

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
**LINDA ULISS BURKE**  
**VINCENT D. MOSCHELLA**  
Deputy City Attorneys



THOMAS O. GARTNER  
BRUCE D. SCHRIMPF  
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MEGAN T. CRUMP  
ELOISA DE LEÓN  
ADAM B. STEPHENS  
KEVIN P. SULLIVAN  
BETH CONRADSON CLEARY  
THOMAS D. MILLER  
Assistant City Attorneys

February 8, 2008

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 Officer Bryant DeValkenaere  
C.I. File No. 06-S-57 EC 2293

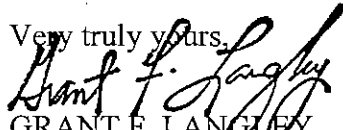
Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Bryant DeValkenaere. The claim is in the amount of \$394.56 including \$20.56 in disbursements for 3.40 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. Sec. 895.35, Stats., Bablitch and Bablitch v. Lincoln County, 82 Wis. 2d 574 (1978).

Very truly yours,

  
GRANT F. LANGLEY  
City Attorney

  
JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:amp  
Enc.

1032-2006-578:124771v1

2293

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 9, 2006

TO: P.O. BRYANT DEVALKENAERE  
DISTRICT: FIVE

RE: Receipt of Legal Services from Law Firm of  
Attorney Laurie Eggert

RECEIVED  
06 MAR 16 AM 11:31  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION

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 FEBRUARY 11, 2004
- 2) A citizen's complaint made by DAVID BENNETT
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES  NO

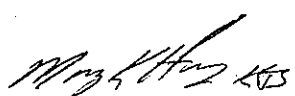
Did you receive legal representation in this matter?

YES  NO

Your signature: PO B-D.V.

Print your name: Bryant DeValkenaere

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

  
MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

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

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
Timothy J. Walther

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

February 15, 2006

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

**RE: Citizen Complaint of Mr. David Bennett, Sr.  
Against PO Bryant DeValkenaere  
Complaint No.: 05-15  
Date of Incident: February 11, 2004**

CITY OF MILWAUKEE  
2006 FEB 20 PM 3:49  
RONALD D. LEONHARDT  
CITY CLERK

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, this claim is hereby made on his behalf for the indicated legal fees. This incident involved responding to a cruelty to animal complaint. 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.

Jen Cermele

JC/kjs

Attachment  
DEVALKENAERE

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

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
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1840 North Farwell Avenue  
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Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

February 15, 2006

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

RE: Citizen Complaint of Mr. David Bennett, Sr.  
Against PO Bryant DeValkenaere  
FPC No: 05-15  
Date of Incident: February 11, 2004  
Professional services

	<u>Hours</u>
6/7/2005 Receive and review new citizen complaint; open file; initial review of file; telephone call to client (message); MPD Open Records request; review Municipal Court website regarding citation.	0.70
6/16/2005 Receive and review correspondence from FPC.	0.10
7/12/2005 Review file.	0.10
8/11/2005 Receive and review Open Records request.	0.30
9/16/2005 Receive and review follow-up Open Records Request response.	0.20
1/23/2006 Telephone call from and to client; memo to file.	0.20
1/24/2006 Travel to City Hall; conference with client; perform conciliation; memo to file.	1.50
2/8/2006 Receive and review Order of Dismissal.	0.10
2/13/2006 Correspondence to client regarding dismissal; close file.	0.20

Mr. Ronald Leonhardt

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	<u>Hours</u>	<u>Amount</u>
For professional services rendered	✓ 3.40	✓ \$374.00
Additional charges:		
9/2/2005 MPD Open Records request		19.56
1/24/2006 Parking		1.00
Total costs		<u>\$20.56</u>
Total amount of this bill		✓ <u>\$394.56</u>
Balance due		<u><u>\$394.56</u></u>

(Rate: \$110.00 per hour)

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

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In Re:  
THE CHARGES OF DAVID BENNETT, SR.  
AGAINST POLICE OFFICER BRYANT DEVALKENAERE

ORDER OF DISMISSAL

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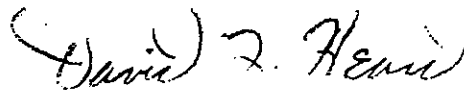
To Officer Bryant DeValkenaere:

It is hereby ordered that the Complaint of David Bennett, Sr., Complaint No. 05-15, filed with the Board on March 9, 2005, is dismissed because the Complaint lacks sufficient prosecutorial merit, by the

MILWAUKEE BOARD OF  
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:



DAVID L. HEARD  
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, FEBRUARY 3, 2006.

c: Attorney Rachel Pings ✓