

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
TDD (414) 286-2025
FAX (414) 286-8550

May 6, 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 Kevin Dudley
C.I. File No. 02-S-391; EC No. 1828

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Kevin Dudley. The claim is in the amount of \$542.50, including \$3.50 in disbursements for 4.90 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.

80694/ 1032-2002-3642

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
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MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

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. Martin V. Smith
Against PO Kevin Dudley
Complaint No.: 02-32
Date of Incident: May 13, 2002
EC No.: 1828**

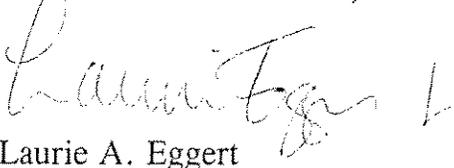
Dear Mr. Leonhardt:

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 a traffic stop. 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

5/6/04

O.K.

JAS

Letter 2295

LAE/ldl
DUDLEY

02 NOV 19 PM 3:41
CIVIL ATTORNEY

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
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November 14, 2002

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

RE: Citizen Complaint of Mr. Martin V. Smith
Against PO Kevin Dudley
FPC No: 02-32
Date of Incident: May 13, 2002
Location of Incident: 2400 North Sherman Boulevard

Professional services

	<u>Hours</u>	
09/10/02	2.30	Open file; conference with client; memo to file; correspondence to FPC; municipal court computer search.
09/20/02	0.20	Telephone call from FPC; review of file; memo to file.
09/23/02	0.10	Review of correspondence from FPC.
09/25/02	0.20	Review of correspondence from FPC; memo to file.
10/11/02	1.60	Preparation for and appearance at conciliation; conference with client; memo to file; travel.
10/28/02	0.50	Review of correspondence from FPC; correspondence to client; close file.
		<u>Amount</u>
For professional services rendered	4.90	\$539.00

Mr. Ronald Leonhardt

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Additional charges:

	<u>Amount</u>
10/11/02 Parking	3.50
Total costs	<u>\$3.50</u>
Total amount of this bill	<u>\$542.50</u>
Balance due	<u><u>\$542.50</u></u>

(Rate: \$110.00 per hour)

RECEIVED

OCT 28 2002

CITY OF MILWAUKEE S.C.

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

In Re:
THE CHARGES OF MARTIN V. SMITH
AGAINST POLICE OFFICER KEVIN DUDLEY

ORDER OF DISMISSAL

To Officer Kevin Dudley:

It is hereby ordered that the Complaint of Martin V. Smith, Complaint No. 2002-32, filed with the Board on May 15, 2002, is dismissed because the Complaint has been successfully conciliated, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:


JOSEPH J. CZARNEZI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, OCTOBER 24, 2002.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 10, 2002

TO: P.O. KEVIN DUDLEY
DISTRICT THREE

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 MAY 13, 2002
- 2) A citizen's complaint made by MARTIN SMITH
- 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: _____

Print your name: _____

Kevin A. Dudley

Kevin A. Dudley

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

St. Settingsgaard

Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs