

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
200 EAST WELLS STREET, SUITE 800
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

September 7, 2001

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
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LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

To the Honorable Common Council
of the City of Milwaukee
Room 205 - City Hall

Re: **Communication from Attorney Laurie A. Eggert, Eggert Law Office, S.C.**
for legal fees for Police Officers Steven Van Erden and Cullan Smith
C.I. File No. 00-S-430; ELO No. 1591

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Steven Van Erden and Cullan Smith. The claim is in the amount of \$2,103.75 including \$156.75 in disbursements for 17.70 hours of service billed at the rate of \$110.00 per hour. We ask that this matter be introduced and referred to the Committee on Judiciary & Legislation.

We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was occasioned by the filing of a citizen's complaint against the officers with the Fire and Police Commission. The complaint was dismissed by the Commission.

As we have advised you under similar circumstances in the past, the Common Council has discretion to reject this claim or to pay it in whole or in part. Sec. 895.35, Stats., Bablitch and Bablitch v. Lincoln County, 82 Wis. 2d 574 (1978).

Very truly yours,

A handwritten signature in cursive script, appearing to read "Grant F. Langley".

GRANT F. LANGLEY
City Attorney

A handwritten signature in cursive script, appearing to read "Jan A. Smokowicz".

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm
Enc.
2295

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

November 20, 2000

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

**RE: Citizen Complaint of Mr. Robert House
Against POs Steven Van Erden and Cullan Smith
Complaint No.: 00-27
Date of Incident: March 13, 2000
ELO No.: 1591**

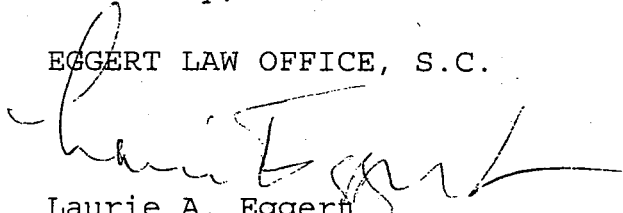
Dear Mr. Leonhardt:

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 a call for service at Mr. House's home. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

LAE/ldl
VANERDEN

5/22/2001

O. K.

JAS

Letter # 2295

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
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November 20, 2000

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

RE: Citizen Complaint of Mr. Robert House
Against POs Steven Van Erden and Cullan Smith
FPC No: 00-27
Date of Incident: March 13, 2000

Professional services

	<u>Hours</u>
6/9/00 Open file; review documents from client; correspondence to FPC.	0.70
6/13/00 Telephone call from client; memo to file.	0.30
6/19/00 Review of correspondence from FPC; conference with Smith; correspondence to FPC, Department of Justice, MPD Open Records; telephone call to and from Van Erden.	2.60
6/21/00 Telephone call from client.	0.20
6/22/00 Conference with client; memo to file.	1.80
6/23/00 Conference with municipal court; obtain records.	0.80
6/27/00 Conference with medical expert; review medical records attached to complaint.	0.60

	<u>Hours</u>
7/5/00 Intra-office conference; review Dowhower.	0.70
7/6/00 Telephone call from court; memo to file.	0.20
7/7/00 Conference with municipal court; travel; review of file.	0.90
7/11/00 Review of correspondence from Department of Justice.	0.10
7/12/00 Review Tape 1 from municipal court.	1.50
7/14/00 Review tape #2.	1.50
7/18/00 Review tape #3.	0.80
7/31/00 Review of file; telephone call to FPC.	0.20
8/21/00 Review of correspondence from FPC; review of file; review documents from client; telephone call to client.	0.40
8/22/00 Telephone call from and to MPD Open Records; memo to file; telephone call from client.	0.60
8/24/00 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	2.40
9/7/00 Review of file; telephone call to FPC.	0.30
9/11/00 Telephone call to and from FPC; review of file.	0.30
10/9/00 Review of file.	0.20

	<u>Hours</u>	
10/20/00 Review FPC records; memo to file.	0.20	
11/13/00 Review of correspondence from FPC; correspondence to client; close file.	0.40	
		<u>Amount</u>
For professional services rendered	17.70	\$1,947.00
Additional charges:		
6/19/00 Department of Justice		13.00
6/23/00 Parking		1.00
6/27/00 Expert fee - to review medical records		100.00
7/7/00 Municipal Court tapes		40.00
Parking		0.75
8/24/00 Parking		2.00
		<u> </u>
Total costs		\$156.75
		<u> </u>
Total amount of this bill		\$2,103.75
		<u> </u>
Balance due		<u><u> </u></u> \$2,103.75

(Rate: \$110.00 per hour)

NOV 13 2000

BOARD OF
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF ROBERT HOUSE
AGAINST POLICE OFFICERS CULLAN
SMITH AND STEVEN VAN ERDEN

ORDER OF DISMISSAL

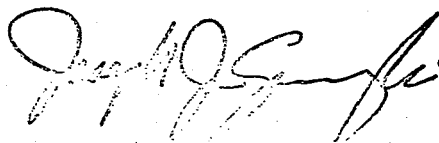
To Officer Cullan Smith:

It is hereby ordered that the Complaint of Robert House, Complaint No. 2000-27, filed with the Board on May 17, 2000, is dismissed because the Complaint has been successfully conciliated, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 10, 2000.

c: Attorney Laurie Eggert ✓

BOARD OF FIRE AND POLICE COMMISSIONERS
CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF ROBERT HOUSE
AGAINST POLICE OFFICER CULLAN SMITH

File No. 2000-27

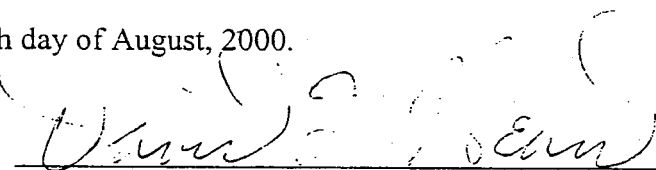
RESOLUTION OF DISPUTE

I, Robert House, have had the opportunity to discuss the circumstances of my complaint with Officer Cullan Smith. I am satisfied with the result of such discussion and do not wish to pursue this complaint further. I would hereby request that the matter be dismissed, and I understand that I may not reissue this complaint in the future.


ROBERT HOUSE


CULLAN SMITH

Dated this 24th day of August, 2000.

Witnessed by: 

NOV 13 2000

BOARD OF
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF ROBERT HOUSE
AGAINST POLICE OFFICERS CULLAN
SMITH AND STEVEN VAN ERDEN

ORDER OF DISMISSAL

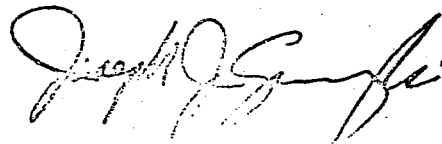
To Officer Steven Van Erden:

It is hereby ordered that the Complaint of Robert House, Complaint No. 2000-27, filed with the Board on May 17, 2000, is dismissed because the Complaint has been successfully conciliated, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 10, 2000.

c: Attorney Laurie Eggert ✓

BOARD OF FIRE AND POLICE COMMISSIONERS
CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF ROBERT HOUSE
AGAINST POLICE OFFICER STEVEN VAN ERDEN

File No. 2000-27

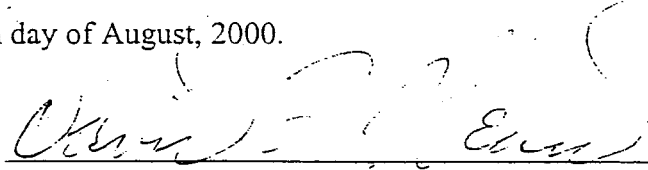
RESOLUTION OF DISPUTE

I, Robert House, have had the opportunity to discuss the circumstances of my complaint with Officer Steven Van Erden. I am satisfied with the result of such discussion and do not wish to pursue this complaint further. I would hereby request that the matter be dismissed, and I understand that I may not reissue this complaint in the future.


ROBERT HOUSE


STEVEN VAN ERDEN

Dated this 24th day of August, 2000.

Witnessed by: 

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

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MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 29, 2000

Commander Dale Schunk
Milwaukee Police Department
Internal Affairs Division
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 00-S-430
Communication from EGGERT LAW OFFICE

Dear Commander Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers Anderson, Clarke/Polka, Fonte, Harris, Kronschnabel, Larson/Rohde, Newport, Ortiz/Miller, Reaves/Davis, Riley, Santiago/Schellhammer, Sirna, Stojavljevic, et al., Van Erden/Smith, Velasquez, Washington/Jenkins.

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jan A. Smokowicz'.

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

November 20, 2000

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

CITY OF MILWAUKEE
00 NOV 21 PM 1:33
RONALD D. LEONHARDT
CITY CLERK

RE: Various claims

Dear Mr. Leonhardt:

Enclosed are the following claims:

<u>OFFICER(S)</u>	<u>OUR NO.</u>
Anderson	1587
Clarke/Polka	1563
Fonte	1588
Harris	1589
Kronschabel	1586
Larson/Rohde	1585
Newport	1581
Ortiz/Miller	1569
Reaves/Davis	1576
Riley	1502
Santiago/Schellhammer	1582
Sirna	1543
Stojsavljevic, et al.	1498
Van Erden/Smith	1591
Velasquez	1561
Washington/Jenkins	1580

Respectfully,

EGGERT LAW OFFICE, S.C.

Laurie A. Eggert
Attorney at Law

CITY OF MILWAUKEE
00 NOV 21 PM 3:51
CITY CLERK

LAE/ldl
Enclosures
OFC\CLAIMS.13

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 28, 2000

TO: PO CULLEN SMITH - VIP
DISTRICT SIX

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- 1) An incident occurring on MARCH 13, 2000
- 2) A citizen's complaint made by ROBERT HOUSE
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: PO Cullen Smith

Print your name: PO CULLIAN J SMITH

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

Dale T. Schunk
DALE T. SCHUNK
Commander of Police
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 28, 2000

TO: PO STEVEN VAN ERDEN - E
DISTRICT SIX

RE: Receipt of Legal Services from Law Firm of
Attorney

Attorney LAURIE EGGERT has made a claim with the City, indicating the attached was provided with legal services arising out of one of the following situations:

- ① An incident occurring on MARCH 13, 2000
- ② A citizen's complaint made by ROBERT HOUSE
- ③ ~~A police shooting incident occurring on~~

Is this information correct? YES NO

Did you receive legal representation in this matter? YES NO

Your signature: *van Erden*
PO Steven Van Erden
Print your name: P.O. Steve Van Erden

Upon completion, please return this memorandum to the Internal Affairs Division at the Police Academy (Room 325) as soon as possible.

Dale T. Schunk
DALE T. SCHUNK *JS*
Commander of Police
Internal Affairs Division

DTS:dnp