

May 2, 2002

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 Officers Jeremy Sullivan, Michael Meade, Brian
Pinter, Brenda Del Valle and Richard Jack
C.I. File Nos. 98-S-420, 98-S-367 and 98-S-463**

**Communications from Attorney Kenneth J. Murray for legal fees for
Police Officers Ed Sturino, James Gruenewald, Gregory Stewart and
Kenneth Cecil; C.I. File Nos. 95-S-226, 95-S-607 and 95-S-643**

Dear Council Members:

Returned herewith are documents filed by Attorneys Laurie A. Eggert and Kenneth J. Murray for attorneys fees and expenses for representing the aforementioned police officers. The claims are in varying amounts as discussed below and are the subject of one transmittal because of an erroneous payment previously made to Attorney Murray instead of Attorney Eggert that must be offset in separate claims submitted by Attorney Murray.

By letters dated May 7, 1999, our office submitted the above-mentioned claims by Attorney Eggert for the representation of Officers Sullivan, Meade, Pinter, Del Valle and Jack. By resolution dated July 2, 1999, payment on these claims was authorized, but it was erroneously authorized for payment to Attorney Kenneth Murray. This error was only recently discovered by Attorney Eggert and, Attorney Murray had long ago accepted payment on these matters.

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There are however, certain other outstanding claims from Attorney Murray and they provide the opportunity for the offset.

With respect to the claim for Officer Sturino, Attorney Murray made a claim in the amount of \$882.00, for 9.8 hours of service billed at the rate of \$90 per hour. 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.

With respect to Officers Gruenewald and Stewart, Attorney Murray's claim is in the amount of \$839.00, including \$2.00 in disbursements for 9.3 hours of service billed at the rate of \$90 per hour. We have reviewed this claim and advise that in our opinion the time spent was reasonable. Legal representation was occasioned by citizen complaints to the Fire and Police Commission. The Commission referred the complaints upon submission to the Chief of Police who we are told did not impose any discipline.

With respect to Officer Kenneth Cecil, Attorney Murray's claim is in the amount of \$375.50, including \$15.50 in disbursements for 4.0 hours of service billed at the rate of \$90 per hour. We have reviewed this claim and advise that in our opinion, the time spent was reasonable. Legal representation was once again occasioned by a citizen complaint to the Fire and Police Commission. The Commission in dismissing the complaint referred it to the Chief of Police who we are told did not impose any discipline.

The total of these three claims by Attorney Murray exceed the amount previously paid in error to him by a total of \$200.95. We have therefore enclosed a resolution with this letter for your convenience providing for payment of \$1,895.55 to Attorney Eggert and \$200.95 to Attorney Murray.

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We ask that this matter be introduced and referred to the Committee on Judiciary and Legislation. As we have advised you under similar circumstances in the past, the Common Council has the discretion to reject these claims or to pay them in whole or in part. § 895.35, Stats., Bablitch & Bablitch v. Lincoln County, 82 Wis. 2d 574 (1978).

Very truly yours,

GRANT F. LANGLEY
City Attorney

JAN A. SMOKOWICZ
Assistant City Attorney

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