

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
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1840 North Farwell Avenue
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September 5, 2001

Mr. Ronald D. Leonhardt
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, WI 53202

RE: Citizen Complaint of Charlotte and George Donald
Against POs Timothy Bandt and John Rodriguez
Complaint No.: 97-33
Date of Incident: May 2, 1997
ELO No.: 1661

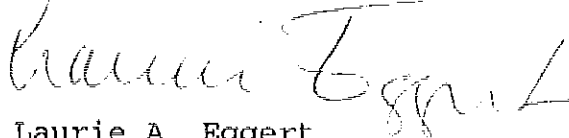
Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent them and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved officers going to look for a suspect. The circuit court dismissed the charges against the officers. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

LAE/ldl
BANDT

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September 5, 2001

Mr. Ronald D. Leonhardt
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Milwaukee WI 53202

RE: Citizen complaint of Charlotte and George Donald
Against POs Timothy Bandt and John Rodriguez
FPC No.: 97-33
Date of Incident: May 2, 1997
Location of Incident: 2420 North 27th Street

Professional services

	<u>Hours</u>
07/02/97 Open file; telephone call to client; correspondence to FPC; review complaint.	0.70
07/08/97 Conference with Rodriguez; correspondence to FPC; memo to file.	0.90
07/09/97 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	2.70
07/15/97 Telephone call from and to MPD Open Records; correspondence to client.	0.30
07/27/97 Review documents from client; review telephone call from MPD Open records.	0.60
07/30/97 Telephone call to MPD Open Records; memo to file.	0.20

	<u>Hours</u>
09/18/97 Review of file; correspondence to clients.	0.40
09/30/97 Review of documents from clients.	0.10
10/02/97 Review of correspondence from client.	0.10
10/04/97 Review of file.	0.20
11/13/97 Review of file; memo to file.	0.20
02/04/98 Review of file.	0.10
03/04/98 Telephone call from FPC; memo to file.	0.20
06/03/98 Telephone call from Fronk; review of file.	0.20
06/06/98 Review of file; memo to file.	0.30
06/08/98 Review of file; telephone calls to #2 and #4; memo to file; telephone call to Rodriquez.	0.90
06/15/98 Telephone calls to #3 and #4, memo to file.	0.20
06/23/98 Telephone call from FPC; telephone call to #4; telephone call to witness; memo to file; telephone call to Fronk.	0.90
06/24/98 Review of correspondence from FPC; witness and exhibit list.	0.40
07/06/98 Review of correspondence from Department of Justice.	0.10
07/10/98 Telephone call from Fronk.	0.10

	<u>Hours</u>
07/21/98 Review of correspondence from complainant; revise witness and exhibit list.	0.20
07/28/98 Review of file; telephone call to FPC; correspondence to client.	0.60
07/31/98 Telephone call from client.	0.10
08/26/98 Telephone call from Fronk; review of file.	0.10
08/28/98 Telephone call to FPC; review of file.	0.20
08/31/98 Telephone call from Fronk re: dates; memo to file.	0.10
09/29/98 Telephone call from Fronk; review of file.	0.10
10/09/98 Telephone call from FPC.	0.10
10/13/98 Review of correspondence from FPC.	0.10
10/19/98 Telephone call to client; review of file; correspondence to complainants.	1.20
10/23/98 Telephone call from and to client; conference with clients; review of file; memo to file.	1.80
11/02/98 Telephone call from witness; review of file; memo to file.	0.80
11/04/98 Review of correspondence from FPC; hearing preparation.	2.60
11/05/98 Preparation for and appearance at hearing; conference with clients; memo to file; travel.	9.20

	<u>Hours</u>
12/09/98 Telephone call to Fronk re: scheduling.	0.10
01/08/99 Telephone call to FPC; obtain and review proposed decision; travel; telephone call from and to clients; memo to file.	0.80
01/15/99 Review of correspondence from FPC; memo to file.	0.10
Read transcript and notes	3.30
01/22/99 Read notes.	1.60
01/25/99 Read notes; draft brief.	2.80
01/27/99 Draft brief	2.90
02/02/99 Revise brief.	3.20
02/08/99 Conference with client; final edit; correspondence to FPC; correspondence to client.	2.10
02/09/99 Telephone call from Fronk.	0.10
03/03/99 Telephone call from FPC; memo to file.	0.20
03/19/99 Review memo from complainant; correspondence to client.	0.90
03/25/99 Telephone call from and to client.	0.20
05/10/99 Review decision; correspondence to clients; telephone call to clients.	0.60
07/15/99 Correspondence to client.	0.20

	<u>Hours</u>
07/31/99 Conference with client.	0.20
09/10/99 Telephone call from Fronk; memo to file.	0.20
09/23/99 Telephone call to Fronk; conference with client.	0.20
10/01/99 Correspondence to client.	0.20
11/01/99 Conference with client.	0.10
11/17/99 Preparation for Phase 2 hearing.	1.00
11/18/99 Conference with Fronk; conference with client; preparation for and appearance at FPC; memo to file; travel.	3.60
11/19/99 Conference with DeBraska.	0.40
12/06/99 Research.	0.20
12/11/99 Review decision re Phase 2.	0.20
12/13/99 Telephone call to client.	0.10
12/15/99 Telephone call from client; memo to file; prepare appeal documents.	0.60
12/17/99 Telephone call from and to client; telephone call from and to FPC.	0.50
12/23/99 Obtain transcripts from court reporter.	0.10
04/14/00 Review of file.	0.40
04/17/00 Telephone call to Hayes.	0.10

	<u>Hours</u>
05/04/00 Telephone call to Schrimpf.	0.10
05/12/00 Telephone call to Schrimpf; telephone call from city attorney's office.	0.20
05/19/00 Conference with city attorney; review document; review of file; telephone call to city attorney.	0.50
06/13/00 Correspondence to Court.	0.10
06/28/00 Research; review of file.	0.80
07/10/00 Research.	0.30
10/02/00 Review of correspondence from court.	0.10
10/10/00 Review of file; research.	3.30
10/11/00 Research.	1.80
10/12/00 Research; review of file.	1.70
10/13/00 Research.	0.50
10/16/00 Brief; research regarding just cause.	3.30
10/19/00 Research.	1.60
10/20/00 Brief.	1.70
10/28/00 Brief.	6.20
11/01/00 Brief.	6.60
12/08/00 Review brief.	1.80
12/11/00 Research.	2.80

	<u>Hours</u>	
12/15/00 Reply	4.60	
12/18/00 Reply	2.30	
12/19/00 Brief.	0.70	
12/20/00 Reply.	1.60	
12/21/00 Reply.	0.50	
03/26/01 Review decision; telephone call to client; correspondence to client.	0.80	
05/09/01 Telephone call to and from city attorney; memo to file; telephone call to client; obtain and review personnel order; close file.	0.60	
		<u>Amount</u>
For professional services rendered	98.70	\$10,857.00
Additional charges:		
07/09/97 Parking		1.50
06/26/98 Department of Justice - 2 records		26.00
10/20/98 Parking		1.70
11/05/98 Parking		6.00
12/23/99 Transcript		53.50
Total costs		<u>\$88.70</u>
Total amount of this bill		<u>\$10,945.70</u>

Mr. Ronald D. Leonhardt

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Balance due

Amount

\$10,945.70

(Rate: \$110.00 per hour)

STATE OF WISCONSIN :

CIRCUIT COURT :
CIVIL DIVISION

MILWAUKEE COUNTY

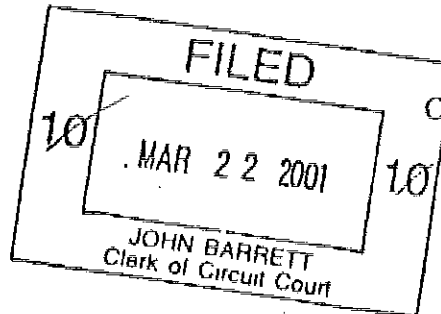
TIMOTHY A. BANDT,

Petitioner,

v.

BOARD OF FIRE AND POLICE
COMMISSIONERS OF THE CITY
OF MILWAUKEE,

Respondent.



Case No. 00-CV-001437

DECISION AND ORDER

INTRODUCTION

Petitioner Timothy A. Bandt ("Bandt") filed a petition pursuant to Sec. 62.50(20), Wis. Stats., seeking review of final decisions by the Respondent Board of Fire and Police Commissioners of the City of Milwaukee ("Board"). The Board, in its May 6, 1999 decision, determined that Bandt violated Milwaukee Police Department ("MPD") Rule 4, Sec. 2/060.00 concerning courtesy and civility toward the public. The Board, in its December 9, 1999 decision, suspended Bandt without pay for five consecutive working days. The Board provided Bandt the option of performing forty hours of community service in lieu of the suspension.

BACKGROUND

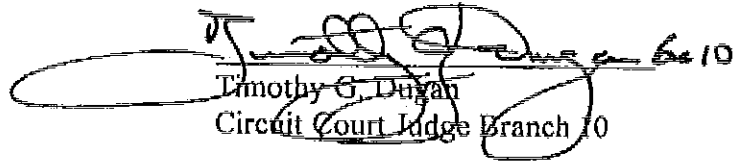
Bandt is a police officer for the City of Milwaukee. On the morning of May 2, 1997, Bandt and his partner, John Rodriguez, were given a "suspect card" and asked to pick up Phillip Donald, whose fingerprints had been found at the scene of a burglary. The address provided on the suspect card was 2420 North 27th Street in Milwaukee, Wisconsin. At approximately 7:15 a.m. on May 2, 1997, Bandt and his partner went to the address listed on the "suspect card" and

ORDER

THEREFORE, based upon a thorough review of the record and the arguments of the parties as set forth in their briefs, it is hereby ordered that the Board's decision is REVERSED and the charges are dismissed.

Dated at Milwaukee, Wisconsin this 22nd day of March, 2001.

BY THE COURT:


Timothy G. Dugan
Circuit Court Judge Branch 10