

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
PATRICK B. McDONNELL  
LINDA ULISS BURKE  
Deputy City Attorneys



OFFICE OF CITY ATTORNEY  
800 CITY HALL  
200 EAST WELLS STREET  
MILWAUKEE, WISCONSIN 53202-3551  
TELEPHONE (414) 286-2601  
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BEVERLY A. TEMPLE  
THOMAS O. GARTNER  
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SUSAN D. BICKERT  
HAZEL MOSLEY  
HARRY A. STEIN  
STUART S. MUKAMAL  
THOMAS J. BEAMISH  
MAURITA F. HOUREN  
JOHN J. HEINEN  
MICHAEL G. TOBIN  
DAVID J. STANOSZ  
SUSAN E. LAPPEN  
JAN A. SMOKOWICZ  
PATRICIA A. FRICKER  
HEIDI WICK SPOERL  
KURT A. BEHLING  
GREGG C. HAGOPIAN  
ELLEN H. TANGEN  
MELANIE R. SWANK  
JAY A. UNORA  
DONALD L. SCHRIEFER  
EDWARD M. EHRlich  
LEONARD A. TOKUS  
MIRIAM R. HORWITZ  
MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY  
DAWN M. BOLAND  
KATHRYN M. ZALEWSKI

Assistant City Attorneys

May 5, 2004

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele, S.C.  
for legal fees for Police Officer Rick Bungert  
C.I. File No. 02-S-391; EC No. 1826

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Rick Bungert. The claim is in the amount of \$1,787.98 including \$16.98 in disbursements for 16.10 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 officer 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. Wis. Stat. § 895.35, *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,

Handwritten signature of Grant F. Langley in cursive.

GRANT F. LANGLEY  
City Attorney

Handwritten signature of Jan A. Smokowicz in cursive.

JAN A. SMOKOWICZ  
Assistant City Attorney  
JAS:enm

Enc.  
80661/1032-2002-3639

**EGGERT & CERMELE, 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 14, 2002

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

**RE: Citizen Complaint of Mr. Marcelino Moreno  
Against PO Rick Bungert  
Complaint No.: 00-30  
Date of Incident: Various  
EC No.: 1826**

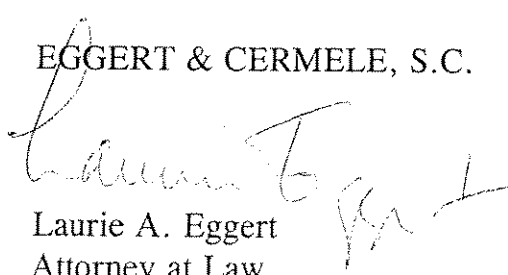
Dear Mr. Leonhardt:

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him, and as he was performing the duties of his office at the time of the events giving rise to the incident, the claim is hereby made on his behalf for the indicated legal fees. This incident involved an investigation. 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 & CERMELE, S.C.

  
Laurie A. Eggert  
Attorney at Law

5/5/04  
O.K.  
JAS  
letter # 2295

LAE/ldl  
BUNGERT

02 NOV 18 PM 3:41  
CITY ATTORNEY  
CITY OF MILWAUKEE

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele

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(414) 276-8750  
FAX (414) 276-8906

November 14, 2002

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

RE: Citizen Complaint of Mr. Marcelino Moreno  
Against PO Richard Bungert  
FPC No: 00-30  
Date of Incident: Various  
Location of Incident: 3070 West Fardale

Professional services

	<u>Hours</u>
07/18/00 Telephone calls from and to client; open file.	0.60
07/20/00 Conference with client; review documents; correspondence to FPC; memo to file.	1.50
07/31/00 Review of correspondence from FPC; telephone call to FPC; review of file.	0.40
10/04/00 Review of file; telephone call to and from client; memo to file; telephone call to FPC.	0.40
10/10/00 Telephone call from FPC; review tape of internal investigation.	0.80
10/17/00 Telephone call from client; review of file.	0.20
10/18/00 Review of correspondence from FPC; correspondence to client; review of file.	0.30
10/19/00 Telephone call to and from FPC; review of file.	0.60

	<u>Hours</u>
10/20/00 Preparation for and appearance at conciliation; conference with client; conference with FPC; memo to file; travel; correspondence to city clerk.	2.50
11/03/00 Telephone call from and to FPC; review of file; memo to file.	0.40
11/13/00 Review of correspondence from client; review claim.	0.40
12/04/00 Telephone call from FPC.	0.10
12/15/00 Review claim from city adjuster.	0.20
02/06/01 Telephone call from FPC; memo to file; review of file.	0.40
03/29/01 Telephone call from FPC; review of file; memo to file.	0.30
08/02/01 Review of file; memo to file regarding witnesses.	0.40
09/28/01 Review of file; memo to file; research regarding court records.	0.60
11/29/01 Review of file; telephone call to client; memo to file.	0.60
11/30/01 Telephone call from client; review of file; record search regarding complainant.	1.30
12/05/01 Review documents regarding claim.	0.30
08/27/02 Review of file.	0.20
09/20/02 Telephone call from and to FPC; memo to file; review of file; correspondence to client.	0.80
09/25/02 Review of correspondence from FPC; memo to file.	0.20
10/01/02 Conference with FPC; memo to file.	0.20

	<u>Hours</u>	
10/02/02 Telephone call from client; memo to file.	0.30	
10/03/02 Telephone call from client; telephone call to FPC; review of file.	0.60	
10/15/02 Telephone call to and Fax to MPD Personnel.	0.10	
10/22/02 Review of file; telephone call to FPC; draft witness and exhibit list.	0.70	
10/28/02 Review of correspondence from FPC; correspondence to client; telephone call to FPC; close file.	0.70	
		<u>Amount</u>
For professional services rendered	16.10	\$1,771.00
Additional charges:		
10/20/00 Parking		3.50
10/28/02 MPD Open Records request		13.48
Total costs		<u>\$16.98</u>
Total amount of this bill		<u>\$1,787.98</u>
Balance due		<u><u>\$1,787.98</u></u>

(Rate: \$110.00 per hour)

RECEIVED

OCT 24 2002

EGGERT & CERMELE, S.C.

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

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In Re:  
THE CHARGES OF MARCELINO MORENO  
AGAINST POLICE OFFICER RICK BUNGERT

ORDER OF DISMISSAL

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To Officer Rick Bungert:

It is hereby ordered that the Complaint of Marcelino Moreno, Complaint No. 2000-30, filed with the Board on June 9, 2000, is dismissed because the Complainant has requested that the Complaint be dismissed, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE  
COMMISSIONERS

WOODY WELCH,  
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 23, 2002.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 10, 2002

TO: P.O. RICK BUNGERT  
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 VARIOUS
- 2) A citizen's complaint made by MARCELINO MORENO
- 3) A police shooting incident occurring on N\A

Is this information correct?

YES  NO

Did you receive legal representation  
in this matter?

YES  NO

Your signature: R.O. R. Bungert  
Print your name: R. BUNGERT

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

*Steven M. Settingsgaard*  
Steven M. Settingsgaard  
Police Commander  
Internal Affairs Division

SMS:kjs