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Assistant City Attorneys

March 17, 2008

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

Re: Communication from Attorney Laurie A. Eggert for legal fees for
Police Officer William Feely
C.I. File No. 04-S-403 (1); EC 2525

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer William Feely. The claim is in the amount of \$671.00 for 6.10 hours of service billed at the rate of \$110 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 a criminal investigation. No criminal charges were brought against the officer on whose behalf this claim was filed.

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,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:amp
Enc.

1032-2007-3115:124731v1

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

January 10, 2008

TO: P.O. WILLIAM FEELY
DISTRICT: FIVE

RE: Receipt of Legal Services from Law Firm of
Attorney Jonathan Cermele

Attorney Jonathan Cermele 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 JULY 10, 2007
- 2) A citizen's complaint made by ALBERT HEWINGS
- 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: *P.O. William Feely*

Print your name: WILLIAM FEELY

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

KURT R. LEIBOLD
Acting Captain of Police
Professional Performance Division

KRL:lrc

NOV 10 2007 11:16 AM
91 11 16 PM 3:45

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
WWW.CERMELELAW.COM

JONATHAN CERMELE
RACHEL L. PINGS
MATTHEW L. GRANITZ

LAURIE A. EGGERT
- OF COUNSEL -

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

November 26, 2007

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

**RE: MPD Criminal Investigation of PO William Feely
Allegations Regarding Mr. Albert Hewings
Date of Incident: July 10, 2007
Location of Incident: 16th Street and Clarke Street**

Dear Mr. Leonhardt:

Pursuant to Article 58 of the 2007-2009 Collective Bargaining Agreement between the City and the Milwaukee Police Association, the City should request that this claim be placed on the Common Council Committee agenda within 180 days of its receipt.

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 a field interview.

According to correspondence from Acting Captain Leibold, the allegation is unfounded. As such, no charges were issued against the officer. Attached is a copy of the letter along with status of the CIS Investigatory file and an itemization of the time and services rendered.

Thank you.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

/kjs
Attachments
FEELY

CERMELE & ASSOCIATES, S.C.

- ATTORNEYS AT LAW -
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(414) 276-8750
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LAURIE A. EGGERT
- OF COUNSEL -

November 27, 2007

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall, Room 205
200 East Wells Street
Milwaukee WI 53202

RE: MPD Criminal Investigation of PO William Feely
Allegations Regarding Mr. Albert Hewings
Date of Incident: July 10, 2007
Location of Incident: 16th Street and Clarke Street
Professional services

| | <u>Hours</u> |
|---|--------------|
| 7/20/2007 Telephone conference with PO Feely regarding criminal investigation; intra-office conference with Pings; open file; telephone call to PPD; calendar follow-up. | 0.70 |
| 7/23/2007 Review applicable MPD SOP's. | 0.20 |
| 7/24/2007 Review jury instructions; office conference with MPD personnel; telephone call to client; memo to file; calendar office conference. | 0.90 |
| 7/25/2007 Intra-office conference with Cermele. | 0.10 |
| 7/26/2007 Research; office conference with client. | 1.50 |
| 7/31/2007 Telephone call to client; telephone call to and from PPD; memo to file. | 0.50 |
| 8/7/2007 Telephone call from PPD regarding scheduling statement; intra-office conference with Cermele and Pings regarding case status; telephone call to Atty. representing additional officer under investigation; memo to file. | 0.50 |

| | <u>Hours</u> |
|--|--------------------|
| 8/9/2007 Telephone call to and from client; telephone call from Atty. representing additional officer; memo to file. | 0.30 |
| 8/10/2007 Telephone call to and from Atty. representing additional officer; memo to file. | 0.50 |
| 8/13/2007 Telephone call to client. | 0.10 |
| 8/14/2007 Telephone call to PPD; telephone call to client; correspondence to client; memo to file. | 0.40 |
| 9/14/2007 Telephone call from PPD confirming complaint is unfounded; memo to file. | 0.20 |
| 11/6/2007 Correspondence to client confirming PPD's conclusion that complaint was "unfounded"; close file. | 0.20 |
| | <u>Amount</u> |
| For professional services rendered | 6.10 \$671.00 |
| Balance due | <u>\$671.00</u> |

(Rate: \$110.00 per hour)



RECEIVED

NOV 02 2007

PERMELER ASSOCIATES S.C.

Nannelle H. Hegerty
Chief of Police

Police Department

Monday, October 29, 2007

Matthew L. GRANITZ
Attorney At Law
6310 West Bluemound Road
Suite 200
Milwaukee, WI 53213

Dear Mr. GRANITZ,

This letter is in response to your inquiries regarding the status of CIS Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Karen Dubis can be contacted at 935-3540.

Sincerely,

A handwritten signature in black ink, appearing to read "Kurt Leibold".

KURT LEIBOLD
ACTING CAPTAIN OF POLICE

| CIS FILE NO. | PPD FILE NO. | COMPLAINANT | ALLEGATION | DISPOSITION |
|-----------------|-----------------|-------------------|-------------------------------|------------------------|
| 1. 07-042 | 07-0159 | SARLITTO, IAN | BATTERY | WARRANT REFUSED |
| 2. 07-110 | 07-0490 | HEWINGS, ALBERT | MISC. IN PUBLIC OFFICE | UNFOUNDED |
| 3. 07-132 | 07-0576 | COMODORE, SALLIE | CRIMINAL DAMAGE TO PROP | SUSPENDED-PEND NEW INF |
| 4. 07-080 | | DYES, NICOLE | THEFT OF MONEY | SUSPENDED-PEND NEW INF |
| 5. 07-027 | 07-0089 | DHEMBI, SOLIAN | THEFT OF MONEY | SUSPENDED-PEND NEW INF |
| 6. 06-177 | 06-1025 | CITY OF MILWAUKEE | THEFT OF MONEY | SUSPENDED-PEND NEW INF |
| 7. 07-133 | 07-0596 | ANDERSON, RUBEN | BATTERY | PENDING-TBD |