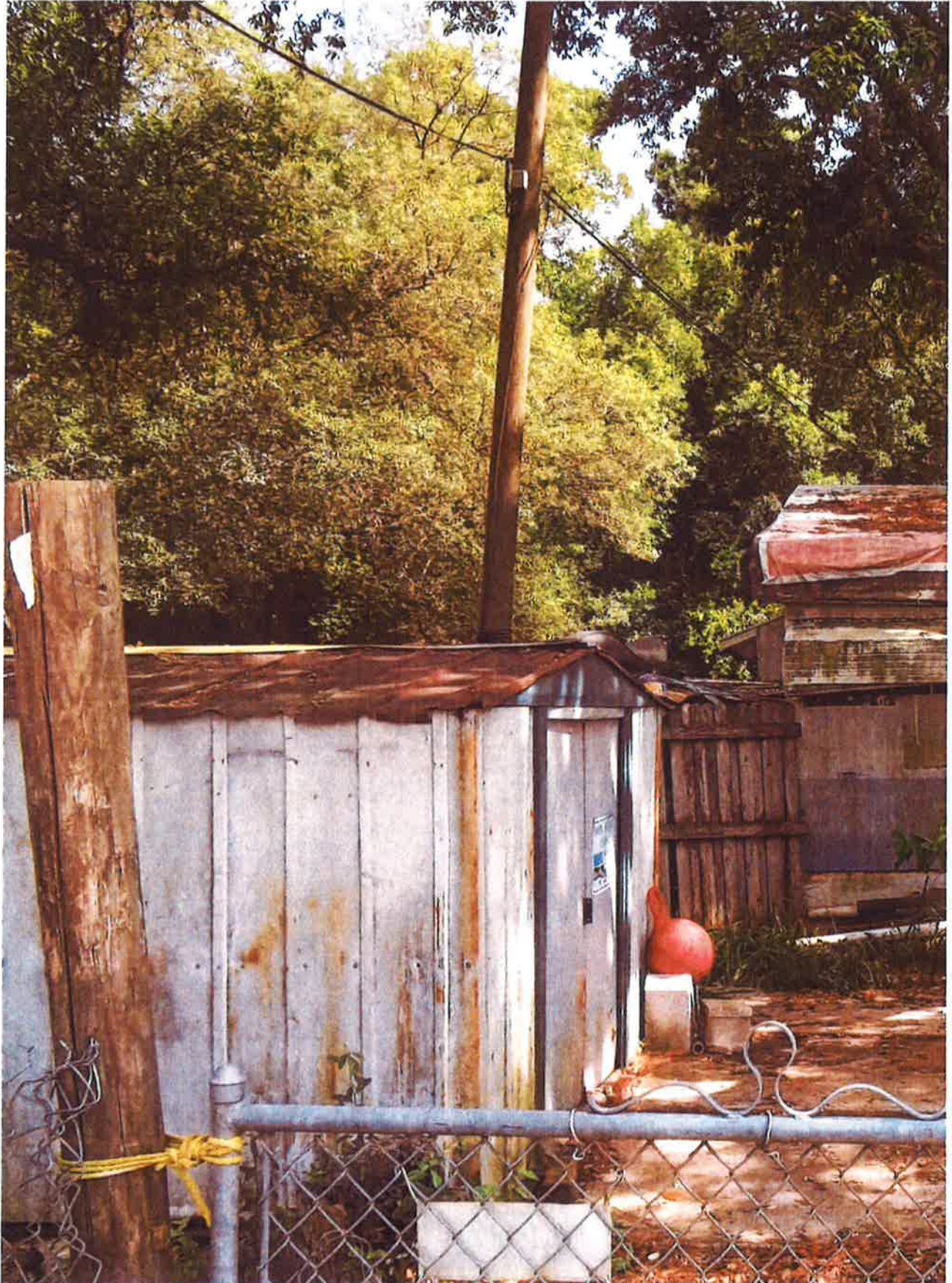
Future Land Use Map



*See map footnote

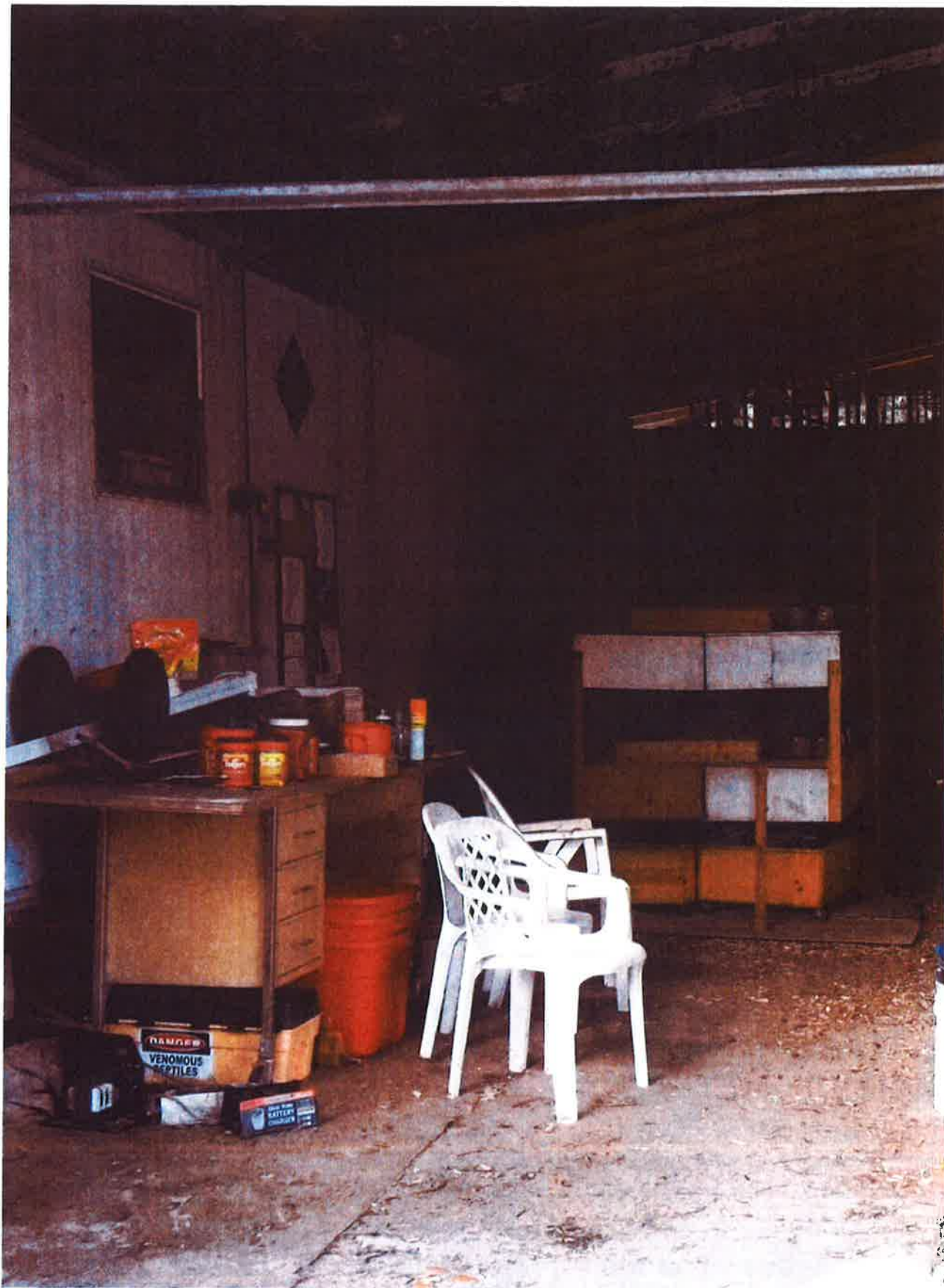


EXHIBIT "B"











IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

CENTRAL FLORIDA EXPRESSWAY AUTHORITY,
body politic and corporate, and an agency of the state
under the laws of the State of Florida,

CASE NO: 2014-CA-003698-0

Subdivision 39

Petitioner,

Parcel 166

vs.

DARRELL REID, KATIE J. REID,
et. al.

Respondent(s).

MEDIATED SETTLEMENT AGREEMENT (ALL INCLUSIVE)

At the Mediation Conference held on Jan. 4, 2017,
Respondent(s), HOWARD RILEY, individually and d/b/a The Rat Guy and
representatives of the Central Florida Expressway Authority reached the following Settlement
Agreement:

1. Petitioner will pay to Respondent(s), HOWARD RILEY, individually
and d/b/a The Rat Guy
(referred to as "Respondent") the sum of ONE HUNDRED TWO THOUSAND
Dollars
exactly (\$ 102,000), in full settlement of all claims for compensation from Petitioner
whatsoever for the taking of Parcel 166, including statutory interest and all
claims related to real estate and business damages, severance damages, tort damages, attorney's
fees and litigation costs, expert witness fees, and costs. ~~The settlement sum may be subject to~~
~~claims of apportionment by any party in this case having a property interest in or a lien on the~~
~~subject property.~~ Petitioner previously deposited in the Registry of the Court Petitioner's good
faith estimate in the amount of
TWELVE THOUSAND SEVEN HUNDRED
Dollars (\$ 12,700). Within thirty days (30) days from the date of receipt by
Petitioner's counsel of a conformed copy of the Stipulated Final Judgment, Petitioner will pay to
Respondent, by deposit in the Registry of the Court the sum of EIGHTY-NINE
THOUSAND THREE HUNDRED Dollars
exactly (\$ 89,300), representing the difference between the total settlement sum
referenced above and the Petitioner's previous deposit in this case.

2. This Settlement Agreement will be placed on the agenda for the Right of Way
("ROW") Committee and Central Florida Expressway Authority ("CFX") Board and is
conditioned upon final approval by the ROW Committee and then the CFX Board.

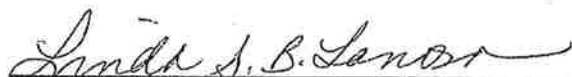
3. The parties agree to continue the trial of this matter pending review by the CFX ROW Committee and CFX Board.

4. The parties agree to waive any confidentiality provisions set forth in Chapter 44 of Florida Statutes, the Florida Rules of Civil Procedure, and the Florida Rules of Evidence, if applicable, for the limited purpose of consideration of this proposed Settlement Agreement by the ROW Committee and the CFX Board.


5. Counsel for Petitioner will submit to the Court a standard Motion for Stipulated Final Judgment containing the terms and conditions of this Settlement Agreement within fifteen (15) days from the date of approval of this Settlement Agreement by the CFX Board.


6. This Agreement resolves all claims whatsoever, including claims of compensation arising from the taking of Parcel 166, severance damages, business damages, tort damages, interest, attorney's fees, attorney's costs, expert fees, expert costs, and any other claim.

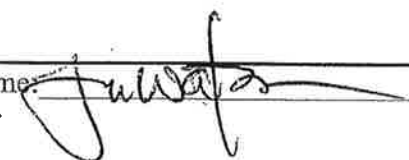
7. This Settlement Agreement, executed by the parties and their counsel on this 4th day of JAN. 2017 ~~2016~~, contains all the agreements of the parties.

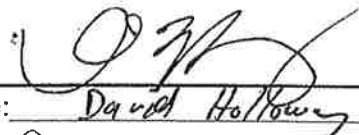

Print Name: LINDA S. B. LANOSA
Central Florida Expressway Authority

Print Name: _____
Owner


Print Name: David A. Shatz
Counsel for CFX


Print Name: HOWARD RILEY
Owner


Print Name: _____
Mediator


Print Name: David Holloway
Attorney for Owner

**HOWARD RILEY d/b/a THE RAT GUY
WEKIVA PARKWAY PARCEL #166**

DATE	INITIALS	DESCRIPTION	TIME	RATE	AMOUNT
4/22/2014	DWH	telephone call from Howard Riley re lawsuit	0.80	\$425	\$340.00
4/23/2014	DWH	review Wekiva Parkway	0.80	\$425	\$340.00
5/14/2014	DWH	review Petition, Notice of Lis Pendens, and other initial pleadings; review Answer of tax collector and begin work on Answer	1.00	\$425	\$425.00
5/15/2014	DWH	finalize Answer, draft Notice of Merit Availability and Designation of E-Mail Address	1.40	\$425	\$595.00
5/15/2014	MR	scan, e-file and e-serve Answer, Designation of E-Mail Addresses and Notice of Merit Availability; prepare copies for mailing	0.40	\$125	\$50.00
5/19/2014	DWH	meet with client for file review; photograph; review appraisal; draft Witness List	7.50	\$425	\$3,187.50
5/19/2014	MR	scan, e-file and e-serve Witness List	0.20	\$125	\$25.00
5/20/2014	DWH	prepare hire letter for Brad Pierson, appraiser	0.10	\$425	\$42.50
5/27/2014	DWH	telephone call with Brad Pierson	1.10	\$425	\$467.50
5/29/2014	DWH	receipt and review of draft appraisal	1.60	\$425	\$680.00
5/30/2014	DWH	receipt and review of Stipulated Order of Taking (Reid)	0.10	\$425	\$42.50
6/3/2014	DWH	telephone call to Brad Pierson re items in take and possible relocation items; receipt and review of revisions	1.30	\$425	\$552.50
6/9/2014	DWH	receipt of Notice of Deposit (Reid); telephone call to client	0.80	\$425	\$340.00
6/13/2014	DWH	receipt and review of Notice to Business Owner; telephone calls to and from client	0.90	\$425	\$382.50
6/25/2014	DWH	review of appraisal; receipt and review of email from David Shontz, Esquire; telephone call to client; telephone call to David Shontz, Esquire, LPA	0.80	\$425	\$340.00
6/26/2014	DWH	telephone call to David Shontz, Esquire	0.10	\$425	\$42.50
6/27/2014	DWH	telephone call with David Shontz, Esquire; review, sign and email Stipulated Order of Taking	0.70	\$425	\$297.50
7/2/2014	DWH	receipt of Petitioner's Motion for Entry of Order Directing Clerk of Court to Change Style of Case and Notice of Hearing	0.20	\$425	\$85.00
7/7/2014	DWH	receipt of Order Directing Clerk to Change Style of Case	0.10	\$425	\$42.50
7/9/2014	DWH	telephone call to client	0.30	\$425	\$127.50
7/15/2014	DWH	receipt of Stipulated Order of Taking; telephone call to client	0.40	\$425	\$170.00
7/22/2014	DWH	receipt of Notice of Deposit; telephone calls (2) to client	0.80	\$425	\$340.00
8/1/2014	JR	begin review and organization of file	1.60	\$125	\$200.00

8/11/2014	DWH	letter to Mr. Riley enclosing good faith deposit	0.10	\$425	\$42.50
8/25/2014	JR	email to Deborah Reddick	0.10	\$125	\$12.50
10/14/2014	DWH	telephone call to Brad Pierson re items to be valued	0.60	\$425	\$255.00
10/15/2014	DWH	telephone call from Brad Pierson	0.70	\$425	\$297.50
10/16/2014	JR	office conference with DWH	0.10	\$125	\$12.50
10/27/2014	DWH	review draft appraisal; telephone call to Brad Pierson demolition of improvements	1.00	\$425	\$425.00
10/28/2014	DWH	telephone call from Brad Pierson re pictures of the demolition of tenant owned improvements	0.90	\$425	\$382.50
10/30/2014	JR	office conference with DWH; email to David Shontz, Esquire; draft Notice of Exchange; scan, copy and e-file Notice of Exchange	0.90	\$125	\$112.50
11/3/2014	JR	receipt and review of email from Brad Pierson; telephone call to Brad Pierson	0.10	\$125	\$12.50
11/4/2014	DWH	telephone call to client; email to David Shontz, Esquire re mediation	0.30	\$425	\$127.50
11/6/2014	JR	telephone conference with DWH; telephone call to David Shontz, Esquire - LM; draft Notice to Set Cause for Trial	0.40	\$125	\$50.00
11/10/2014	JR	office conference with DWH; review judicial procedures re trial	0.40	\$125	\$50.00
11/10/2014	DWH		0.80	\$425	\$340.00
11/17/2014	JR	office conference with DWH; draft Reverse Offer of Judgment	0.60	\$125	\$75.00
11/17/2014	DWH	telephone call with client re reverse offer of judgment draft Notice of Service of Defendant's Proposal for Settlement and Offer of Judgment; scan, copy and e- serve Notice of Service; prepare copies for mailing; update pleadings index	0.20	\$425	\$85.00
11/19/2014	JR	scan, e-file and e-serve Notice to Set Cause for Jury Trial; prepare copies for mailing; update pleadings index	0.50	\$125	\$62.50
11/20/2014	JR	review letter; telephone conference with client; email response	0.40	\$125	\$50.00
11/20/2014	DWH	review letter; telephone conference with client; email response	1.10	\$425	\$467.50
11/24/2014	DWH	receipt and review of correspondence from David Shontz, Esquire re appraisal and personal property	0.20	\$425	\$85.00
11/24/2014	JR	review file; begin organization of pleadings	1.00	\$125	\$125.00
11/25/2014	JR	review docket; complete organization of pleadings; create pleadings index	3.00	\$125	\$375.00
11/26/2014	JR	research case law	0.80	\$125	\$100.00
12/12/2014	JR	telephone call from Dora at Orange County Tax Collector's office	0.20	\$125	\$25.00
12/18/2014	JR	telephone call from client re pictures	0.10	\$125	\$12.50
2/20/2015	JR	review judicial procedures; telephone call to Diane, J.A. to Judge Kest	0.50	\$125	\$62.50

2/23/2015	JR	telephone call from Diane, J.A. to Judge Kest; draft Motion for Case Management Conference	0.50	\$125	\$62.50
3/6/2015	JR	draft Notice of Unavailability	0.20	\$125	\$25.00
3/10/2015	JR	receipt and review of Notice of Mediation Conference; update pleadings index	0.10	\$125	\$12.50
3/13/2015	JR	office conference with DWH re mediation	0.20	\$125	\$25.00
3/17/2015	JR	telephone call to Ashley re mediation	0.10	\$125	\$12.50
3/18/2015	JR	scan, e-file and e-serve Notice of Unavailability; prepare copies for mailing; update pleadings index	0.50	\$125	\$62.50
3/18/2015	DWH	research Wekiva Parkway Project	0.80	\$425	\$340.00
3/19/2015	JR	office conference with DWH; email to Kurt Bauerle, Esquire	0.30	\$125	\$37.50
4/1/2015	DWH	telephone conference with David Shontz, Esquire re proposed Stipulated Order of Taking; email from David Shontz, Esquire	0.50	\$425	\$212.50
4/2/2015	DWH	email to David Shontz, Esquire	0.20	\$425	\$85.00
4/6/2015	DWH	telephone call to Brad Pierson	0.50	\$425	\$212.50
4/14/2015	JR	receipt and review of Notice of Cancellation of Mediation; update pleadings index	0.10	\$125	\$12.50
4/29/2015	JR	telephone conference with DWH; telephone call to Kurt Bauerle, Esquire re trial date - LM	0.10	\$125	\$12.50
5/11/2015	JR	receipt of Disclaimer of Interest of Orange County Tax Collector; update pleadings index	0.10	\$125	\$12.50
5/13/2015	JR	receipt of Notice of Dropping Party - Orange County Tax Collector; update pleadings index; update certificate of service	0.30	\$125	\$37.50
5/24/2015	DWH	telephone call with Brad Pierson, appraiser	0.90	\$425	\$382.50
6/23/2015	DWH	telephone call with client re reverse offer of judgment; office conference with JR	0.40	\$425	\$170.00
6/23/2015	JR	office conference with DWH re Reverse Offer of Judgment; draft Notice of Service of Defendant's Proposal for Settlement and Offer of Judgment; e-file and e-serve Notice of Service; update pleadings index	0.90	\$125	\$112.50
6/25/2015	JR	office conference with DWH; e-file and e-serve Motion for Case Management Conference; update pleadings index	0.30	\$125	\$37.50
6/26/2015	JR	telephone call to Mary Farmer - LM; email from Mary Farmer re CMC hearing and trial dates	0.20	\$125	\$25.00
6/29/2015	JR	receipt and review of upcoming trial dates for Judge Kest	0.10	\$125	\$12.50
6/30/2015	JR	emails to and from Mary Farmer re phone conference and mediator	0.20	\$125	\$25.00
7/7/2015	JR	emails to and from Judy Rivals re mediation dates	0.20	\$125	\$25.00
7/8/2015	JR	emails from and to Mary Farmer re mediator and dates; email from Judy Rivals	0.40	\$125	\$50.00

7/13/2015	JR	receipt and review of email from Judy Rivais; telephone call to Mary Farmer	0.20	\$125	\$25.00
7/14/2015	JR	emails to and from Mary Farmer re mediator; review calendar; office conference with DWH; emails to and from Judy Rivais, paralegal to Mark Linsky	1.10	\$125	\$137.50
7/16/2015	DWH	telephone call from client re pictures	0.30	\$425	\$127.50
7/16/2015	JR	office conference with DWH; email to Deborah Reddick	0.10	\$125	\$12.50
7/17/2015	DWH	telephone call from Brad Pierson re subject property	1.00	\$425	\$425.00
7/20/2015	DWH	receipt and review of terms of engagement letter from Cathy M. McLeary, mediator case manager	0.20	\$425	\$85.00
7/21/2015	DWH	email from Mary Farmer re mediator fees	0.10	\$425	\$42.50
7/31/2015	JR	review mediator engagement letter; emails to and from Mary Farmer re mediator fees	0.20	\$125	\$25.00
8/3/2015	JR	receipt and review of Notice of Mediation Conference; calendar; update pleadings index	0.20	\$125	\$25.00
8/3/2015	JR	receipt and review of CFX Notice Identifying Party Representative with Settlement Authority; update pleadings index	0.20	\$125	\$25.00
8/4/2015	JR	email to Brad Pierson	0.10	\$125	\$12.50
8/13/2015	DWH	letter to Mr. Riley re mediation	0.10	\$425	\$42.50
8/14/2015	JR	draft Notice Identifying Party Representative with Settlement Authority; e-file and e-serve Notice; update pleadings index	0.40	\$125	\$50.00
8/26/2015	DWH	telephone call from client re status of case	0.30	\$425	\$127.50
9/23/2015	DWH	research and prepare for mediation	3.00	\$425	\$1,275.00
9/23/2015	JR	telephone call to client re mediation	0.10	\$125	\$12.50
9/24/2015	DWH	prepare for and attend mediation	8.00	\$425	\$3,400.00
9/24/2015	DWH	telephone conference with JR re mediation and next step	0.20	\$425	\$85.00
9/24/2015	JR	telephone conference with DWH re mediation and next step; research personal property vs. real property issue	0.60	\$425	\$255.00
9/25/2015	JR	review procedure re Judge John Marshall Kest; draft Notice to Set Case for Jury Trial and to Advance the Trial on the Docket; draft Request for Production	0.80	\$125	\$100.00
5/25/2016	JR	review file re Reverse offer of judgment; telephone call to Diane Iacone, JA to Judge Kest; memo to file	0.40	\$125	\$50.00
7/7/2016	JR	telephone conference with DWH; telephone call to Diane Iacone; telephone call to Mary Farmer - LM; meet with DWH to review pleadings and procedures	0.60	\$125	\$75.00
7/7/2016	DWH	telephone conference with JR; telephone call from client; review pleadings	0.80	\$425	\$340.00

7/8/2016	JR	finalize Notice to Set Cause for Jury Trial and to Advance the Trial on the Docket; letter to Judge John Kest; efile and eserve Notice for Jury Trial; email to David Shontz, Esquire and Howard Morlan, Esquire	0.90	\$125	\$112.50
7/8/2016	DWH	final review and revisions to Notice to Set Cause for Jury Trial and Advance on Docket	0.30	\$425	\$127.50
7/11/2016	JR	draft Notice of Unavailability; efile and eserve Notice; update pleadings index	0.50	\$125	\$62.50
7/14/2016	JR	receipt and review of Order Setting Status Hearing; office conference with DWH; update pleadings index	0.50	\$125	\$62.50
7/14/2016	DWH	office conference with JR re status hearing	0.20	\$425	\$85.00
7/22/2016	JR	draft Notice of Rescheduled Status Hearing; efile and eserve Notice; update pleadings index and calendar; email from Mary Fargnoli	0.80	\$125	\$100.00
7/25/2016	JR	review JACS for available hearing dates and times; telephone call to Diane Macconne - LM; email to and from Mary Fargnoli	0.60	\$125	\$75.00
7/26/2016	JR	telephone call to Diane Macconne; reserve hearing date on JACS; draft second Notice of Rescheduled Status Hearing; efile and eserve Notice; update pleadings index and calendar	0.70	\$125	\$87.50
7/29/2016	DWH	telephone call from client; email to David Shontz, Esquire	0.60	\$425	\$255.00
8/5/2016	DWH	research Motion to Bifurcate	1.50	\$425	\$637.50
8/8/2016	JR	office conference with DWH	0.20	\$125	\$25.00
8/8/2016	DWH	telephone call with Kurt Bauerle, Esquire; office conference with JR	0.50	\$425	\$212.50
8/9/2016	JR	letter to client	0.10	\$125	\$12.50
8/22/2016	JR	telephone call to client	0.10	\$125	\$12.50
8/23/2016	DWH	travel to and from hearing	2.50	\$425	\$1,062.50
8/23/2016	DWH	telephone call to client; prepare for and attend hearing	1.50	\$425	\$637.50
9/6/2016	JR	receipt and review of Uniform Order Setting Case for Jury Trial, Pre-Trial Conference and Setting Case Management Deadlines; calculate deadlines; telephone call to Brad Pierson	0.60	\$125	\$75.00
9/7/2016	JR	office conference with DWH re trial, expert reports and mediation; calendar trial related dates; letter to Brad Pierson; draft subpoena	0.80	\$125	\$100.00
9/7/2016	DWH	office conference with JR re trial, expert reports and mediation	0.30	\$425	\$127.50
9/28/2016	JR	receipt and review of Motions for Final Judgment by Default (3); receipt of Final Judgments by Default; update Certificate of Service	0.30	\$125	\$37.50
10/3/2016	JR	telephone from and email to DWH	0.20	\$125	\$25.00

10/4/2016	DWH	review Trial Order; review and revise List of Witnesses for Trial; telephone calls to and from Brad Pierson; review appraisal update letter; telephone call from Kurt Bauerle, Esquire	3.50	\$425	\$1,487.50
10/4/2016	JR	review Trial Order; draft Notice of Exchange; draft Defendant's List of Witnesses for Trial; office conference with DWH; efile and eserve Notice and Witness List; email to David Shontz, Esquire and Kurt Bauerle, Esquire	1.30	\$125	\$162.50
10/4/2016	DWH	receipt and review of Respondent Reid's Witness List	0.20	\$425	\$85.00
10/5/2016	DWH	review Reid appraisal; review witness list of CFX	1.00	\$425	\$425.00
10/5/2016	JR	telephone call from and to DWH; review Petitioner's Witness List and Notice of Exchange; review Trial Order; review CFX appraisal	0.90	\$125	\$112.50
10/6/2016	JR	email to Brad Pierson; organize file; update pleadings index	1.70	\$125	\$212.50
10/6/2016	DWH	review CFX appraisal; telephone call to Brad Pierson	1.60	\$425	\$680.00
10/7/2016	DWH	telephone call to Brad Pierson re improvements	0.60	\$425	\$255.00
11/7/2016	JR	email from and to Mary Farmer re discovery deadlines; office conference with DWH	0.20	\$125	\$25.00
11/7/2016	DWH	office conference with JR re deadlines	0.10	\$425	\$42.50
11/8/2016	DWH	email to Mary Farmer re scheduling of depositions; email from David Shontz, Esquire; email to David Shontz, Esquire and Kurt Bauerle, Esquire	0.40	\$425	\$170.00
11/14/2016	DWH	emails to and from Mary Farmer re depositions; telephone call to client	0.50	\$425	\$212.50
11/15/2016	JR	receipt of Order Establishing Procedures for Hearings and Rulings on Motions in Limine; emails to and from Mary Farmer; update pleadings index	0.30	\$125	\$37.50
11/15/2016	DWH	receipt of emails from David Shontz, Esquire and Mary Farmer	0.20	\$425	\$85.00
11/17/2016	JR	receipt of Notice of Taking Deposition Decus Tecum for Brad Pierson; update pleadings index; email to Brad Pierson; draft Notice of Taking Deposition Decus Tecum (Starkey)	0.70	\$125	\$87.50
11/17/2016	DWH	receipt and review of CFX's Proposed Disclosure of Witnesses; emails to and from David Shontz, Esquire; telephone call to Brad Pierson; emails to and from Mary Farmer re mediation; telephone call to client; receipt and review of appraiser's file	1.30	\$425	\$552.50
11/17/2016	JR	download appraiser's file; update pleadings index	0.30	\$125	\$37.50
11/18/2016	JR	office conference with DWH; revise Notice of Taking Deposition Decus Tecum (Starkey); draft Notice of Taking Deposition Decus Tecum (Reddick & Sebastian); efile and eserve same; update pleadings index; calendar	1	\$125	\$125.00

11/18/2016	DWH	office conference with JR; review Notice of Taking Deposition Decus Tecum; review numerous emails between attorneys and mediator	0.4	\$425	\$170.00
11/21/2016	JR	emails between Mary Farmer and mediator's office; receipt of Amended Notice of Taking Deposition Duces Tecum (Pierson); Notice of Taking Deposition Duces Tecum (Riley); Notice of Mediation; Certificate of Authority; update pleadings index; update chart; email to Brad Pierson; letter to client	0.8	\$125	\$100.00
11/22/2016	JR	prepare dropbox for exchanges; email to David Shontz, Esquire; receipt and download of CFX appraiser files	0.6	\$125	\$75.00
11/23/2016	DWH	receipt and review of Joint Motion to Modify Case Management Deadlines	0.2	\$425	\$85.00
11/23/2016	JR	draft Objection to Notice of Taking Deposition Duces Tecum - Pierson; scan, efile and eserve same; review CFX appraiser files	4.2	\$125	\$525.00
11/23/2016	DWH	review Objection to Notice of Taking Deposition Duces Tecum - Pierson	0.2	\$425	\$85.00
11/25/2016	DWH	review files and prepare for depositions	4.5	\$425	\$1,912.50
11/28/2016	JR	receipt and review of Order Granting Joint Motion to Modify Case Management Deadlines; update pleadings index; telephone call from and to Rebecca at Kurt Bauerle's office; draft Notice Identifying Party Representative with Settlement Authority; draft and revise Objection to Notice of Taking Deposition Duces Tecum - Riley; efile and eserve Notice Identifying Party Representative with Settlement Authority and Objection to Notice of Taking Deposition Duces Tecum (Riley); update pleadings index; emails to and from Mary re court reporter; telephone call to and emails to and from US Legal Support; prepare file for depositions; email to and from Mary re deposition of Bradley Pierson	2.3	\$125	\$287.50
11/28/2016	DWH	review and revise Objection to Notice of Taking Deposition Duces Tecum - Riley; continue preparation for depositions; meet with client	3.5	\$425	\$1,487.50
11/29/2016	JR	receipt and review of Joint and Amended Notice of Taking Deposition Duces Tecum (Pierson) and Notice of Taking Deposition Duces Tecum; update pleadings index; email to Brad Pierson	0.3	\$125	\$37.50
11/29/2016	DWH	meet with client; email and telephone call to Brad Pierson; prepare for and attend depositions; begin Memorandum on Competibility	7	\$425	\$2,975.00
11/30/2016	DWH	prepare for and attend Pierson deposition	4.5	\$425	\$1,912.50
12/2/2016	JR	emails to and from David Shontz, Esquire; telephone conference with DWH	0.3	\$125	\$37.50

12/2/2016	DWH	receipt of email from David Shontz, Esquire; telephone conference with JR	0.3	\$425	\$127.50
12/5/2016	DWH	receipt and review of proposed Agreed Order and Joint Motion to Extend Deadlines; review trial order	0.3	\$425	\$127.50
12/5/2016	JR	emails to and from Mary Farmer re availability of rebuttal witnesses and revisions to Stipulation; begin draft Rebuttal Witness List	0.6	\$125	\$75.00
12/6/2016	DWH	review of revised proposed Joint Motion; draft Rebuttal Witness List; telephone call to client; coordinate rebuttal report with Brad Pierson; receipt and preliminary review of CEX witness list and exhibit list	2.4	\$425	\$1,020.00
12/6/2016	JR	scan and email to Mary Farmer	0.1	\$125	\$12.50
12/6/2016	JR	revise Rebuttal Witness List; efile and reserve Rebuttal Witness List; update pleadings index	0.3	\$125	\$37.50
12/6/2016	JR	review trial order; office conference with DWH re exhibit list; efile and reserve same; update pleadings index	0.7	\$125	\$87.50
12/6/2016	DWH	office conference with JR re exhibit list; draft exhibit list	0.9	\$425	\$382.50
12/7/2016	DWH	office conference with JR; review case law and exhibits	2.8	\$425	\$1,190.00
12/7/2016	JR	update pleadings index; office conference with DWH	0.7	\$125	\$87.50
12/8/2016	DWH	Review deposition exhibits and reports, talk with BJP about rebuttal	2.6	\$425	\$1,105.00
12/10/2016	DWH	telephone call to Brad Pierson re supplemental report	0.4	\$425	\$170.00
12/12/2016	DWH	telephone calls to and from Brad Pierson; review rebuttal report	2.2	\$425	\$935.00
12/12/2016	DWH	review deposition transcripts and exhibits	1.5	\$425	\$637.50
12/13/2016	DWH	receipt and review of Integra rebuttal report, Notice of Exchange and Amended Disclosure of Rebuttal Witnesses	1.3	\$425	\$552.50
12/13/2016	JR	draft Notice of Exchange; efile and reserve Notice; email to David Shontz, Esquire; update pleadings index	0.5	\$125	\$62.50
12/14/2016	JR	letter to client	0.2	\$125	\$25.00
12/16/2016	JR	email to Brad Pierson re depo transcript	0.1	\$125	\$12.50
12/20/2016	JR	email to Brad Pierson; telephone call from DWH; email to Mary re depositions; telephone call to Brad Pierson to confirm availability	0.4	\$125	\$50.00
12/20/2016	JR	complete down of transcripts; update pleadings index	1	\$125	\$125.00
12/21/2016	DWH	telephone call to Brad Pierson	0.8	\$425	\$340.00
12/21/2016	DWH	receipt of email from Larry Watson, Esquire re mediation; telephone call to Brad Pierson	0.5	\$425	\$212.50

12/28/2016	JR	email to Mary Farmer re deposition time and location	0.1	\$125	\$12.50
12/28/2016	DWH	email from and to Larry Watson, Esquire	0.1	\$425	\$42.50
12/29/2016	JR	telephone call to and emails from and to Mary Farmer; telephone call to Joan at US Legal Services; telephone call to Brad Pierson; receipt of Notice of Taking Depositor Duces Tecum; telephone call to client; emails to Brad Pierson; update pleadings index; prepare file for mediation	1.3	\$125	\$162.50
1/3/2017	DWH	prepare for mediation	4	\$425	\$1,700.00
1/4/2017	DWH	attend mediation - estimate	8	\$425	\$3,400.00
TOTAL					\$52,627.50

Out of Pocket U.S. Legal \$1,781.00
Depositions

FOR MEDIATION ONLY

INVOICE

U.S. Legal Support, Inc.
 20 North Orange Avenue
 Suite 1209
 Orlando FL 32801
 Phone: 407-649-9193 Fax: 407-245-7099

Invoice No.	Invoice Date	Job No.
120007407	12/15/2016	1502188
Job Date	Case No.	
11/29/2016	2014CA0036980	
Case Name		
Central Florida Expressway Authority vs. Darrell Reid		
Payment Terms		
Due upon receipt		

David Holloway, Esquire
 David W. Holloway, P.A.
 13100 Park Boulevard
 Suite B
 Seminole FL 33776-3539

ORIGINAL TRANSCRIPT OF:				
Christopher Starkey	27.00	Pages	@	4.15
Attendance - First Hour				112.05
Additional Hour(s)	3.00		@	75.00
E-cd Litigation Support Package				157.50
Condensed Transcript				40.00
Processing/Delivery				20.00
Christopher Starkey				45.00
Exhibit	8.00	Pages	@	0.60
Exhibits - Color	4.00	Pages	@	4.80
ORIGINAL TRANSCRIPT OF:				
Debra Reddick	47.00	Pages	@	1.15
E-cd Litigation Support Package				195.05
Condensed Transcript				40.00
Processing/Delivery				20.00
Debra Reddick				45.00
Exhibit	49.00	Pages	@	0.60
Invoice not paid by due date is subject to interest of 1.5% per month. We will make reasonable efforts to allocate payments properly. U.S. Legal Support may recover any fees and costs it incurs in collecting any unpaid amounts. Any rights regarding allocations, refunds or adjustments after 90 days from payment shall be waived by payer.				

Tax ID: 76-0523238

Phone: 727-362-5126 Fax:

Please detach bottom portion and return with payment.

David Holloway, Esquire
 David W. Holloway, P.A.
 13100 Park Boulevard
 Suite B
 Seminole FL 33776-3539

Job No. : 1502188 BU ID : 55-ORLAN
 Case No. : 2014CA0036980
 Case Name : Central Florida Expressway Authority vs. Darrell Reid
 Invoice No. : 120007407 Invoice Date : 12/15/2016
Total Due : \$ 1,110.50

Remit To: U.S. Legal Support, Inc.
P.O. Box 4772-12
Houston TX 77210-4772

PAYMENT WITH CREDIT CARD		
Cardholder's Name: _____		
Card Number: _____		
Exp. Date: _____	Phone #: _____	
Billing Address: _____		
Zip: _____	Card Security Code: _____	
Amount to Charge: _____		
Cardholder's Signature: _____		

INVOICE

U.S. Legal Support, Inc.
 20 North Orange Avenue
 Suite 1209
 Orlando FL 32801
 Phone:407-649-9193 Fax:407-245-7099

Invoice No.	Invoice Date	Job No.
120007407	12/15/2016	1502188
Job Date	Case No.	
11/29/2016	2014CA0036980	
Case Name		
Central Florida Expressway Authority vs. Darrell Reid		
Payment Terms		
Due upon receipt		

David Holloway, Esquire
 David W. Holloway, P.A.
 13100 Park Boulevard
 Suite B
 Seminole FL 33776-3539

Exhibits - Color	6.00 Pages @	1.25	7.50
ORIGINAL TRANSCRIPT OF:			
Jamin Sebastian	47.00 Pages @	4.15	195.05
E-cd Litigation Support Package		40.00	40.00
Condensed Transcript		20.00	20.00
Processing/Delivery		45.00	45.00
Jamin Sebastian			
Exhibit	9.00 Pages @	0.60	5.40
Exhibits - Color	7.00 Pages @	1.25	8.75
TOTAL DUE >>>			\$1,110.50
AFTER 1/29/2017 PAY			\$1,277.08
(-) Payments/Credits:			0.00
(+) Finance Charges/Debits:			0.00
(=) New Balance:			1,110.50

Invoice not paid by due date is subject to interest of 1.5% per month. We will make reasonable efforts to allocate payments properly. U.S. Legal Support may recover any fees and costs it incurs in collecting any unpaid amounts. Any rights regarding allocations, refunds or adjustments after 90 days from payment shall be waived by payer.

Tax ID: 76-0523238




Phone: 727-362-5126 Fax:

Please detach bottom portion and return with payment.

David Holloway, Esquire
 David W. Holloway, P.A.
 13100 Park Boulevard
 Suite B
 Seminole FL 33776-3539

Job No. : 1502188 BU-ID : 55-ORLAN
 Case No. : 2014CA0036980
 Case Name : Central Florida Expressway Authority vs. Darrell Reid
 Invoice No. : 120007407 Invoice Date : 12/15/2016
 Total Due : \$ 1,110.50

Remit To: **U.S. Legal Support, Inc.**
 P.O. Box 4772-12
 Houston TX 77210-4772

PAYMENT WITH CREDIT CARD				
Cardholder's Name: _____				
Card Number: _____				
Exp. Date: _____		Phone #: _____		
Billing Address: _____				
Zip: _____		Card Security Code: _____		
Amount to Charge: _____				
Cardholder's Signature: _____				

INVOICE

U.S. Legal Support, Inc.
 4350 West Cypress Street
 Suite 701
 Tampa FL 33607
 Phone: 813-876-4722 Fax: 813-877-2675

Invoice No.	Invoice Date	Job No.
120006788	12/14/2016	1500775
Job Date	Case No.	
11/30/2016	2014CA0036980	
Case Name		
Central Florida Expressway Authority vs. Darrell Reid		
Payment Terms		
Due upon receipt		

David Holloway, Esquire
 David W. Holloway, P.A.
 13100 Park Boulevard
 Suite B
 Seminole FL 33776-3539

1 CERTIFIED COPY OF TRANSCRIPT OF:

Bradley Pierson
 Processing/Electronic Delivery
 Bradley Pierson
 Exhibit

81.00 Pages	@	3:00			243.00
				25:00	25.00
130.00 Pages	@	0:60			78.00

TOTAL DUE >>>	\$346.00
AFTER 1/29/2017 PAY	\$397.90
(-) Payments/Credits:	0.00
(+) Finance Charges/Debits:	0.00
(=) New Balance:	346.00

Invoice not paid by due date is subject to interest of 1.5% per month. We will make reasonable efforts to allocate payments properly. U.S. Legal Support may recover any fees and costs it incurs in collecting any unpaid amounts. Any rights regarding allocations, refunds or adjustments after 90 days from payment shall be waived by payer.

Tax ID: 76-0523238

Phone: 727-362-5126 **Fax:**

Please detach bottom portion and return with payment

David Holloway, Esquire
 David W. Holloway, P.A.
 13100 Park Boulevard
 Suite B
 Seminole FL 33776-3539

Job No. : 1500775 BU ID : 54-TAMPA
 Case No. : 2014CA0036980
 Case Name : Central Florida Expressway Authority vs. Darrell Reid
 Invoice No. : 120006788 Invoice Date : 12/14/2016
Total Due : \$ 346.00

Remit To: **U.S. Legal Support, Inc.**
P.O. Box 4772-12
Houston TX 77210-4772

PAYMENT WITH CREDIT CARD		
Cardholder's Name: _____		
Card Number: _____		
Exp. Date: _____	Phone #: _____	
Billing Address: _____		
Zip: _____	Card Security Code: _____	
Amount to Charge: _____		
Cardholder's Signature: _____		

INVOICE

U.S. Legal Support, Inc.
 20 North Orange Avenue
 Suite 1209
 Orlando FL 32801
 Phone: 407-649-9193 Fax: 407-245-7099

Invoice No.	Invoice Date	Job No.
120007161	12/15/2016	1502175
Job Date	Case No.	
11/29/2016	2014CA0036980	
Case Name		
Central Florida Expressway Authority vs. Darrell Reid		
Payment Terms		
Due upon receipt		

David Holloway, Esquire
 David W. Holloway, P.A.
 13100 Park Boulevard
 Suite B
 Seminole FL 33776-3539

I CERTIFIED COPY OF TRANSCRIPT OF:

Howard Riley	75.00 Pages	@	3.00	225.00
Processing/Delivery			45.00	45.00
Howard Riley	16.00 Pages	@	0.60	9.60
Exhibit	36.00 Pages	@	1.25	45.00
Exhibits - Color				
TOTAL DUE >>>				\$324.60
AFTER 1/29/2017 PAY				\$373.29
(-) Payments/Credits:				0.00
(+) Finance Charges/Debits:				0.00
(=) New Balance:				324.60

Invoice not paid by due date is subject to interest of 1.5% per month. We will make reasonable efforts to allocate payments properly. U.S. Legal Support may recover any fees and costs it incurs in collecting any unpaid amounts. Any rights regarding allocations, refunds or adjustments after 90 days from payment shall be waived by payer.

Tax ID: 76-0523238

Phone: 727-362-5126 Fax:

Please detach bottom portion and return with payment.

David Holloway, Esquire
 David W. Holloway, P.A.
 13100 Park Boulevard
 Suite B
 Seminole FL 33776-3539

Job No. : 1502175 BU ID : 55-ORLAN
 Case No. : 2014CA0036980
 Case Name : Central Florida Expressway Authority vs. Darrell Reid
 Invoice No. : 120007161 Invoice Date : 12/15/2016
Total Due : \$ 324.60

Remit To: **U.S. Legal Support, Inc.**
P.O. Box 4772-12
Houston TX 77210-4772

PAYMENT WITH CREDIT CARD				
Cardholder's Name: _____				
Card Number: _____				
Exp. Date: _____		Phone#: _____		
Billing Address: _____				
Zip: _____		Card Security Code: _____		
Amount to Charge: _____				
Cardholder's Signature: _____				

Pierson Appraisal Group
Real Property Advisory, Eminent Domain Consultants
1635 Lakewood Drive South
Lakeland, Florida 33813
(863) 647-5570
(863) 647-5009 Facsimile

January 4, 2017

Re Project Name: Wekiva Parkway
County: Orange
Owner: Howard Riley
Parcel: 166

INVOICE FOR SERVICES RENDERED - For Mediation Purposes Only

5/24/14	Initial Property Inspection, set up file, pulled county data. TC w/David Holloway 8 hours @ \$195.00/hour
5/27/14	Telephone Conference w/Mr. Holloway. Received & reviewed FDOT Appraisal Report, began initial property analysis. 8 hours @ \$195.00/hour
5/28/14	Continued appraisal analysis writing, TC w/Owner Mr. Riley. 8 hours @ \$195.00/hour
5/29/14	Preliminary appraisal analysis and writing, e-mailed draft appraisal to Mr. Holloway. 7 hours @ \$195.00/hour
6/3/14	TC w/Mr. Holloway re: items in the take area and possible relocation items. Reviewed report, made revisions and e-mailed to Mr. Holloway. 6 hours @ \$195.00/hour
10/14/14	TC w/Mr. Holloway re: changes to the items to be valued in the report. Reviewed report, modified report and valuation. 5 hours @ \$195.00/hour
10/15/14	Review of valuation, TC w/Mr. Holloway, sent report to Mr. Holloway. 2 hours @ \$195.00/hour
10/24/14	Field inspection after site demolition, meeting with Mr. Riley. 3 hours @ \$195.00/hour
10/27/14	TC w/Mr. Holloway re: demolition of the Improvements 1 hour @ \$195.00/hour

10/28/14 TC w/Mr. Holloway re: pictures of the demolition of the tenant owned improvements, minor revisions to the report, emailed final copy
2 hours @ \$195.00/hour

4/6/15 TC w/Mr. Holloway re: appraisal valuations and conclusions, preparations for mediation and/or settlement talks, status of the negotiations.
.5 hours @ \$195.00/hour

7/17/15 TC w/Mr. Holloway re: subject property, reviewed appraisal and conclusions and cost approach used in appraisal
1 hour @ \$195.00/hour

10/4/16 Appraisal review. Wrote new letter of transmittal describing improvements and fixtures paid for in the originally submitted report. TC w/Mr. Holloway.
8 hours @ \$195.00/hour

10/6/16 TC w/Mr. Holloway re: appraisals completed for "Rat Guy" improvements and the Subject Property (Reid Property - Parcel 166). Received all appraisals and began review of the appraisals.
8 hours @ \$195.00/hour

10/7/16 TC w/Mr. Holloway re: Improvements paid for in the original appraisal, differences between, market value, fixture value and salvage value. Reviewed appraisal report. Began preparation for trial scheduled in 2017.
8 hours @ \$195.00/hour

11/28/16 Preparation for Deposition. Review of Marshall Swift, review case law and review appraisal report. Review of DOT appraisal report for Parcel 116 and Rat Gay Property.
8 hours @ \$195.00/hour

11/29/16 Continued mediation preparation, TC w/Mr. Holloway, TC w/Mr. Riley re: equipment and number of items.
8 hours @ \$195.00/hour

11/30/16 Preparation for and Deposition in Lakeland. Meeting with Mr. Holloway after deposition.
7 hours @ \$195.00/hour

12/10/16 Appraisal review. TC w/Mr. Holloway re: supplemental letter for appraisal. Review of the items taken by the FDOT.
7 hours @ \$195.00/hour

12/12/16 Supplemental letter for the appraisal report. TC w/Mr. Holloway. TC w/Mr. Riley.
7 hours @ \$195.00/hour

FOR MEDIATION ONE

12/21/16 TC w/Mr. Holloway re: case. Reviewed rebuttal by FDOT
5 hours @ \$195.00/hour

12/22/16 Received and reviewed transcribed deposition report.
6.5 hours @ \$195.00/hour

1/3/17 Preparation for Mediation and Deposition. TC w/Mr. Holloway
7 hours @ \$195.00/hour

1/4/17 Attend Mediation and meeting with Mr. Riley and Mr. Holloway
8 hours @ \$195.00/hour

FOR MEDIATION ONLY

Totals for - Parcel 66 - Howard Riley

WORK COMPLETED BY	RATE	HOURS	TOTAL	
PRINCIPAL	\$195/hr	139	\$27,105.00	
ASSOCIATES	N/A	-0-	-0-	
Other Experts			-0-	
TOTAL FOR APPRAISAL SERVICES RENDERED				\$27,105.00



Bradley J. Pierson, State Certified General Appraiser RZ1977
Pierson Appraisal Group
F.E.I.D. 59-3418505