

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
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
VINCENT J. BOBOT
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

April 16, 2007

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele
for legal fees for Police Officers Michael Pendergast and
Robert Lemanczyk
Claim File No. 04-S-267-3; EC No. 2048

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Michael Pendergast and Robert Lemanczyk. The claim is in the amount of \$816.00, including \$2.00 in disbursements for 7.40 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 officers 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,


GRANT F. LANGLEY
City Attorney


JAN A. SMOKOWICZ
Assistant City Attorney

JAS:enm

Enc.

1032-20042330/117971

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

August 5, 2004

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

**RE: Citizen Complaint of Mr. Benjamin Godbolt
Against POs Michael Pendergast and Robert Lemanczyk
Complaint No.: 03-70
Date of Incident: June 24, 2003
EC No.: 2048**

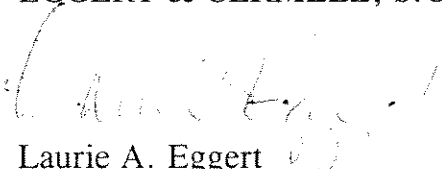
Dear Mr. Leonhardt:

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 field interview. 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

4/15/07
O.K.
JMS
Letter 2295

LAE/ldl
attachment
PENDERGAST LEMANCZYK

EGGERT & CERMELE, S.C.

Attorneys at Law

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Jonathan Cermele
Rachel L. Pings

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August 04, 2004

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

RE: Citizen Complaint of Mr. Benjamin Godbolt
Against POs Michael Pendergast and Robert Lemanczyk
FPC No: 03-70
Date of Incident: June 24, 2003
Location of Incident: 5641 North 62nd Street
Professional services

	<u>Hours</u>
1/30/2004 Telephone call from Pendergast; memo to file; open file; correspondence to FPC.	0.90
2/12/2004 Review of correspondence from FPC; review complaint; CCAP and municipal court search; correspondence to MPD Open Records.	1.40
2/27/2004 Telephone call from FPC; memo to file.	0.20
2/28/2004 CCAP and municipal court update regarding complainant; review of file; memo to file; correspondence to municipal court.	0.50
3/1/2004 Telephone call from FPC; memo to file.	0.20
3/5/2004 Review message regarding additional officer; review of correspondence from FPC; correspondence to client; memo to file; telephone call from FPC.	0.60
3/8/2004 Telephone call to Lemanczyk.	0.10
3/15/2004 Conference with client; memo to file.	0.80

	<u>Hours</u>	
3/18/2004 Telephone calls from municipal court; memo to file; review documents Faxed by municipal court.	0.80	
3/19/2004 Telephone call to client; telephone call from client; preparation for and appearance at conciliation; conference with client; memo to file; travel.	1.10	
3/24/2004 Correspondence to FPC; review of file.	0.10	
5/4/2004 Review of correspondence from FPC; review of file.	0.20	
5/6/2004 Review of correspondence from FPC; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	7.40	\$814.00
Additional charges:		
3/19/2004 Parking		2.00
		<u>\$2.00</u>
Total costs		\$816.00
Total amount of this bill		<u>\$816.00</u>
Balance due		<u><u>\$816.00</u></u>

(Rate: \$110.00 per hour)

RECEIVED

MAY 6 2004

EGGERT & ASSOC.

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

In Re:
THE CHARGES OF BENJAMIN GODBOLT
AGAINST POLICE OFFICERS ROBERT LEMANCZYK AND
MICHAEL PENDERGAST

ORDER OF DISMISSAL

To Officer Michael Pendergast:

It is hereby ordered that the Complaint of Benjamin Godbolt, Complaint No. 03-70, filed with the Board on August 18, 2003, is dismissed due to the Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MAY 4, 2004.

✓c: Attorney Laurie Eggert

RECEIVED

MAY 6 2004

ROBERT & CERRADIA, S.C.

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

In Re:
THE CHARGES OF BENJAMIN GODBOLT
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ORDER OF DISMISSAL

To Officer Robert Lemanczyk:

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MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

ERIC MANDEL JOHNSON,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MAY 4, 2004.

L: Attorney Laurie Eggert

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

AUGUST 19, 2004

TO: P.O. MICHAEL PENDERGAST
DISTRICT: FOUR

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 JUNE 24, 2003
- 2) A citizen's complaint made by BENJAMIN GODBOLT
- 3) A police shooting incident occurring on N/A

Is this information correct? YES *L* NO

Did you receive legal representation in this matter? YES *L* NO

Your signature: *Michael Pendergast*

Print your name: Michael Pendergast

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 *RFS*
Inspector of Police
Professional Performance Division

SMS:kjs

MILWAUKEE POLICE
INTERNAL AFFAIRS
04 AUG 26 AM 10:32
RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

AUGUST 19, 2004

TO: P.O. ROBERT LEMANCZYK
DISTRICT: FOUR

RE: Receipt of Legal Services from Law Firm of
Attorney

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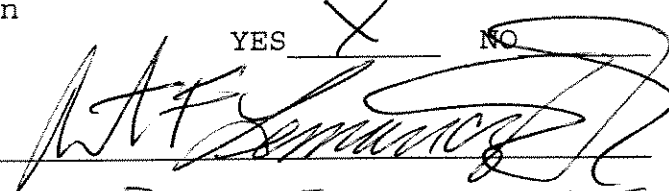
- 1) An incident occurring on JUNE 24, 2003
- 2) A citizen's complaint made by BENJAMIN GODBOLT
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO _____


Did you receive legal representation
in this matter?

YES X NO _____

Your signature: 

Print your name: ROBERT F. LEMANCZYK JR

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


Steven M. Settingsgaard
Inspector of Police
Professional Performance Division

SMS:kjs