

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

PATRICK B. McDONNELL
LINDA ULISS BURKE
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

March 20, 2003

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

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
DAVID R. HALBROOKS
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
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND

Assistant City Attorneys

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C. for legal fees
for Police Officer Patrick Reiter
C.I. File No. 00-S-356; ELO No. 1699

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Patrick Reiter. The claim is in the amount of \$258.91 including \$16.91 in disbursements for 2.20 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 a criminal investigation. No criminal charges were brought against the Police 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. Sec. 895.35, Stats., *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.
2276

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

October 8, 2001

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

RE: MPD Criminal Investigation of PO Patrick Reiter
Allegations: Fraudulent Worker's Compensation Claim
Date of Incident: July 16, 2001
Location of Incident: 3626 West Fond du Lac Avenue
ELO No.: 1699

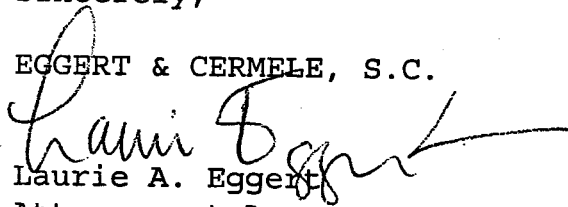
Dear Mr. Leonhardt:

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 an allegation of Worker's Compensation fraud. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

JC/LAE/ldl
REITER

3/5/03

O.K.

JHS

Letter 2276

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

October 8, 2001

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

RE: MPD Criminal Investigation re: WC claim
Regarding: PO Patrick Reiter
Date of Incident: July 16, 2000
Location of Incident: 3626 West Fond du Lac Avenue

Professional services

| | <u>Hours</u> | |
|---|--------------|---------------|
| 05/07/01 Telephone call from PO Reiter regarding new criminal investigation; open file; several telephone calls to and from IAD; intra-office conference; office conference with client; telephone call to IAD; telephone call to DWD ALJ regarding same and inappropriate procedures used to investigate this allegation of fraud. | 1.20 | |
| 05/08/01 Several telephone calls to and from IAD; correspondence to MPD Open Records. | 0.50 | |
| 09/25/01 Review of correspondence from MPD Open Records; correspondence to client; close file. | 0.50 | |
| | | <u>Amount</u> |
| For professional services rendered | 2.20 | \$242.00 |

Mr. Ronald D. Leonhardt

Page 2

Additional charges:

| | <u>Amount</u> |
|-----------------------------------|------------------------|
| 09/25/01 MPD Open Records request | 16.91 |
| Total costs | <u>\$16.91</u> |
| Total amount of this bill | <u>\$258.91</u> |
| Balance due | <u><u>\$258.91</u></u> |

(Rate: \$110.00 per hour)

| | | | | |
|----------------------|-----------------------------------|--------------------------------|----------------|----------|
| INCIDENT INFORMATION | INCIDENT | DATE OF INCIDENT | DATE OF REPORT | REP CON# |
| | FRAUDULENT EMPLOYEE BENEFIT CLAIM | 08-27-06 | 05-29-01 | |
| | VICTIM | LOCATION OF INCIDENT (ADDRESS) | | DIST. |
| | CITY OF MILWAUKEE | 749 W. STATE STREET | | 1 |
| | VICTIM'S ADDRESS | REPORTED BY | | |
| | 749 W. STATE STREET | GOETTER, ABBY | | |

- PROPERTY CODES - LIST CODE FOR EACH ITEM OF PROPERTY IN "CODE #" COLUMN -
- | | | | | | |
|-------------------|--------------------|-----------------------|--------------------------|------------------------|-------------------|
| 01-AIRCRAFT | 09-CREDIT CARDS | 15-HEAVY EQUIPMENT | 21-NEGOTIABLE INSTRUMENT | 27-RECORD/AUDIO VISUAL | 34-STRUCT-STORAGE |
| 02-ALCOHOL | 10-DRUGS/NARCOTICS | 16-HOUSEHOLD GOODS | 22-NONNEGOT INSTRUMENT | 29-STRUCT-SINGLE DWL | 35-STRUCT-OTHER |
| 03-BICYCLES | 11-DRUG/NARC EQUIP | 17-JEWELRY/PREC METAL | 23-OFFICE EQUIPMENT | 30-STRUCT-OTHER DWL | 36-TOOLS |
| 04-CLOTHES/FURS | 12-FARM EQUIPMENT | 18-LIVESTOCK | 77-OTHER | 31-STRUCT-OTHER COMM | 38-VEH/PART/ACC |
| 05-COMPUTER WARES | 13-FIREARMS | 19-MERCHANDISE | 25-PURSE/BAG/WALLET | 32-STRUCT-INDUST MFG | 39-WATERCRAFT |
| 06-CONSUMABLES | 14-GAMBLING EQUIP | 20-MONEY | 26-RADIO/TV/VCR | 33-STRUCT-PUBLIC | 99- |

| QUANT | TYPE OF PROPERTY | DESCRIPTION | SERIAL # | INVENTORY # | CODE # | VALUE |
|-------|------------------|-------------|----------|-------------|--------|-------|
| | | | | | | |

| | | | |
|----------------------|------------------------|-------------------------------|-----------------------------------|
| RELATED INCIDENT #'S | EVIDENCE INVENTORY #'S | ADDED PROPERTY ATTACHED PO-14 | TOTAL VALUE RECOVERED PROPERTY \$ |
|----------------------|------------------------|-------------------------------|-----------------------------------|

- WEAPONS IN POSSESSION OF PRISONER AT TIME OF ARREST - CHECK ALL APPLICABLE ITEMS
- | | | | | | |
|--|--|--|--|---|---|
| <input type="checkbox"/> ALTERED STOCK | <input type="checkbox"/> CHROME/NICKEL | <input type="checkbox"/> HANDGUN | <input type="checkbox"/> OTHER | <input type="checkbox"/> REVOLVER | <input type="checkbox"/> SHOTGUN |
| <input type="checkbox"/> AUTOMATIC | <input type="checkbox"/> DOUBLE BBL | <input type="checkbox"/> IMPLIED WEAPON | <input type="checkbox"/> OTHER FIREARM | <input type="checkbox"/> RIFLE | <input type="checkbox"/> SIMULATED WEAPON |
| <input type="checkbox"/> BOLT ACTION | <input type="checkbox"/> DRUG/NARCOTIC | <input type="checkbox"/> KNIFE/CUTTING INSTR | <input type="checkbox"/> PERSONAL WEAPON | <input type="checkbox"/> SAWED OFF | <input type="checkbox"/> SINGLE BBL |
| <input type="checkbox"/> BLUE STEEL | <input type="checkbox"/> EXPLOSIVES | <input type="checkbox"/> LIQUID GAS | <input type="checkbox"/> POISON | <input type="checkbox"/> SEMI AUTO | <input type="checkbox"/> THROWN OBJECT |
| <input type="checkbox"/> BLUNT OBJECT | <input type="checkbox"/> FIRE/INCENDIARY | <input type="checkbox"/> MOTOR VEHICLE | <input type="checkbox"/> PUMP ACTION | <input type="checkbox"/> SHORT/SNUB BBL | <input type="checkbox"/> UNKNOWN |

| | | | | | | | |
|-----------------------|------------|-------|--------|--------|---------------|------|---|
| ARRESTED #1 LAST NAME | FIRST NAME | MID | RACE | SEX | DATE OF BIRTH | AGE | ETHNIC ORIGIN <input type="checkbox"/> HISPANIC <input type="checkbox"/> NON-HISPANIC |
| ADDRESS | CITY | STATE | HEIGHT | WEIGHT | BUILD | HAIR | EYES |

ALIAS SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PECULIARITIES ETC.

| | | |
|------------|-------------|-------------------------------|
| I.D. DIV # | SOC. SEC. # | ADDED WEAPON INFO ARRESTED #1 |
|------------|-------------|-------------------------------|

| | | | | | | | | | |
|--------------------|---|--------------|-----|--------------|-----|--------------------|---------------------|----------------|--|
| RESIDENT OF COUNTY | Y N | GANG RELATED | Y N | DRUG RELATED | Y N | LOCATION OF ARREST | DATE/TIME OF ARREST | TYPE OF ARREST | <input type="checkbox"/> ORDERED IN/CITED <input type="checkbox"/> W/WARR/SUSP CARD <input type="checkbox"/> ALL OTHER ARRESTS |
| CHARGES | POSSESSED SUSPECTED DRUGS AT TIME OF ARREST | | Y N | | | | | | <input type="checkbox"/> <input type="checkbox"/> |

| | | | | | | | |
|-----------------------|------------|-------|--------|--------|---------------|------|---|
| ARRESTED #2 LAST NAME | FIRST NAME | MID | RACE | SEX | DATE OF BIRTH | AGE | ETHNIC ORIGIN <input type="checkbox"/> HISPANIC <input type="checkbox"/> NON-HISPANIC |
| ADDRESS | CITY | STATE | HEIGHT | WEIGHT | BUILD | HAIR | EYES |

ALIAS SCARS, MARKS, MOLES, DEFORMITIES, AMPUTATIONS, FACIAL HAIR, SKINTONE, TATTOOS, PECULIARITIES ETC.

| | | |
|------------|-------------|-------------------------------|
| I.D. DIV # | SOC. SEC. # | ADDED WEAPON INFO ARRESTED #1 |
|------------|-------------|-------------------------------|

| | | | | | | | | | |
|--------------------|---|--------------|-----|--------------|-----|--------------------|---------------------|----------------|--|
| RESIDENT OF COUNTY | Y N | GANG RELATED | Y N | DRUG RELATED | Y N | LOCATION OF ARREST | DATE/TIME OF ARREST | TYPE OF ARREST | <input type="checkbox"/> ORDERED IN/CITED <input type="checkbox"/> W/WARR/SUSP CARD <input type="checkbox"/> ALL OTHER ARRESTS |
| CHARGES | POSSESSED SUSPECTED DRUGS AT TIME OF ARREST | | Y N | | | | | | <input type="checkbox"/> <input type="checkbox"/> |

| VEHICLE USED | MAKE | MODEL | TYPE | COLOR | STATE | EXP | TYPE | V.I.N. # |
|--------------|------|-------|------|-------|-------|-----|------|----------|
|--------------|------|-------|------|-------|-------|-----|------|----------|

| | | | | | |
|------------------------|-----------|-------|-------------------|----------------------|---------------|
| REPORTING OFFICER | PAYROLL # | LOC # | ASSISTING OFFICER | SUPERVISOR | TOTAL ARRESTS |
| <i>Michael Carlson</i> | | | | <i>St. Mary Hoeg</i> | |
| DET. MICHAEL CARLSON | 36620 | 04 | | | |

INVESTIGATIVE NARRATIVE:

This report is being dictated by Detective Michael CARLSON, of the Criminal Investigation Unit/Internal Affairs Division (CIU/IAD), day shift.

On Monday, May 14, 2001, I was instructed by Assistant District Attorney Frederick MATESTIC to contact Dr. J. SCHNEIDER regarding his records as to what Officer Patrick REITER told him when he was examined by him. Assistant District Attorney Frederick MATESTIC has reviewed this case with Detective Lieutenant Mary HOERIG prior to this request.

On Monday, May 14, 2001, I did talk with Dr. SCHNEIDER at approximately 10:15am. At this time I informed Dr. SCHNEIDER as to the nature of the investigation and asked him if he had any further information. At this time Dr. SCHNEIDER informed me that Patrick REITER was and is his patient and that he recalled Patrick REITER informing him something about chasing someone and jumping a fence. Dr. SCHNEIDER states that he was not sure exactly when Patrick REITER told him this and that he would have to check his notes to see if he could find it.

On Monday, May 21, 2001, Dr. SCHNEIDER contacted my office and informed me that he had no new information as to the conversation between his patient, Patrick REITER, and himself. He further stated that the only information he did have was already in his reports.

On Tuesday, May 29, 2001, I subsequently informed Assistant District Attorney Frederick MATESTIC as to the statements by Dr. SCHNEIDER. At this time Assistant District Attorney MATESTIC stated that he would be unable to prove a case against Patrick REITER because of the statements given by Dr. SCHNEIDER. This case will be cleared as warrant refused.

01-08

| | | |
|--|---|--|
| REVIEWING D.A. FREDERICK MATESTIC | P.O./DET. ASSIGNED DET. CARLSON | COURT CASE NUMBER |
| FINAL CHARGE WARRANT REFUSED | DISPOSITION/DATE 05-29-01 | VICTIM NOTIFIED BY |
| INCIDENT STATUS | <input type="radio"/> CLEARED BY ARREST 18 OR OVER <input type="radio"/> PARTIAL CLEARANCE BY ARREST <input type="radio"/> UNFOUNDED/BASELESS <input type="radio"/> NO PROSECUTION DESIRED | <input type="radio"/> PROPERTY RECOVERED <input type="radio"/> WARRANT REFUSED <input type="radio"/> ARREST UNDER 18 <input type="radio"/> A. Detained at MCCC <input type="radio"/> B. Ordered in to MCCC DATE: _____ <input type="radio"/> WAIVED AS AN ADULT |
| ----- C.I.B. ADMINISTRATIVE USE ONLY ----- | | |
| CLEARED EXCEPTIOWALLY | <input type="radio"/> A. Death of Offender <input type="radio"/> B. Prosecution Declined | <input type="radio"/> C. Extradition Denied <input type="radio"/> D. Refused to Cooperate <input type="radio"/> E. Juvenile, no custody <input type="radio"/> F. Not Applicable |
| JUSTIFIABLE HOMICIDE INFORMATION | <input type="radio"/> A. SUSP ATTKCD PO AND SAME PO KILLED SUSP <input type="radio"/> B. SUSP ATTKCD PO AND OTHER PO KILLED SUSP <input type="radio"/> C. SUSP ATTKCD CIVILIAN <input type="radio"/> D. SUSP ATTEMPTED FLIGHT FROM CRIME | <input type="radio"/> E. SUSP KILLED IN COMMISSION OF CRIME <input type="radio"/> F. SUSP RESISTED ARREST <input type="radio"/> G. UNABLE TO DETERMINE/NOT ENOUGH <input type="radio"/> H. SUSPECT KILLED BY PRIVATE CITIZEN <input type="radio"/> I. SUSPECT KILLED BY POLICE OFFICER |

Handwritten initials/signature

LATE

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. PATRICK REITER
DISTRICT FIVE

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 JULY 16, 2001
- 2) A citizen's complaint made by WORKERS COMPENSATION CLAIM
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

Did you receive legal representation in this matter?

YES NO

Your signature: P.O. Patrick Reiter

Print your name: P.O. PATRICK REITER

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

P. O. PATRICK REITER
DISTRICT FIVE

RECEIVED
NOV 13 2001

11/13/01