

EIGHTH AMENDMENT TO AGREEMENT BETWEEN
DYKEMA GOSSETT AND THE CITY OF ANN ARBOR
FOR LEGAL SERVICES

The City of Ann Arbor, a Michigan municipal corporation, having its offices at 100 North Fifth Avenue, Ann Arbor, Michigan 48104 ("City") and Dykema Gossett, with offices at 2723 South State Street, Suite 400, Ann Arbor, Michigan 48104 ("Firm") agree to amend the legal services agreement between the parties originally approved by City Council on April 7, 2003 as follows:

1. Paragraph of A of Article 4, Compensation of Firm, is amended to read as follows, and Exhibit B is replaced with the attached Eighth Amended Exhibit B:

III. COMPENSATION OF FIRM

- A. The Firm shall be paid on the basis of time spent and expenses incurred at the rates and prices specified in Eighth Amended Exhibit B. The total fee to be paid the Firm for the Services shall not exceed Seven Hundred Fifteen Thousand and no/100 dollars (\$715,000.00) without respect to fiscal year. Payments are to be made monthly following receipt of invoices submitted by the Firm, and approved by the City Attorney. The invoices shall include a detailed report of the Firm's activities for the month.

All terms, conditions, and provisions of the original agreement between the parties approved by City Council April 7, 2003, are to apply to this amendment and are made a part of this amendment as though expressly rewritten, incorporated, and included herein.

This Amendment to the Agreement between the parties shall be binding on the heirs, successors and assigns of the parties.

Dated: _____, 2008

DYKEMA GOSSETT PLLC

By _____

Its:

CITY OF ANN ARBOR,
a Michigan municipal corporation

By _____
John Hieftje, Mayor

By _____
Jacqueline Beaudry, City Clerk

Approved as to form and substance:

Stephen K. Postema, City Attorney

EIGHTH AMENDED EXHIBIT B
Schedule of Fees and Costs

I. General

The Firm shall be paid for those Services performed pursuant to this Agreement inclusive of all reimbursable expenses, an amount not to exceed Seven Hundred Fifteen Thousand and no/100 dollars (\$715,000.00) in accordance with the terms and conditions herein and with Exhibit A in particular. The Fee Schedule below states the maximum hourly billable rate the Firm may charge the City for performance hereof.

II. Fee Schedule

<u>Personnel</u>	<u>Billable Hourly Rate</u>
Melvin Muskovitz	\$220.00
Other Attorneys (specifically approved by the City Attorney)	\$180.00

III. Reimbursable Expenses

Reasonable expenses necessary to perform the Services will be reimbursed. However, overtime clerical services will not be reimbursed without prior approval of the City Attorney. The rate shall be mutually agreed upon. Further, the Firm shall submit an itemized statement of all expenditures.