

GRANT F. LANGLEY
City Attorney

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



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
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SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
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DONALD L. SCHRIEFER
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VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEON
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

June 15, 2007

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 Officers Robert Kendziorski and
David Skonieczny; C.I. File No. 04-S-410; EC 2093

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Robert Kendziorski and David Skonieczny. The claim is in the amount of \$778.00, including \$8.00 in disbursements, for 7.00 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. A criminal investigation was initiated against the police officers on whose behalf this claim was filed, but they were ultimately not charged.

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:enm
Enc.

120484/1032-2004-3303

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

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

November 5, 2004

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

RE: MPD Criminal Investigation of POs Robert Kendziorski and David Skonieczny
Allegations regarding a critical incident
Date of Incident: August 12, 2004
Location of Incident: 7th and Melvina
EC No.: 2093

Dear Mr. Leonhardt:

The above-named police officers have retained us to represent them in connection with the above-referenced matter.

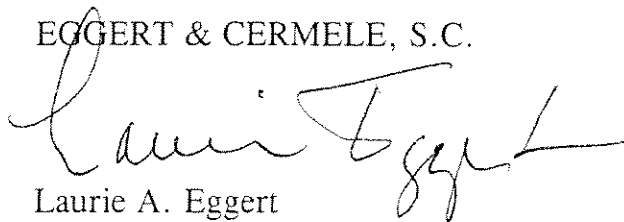
Consistent with its policy, the City Attorney's Office has refused to represent them, and as they were performing the duties of their office at the time of the events giving rise to the incident, the claim is hereby made on their behalf for the indicated legal fees. This incident involved a critical incident.

DDA Martin reviewed the matter and did not issue charges against the officers. Attached is a copy of DDA Martin's letter and an itemization of the time and services rendered.

6/14/07
OK
JRB
Letter # 2277

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

JC/LAE/ldl
attachment
KENDZIORSKI SKONIECZNY

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

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

November 05, 2004

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

RE: MPD Criminal Investigation re: Critical Incident
Regarding: POs Robert Kendziorski and David Skonieczny
Date of Incident: August 12, 2004
Location of Incident: 7th and Melvina
Professional services

	<u>Hours</u>
8/12/2004 Telephone call from PO Kendziorski regarding critical incident; telephone call to and from witnesses; telephone call to and from CIB; open file; meeting with CIB; meeting with POs Kendziorski and Skonieczny; meeting with witnesses; attend Skonieczny's statement to CIB and DA; attend Kendziorski's statement to CIB and DA; travel; memos to file.	6.10
8/16/2004 Telephone call to and from CIB.	0.40
8/20/2004 Receive and review Fax from DDA Martin to Chief Hegerty confirming that the use of deadly force was justified; telephone call to clients; correspondence to clients; close file.	0.50
	<u>Amount</u>
For professional services rendered	7.00 \$770.00
Additional charges:	
8/12/2004 Parking	8.00
Total costs	<u>\$8.00</u>
Total amount of this bill	<u>\$778.00</u>

Mr. Ronald D. Leonhardt

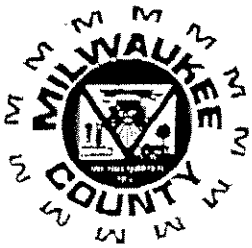
Page 2

Amount

Balance due

\$778.00

OFFICE OF DISTRICT ATTORNEY



Milwaukee County

E. MICHAEL McCANN • District Attorney

- Robert D. Denoboo
- Jon N. Reddin
- Carel Lynn White
- Patrick J. Kenney
- James J. Martin
- Thomas A. Schik
- Alexander G. Skonieczny
- William J. Muller
- Donald G. Jackson
- Celia G. Spalton
- Terry Magovern
- Gary D. Mahlern
- David Robles
- Deborah Daley
- Peg Tarrant
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- Levell Johnson, Jr.
- Walter D. Zier
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- Brad Vorpani
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- DeAnn L. Heam
- Patrick A. McGowan
- Inna Parham
- Karen A. Loeber
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- Renald S. Daque
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- Karlee D. Byrne
- Marie Williams
- James W. Frisch
- Kurt B. Benzley
- James C. Griffin
- William P. Pope
- Audrey Skotarski
- Joseph L. Hardin
- John T. Chisholm
- Christopher A. Luedel
- Angen P. Carmody
- Laura A. Cavello
- Shawn Pompey
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- Kevin R. Shorin
- Jennifer Rydal
- Belh D. Zingales
- Karen A. Valcovic
- Rebecca F. Dacet
- Mark A. Sanders
- Paul C. Dacinaky
- David T. Malone
- Kelly L. Hodge
- Jeffrey J. Altonburg
- Rachael Stencel
- Julius Kim
- Paul Wabitsch
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- Paul R. Sander
- Brian J. Logsdon
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- Michael T. Mahoney
- Mary M. Bowshau
- Kathryn K. Sarnat
- Jeanette Corbett
- Jeffrey P. Grispo
- Thomas C. Binger
- David Moss
- Jeffrey L. Resor
- Carole J. Sullivan
- Sam P. Sullivan
- Genise M. La Spina
- T. Christopher Deo
- Katherine Kucharski
- Lisa R. Bricker
- Robin J. Roscoe
- Tiffany J. Harris
- Daniel R. Humble
- Jacob D. Carr
- Joy Hammond
- Trevor A. Bisk
- Andrew J. Miller
- Hadi S. Gahan
- Nancy A. Nowl
- Elizabeth Mueller
- Klagan J. Thomas
- Cliff I. Hubbard
- Christine K. O'Neil
- Mary J. Thissen
- Michelle A. Ackerman
- Adam J. Levin
- Scott A. Males
- Jennifer K. Rhoades
- Clara L. Darling
- Zach S. Whiting
- Rebecca J. Klauer

August 20, 2004

Post-It [®] Fax Note	7671	Date	8/20/04	# of pages	1
To	Jonathan Cermele		From	Jim Martin	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #	276-8906		Fax #	223-1955	

Nannette H. Hegerty, Chief of Police
 Milwaukee Police Department
 Police Administration Building
 749 West State Street
 Milwaukee, WI 53233

Dear Chief Hegerty:

We conducted an investigation into the shooting of Donnell Johnson by Milwaukee police officers Robert Kendziorski and David Skonieczny on August 12, 2004, near the intersection of North 7th and West Melvina Streets in Milwaukee.

We concluded that the officers' shooting of Johnson was privileged in self-defense and defense of others, pursuant to section 939.48, Wis. Stats.

Johnson discharged a gun on North 28th Street, led police on a long and dangerous chase, ran from the police with the gun in hand after crashing his car, ignored repeated police commands to drop the gun, and turned and pointed the gun towards Officer Kendziorski. Under those circumstances, the officers reasonably concluded that the use of deadly force was necessary to prevent imminent death or great bodily harm to themselves and to others.

Thank you for your department's full and complete cooperation in our investigation.

Sincerely,

James J. Martin
 Deputy District Attorney

Cc: Lt. David Zibolski

Jonathan Cermele, Esq. ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 17, 2004

TO: P.O. DAVID SKONIECZNY
DISTRICT: SEVEN

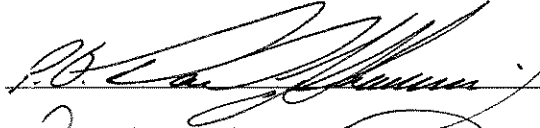
RE: Receipt of Legal Services from Law Firm of
Attorney

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 AUGUST 12, 2004
- 2) A citizen's complaint made by (CRITICAL INCIDENT)
- 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: DAVID T. SKONIECZNY

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