

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

RUDOLPH M. KONRAD  
Deputy City Attorney

THOMAS E. HAYES  
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MARYNELL REGAN  
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 11, 2002

To 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 Ryan Lemke, Colin Jorgenson, David Droster, Alfredy Young and Hollis Smith**  
**C.I. File No. 01-S-99/15; ELO No. 1619**

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Ryan Lemke, Colin Jorgenson, David Droster, Alfredy Young and Hollis Smith. The claim is in the amount of \$1,470.00, including \$7.00 in disbursements, for 13.30 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 Officers 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,

  
GRANT F. LANGLEY  
City Attorney

  
JAN A. SMOKOWICZ  
Assistant City Attorney  
JAS:enm  
Enc.

**EGGERT LAW OFFICE, 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

March 15, 2001

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

**RE: MPD Criminal Investigation of POs Ryan Lemke, Colin Jorgenson, David Droster, Alfred Young and Hollis Smith  
Allegations Regarding Ms. Teresa Jones  
Date of Incident: November 4, 2000  
Location of Incident: 3620 West Hampton Avenue  
ELO No.: 1619**

Dear Mr. Leonhardt:

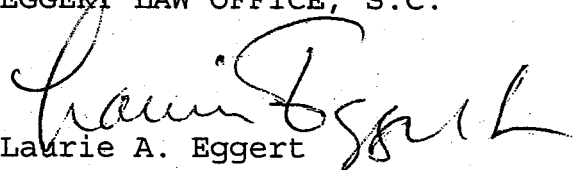
The above-named police officers have retained us to represent them in connection with the above-referenced matter.

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 the entry to a residence to effectuate an outstanding warrant for arrest.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled Jorgenson, Young and Droster to give statements concerning the incident after issuing PI-21s. Later, the DA decided not to issue criminal charges against the officers. Attached is an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.

  
Laurie A. Eggert  
Attorney at Law

11/11/02  
O.K.  
JAS  
Letter # 2271

CITY OF MILWAUKEE  
RECEIVED  
'01 MAR 19 PM 3:46  
OFFICE OF  
CITY ATTORNEY  
JC/ldl  
LEMSMITH

**EGGERT LAW OFFICE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele

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

March 15, 2001

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

RE: MPD Criminal Investigation re: Ms. Teresa Jones  
Regarding: POs Ryan Lemke, Colin Jorgenson, David Droster,  
Alfred Young and Hollis Smith  
Date of Incident: November 4, 2000  
Location of Incident: 3620 W. Hampton Ave.

Professional services

	<u>Hours</u>
11/14/00 Telephone call from PO Lemke; open file; memo to file.	0.40
11/20/00 Telephone calls to and from POs Lemke and Smith; review of file; meeting with PO Lemke at IAD; attend PO Lemke's statement to IAD; travel; memo to file.	1.90
12/5/00 Telephone call to PO Smith; telephone call to PO Jorgenson.	0.40
12/6/00 Telephone call to PO Jorgenson; review of file; meeting with PO Jorgenson at IAD; attend PO Jorgenson's PI-21 statement to IAD; travel; memo to file.	1.80
12/7/00 Telephone call from PO Droster; memo to file; telephone call to IAD; telephone call to witness.	0.80

	<u>Hours</u>	
12/8/00 Telephone call to witness.	0.30	
12/13/00 Several telephone calls from PO Droster; telephone call to IAD; review of file.	0.40	
12/14/00 Telephone calls to and from PO Droster; telephone call to and from IAD; review of file; meeting with IAD; meeting with PO Droster; attend PO Droster's PI-21 statement to IAD; travel; memo to file.	2.10	
12/15/00 Telephone call to and from IAD; meeting with PO Young at IAD; attend PO Young's PI-21 statement to IAD; travel; memo to file.	1.70	
2/14/01 Telephone call to DA; telephone call to PO Jorgenson.	0.40	
2/15/01 Telephone call to DA; telephone call to clients.	0.30	
2/20/01 Telephone call to and from PO Jorgenson; telephone call to DA.	0.40	
2/21/01 Telephone call from DA's office; telephone call to clients.	0.30	
2/22/01 Review of file; meeting with PO Jorgenson at DA's office; attend PO Jorgenson's statement to DA; travel; memo to file.	1.60	
2/26/01 Review of correspondence from DA; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	13.30	\$1,463.00

Mr. Ronald D. Leonhardt

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Additional charges:

	<u>Amount</u>
11/20/00 Parking	3.00
2/22/01 Parking	4.00
	<hr/>
Total costs	\$7.00
	<hr/>
Total amount of this bill	\$1,470.00
	<hr/>
Balance due	<u>\$1,470.00</u>

(Rate: \$110.00 per hour)



OFFICE OF DISTRICT ATTORNEY

# Milwaukee County

E. MICHAEL McCANN • District Attorney

Robert D. Donohoo  
Jon N. Reddin  
Carol Lynn White  
Patrick J. Kenney  
James J. Martin

Thomas A. Schulz  
Alexander B. Stoenarz  
Freddie E. Iwaszk  
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Margaret M. Zimmer  
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Michael T. Mahoney  
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Mary M. Szwanski  
Kathryn K. Sauer  
Jasnette Corbett  
Jeffrey P. Grepp  
Thomas C. Binger  
David Maas  
Jeremy L. Resar  
Daniel J. Gabler  
Sara P. Scullen  
Gerise M. Hooks  
Brent Nieser  
T. Christopher Dees  
Katharine Kucharaki  
Lisa P. Fricker  
Robin J. Rosche  
Phillip R. Rangauebsen  
Tiffany J. Harris  
Emory H. Booker, II  
Daniel R. Humble  
Jacob D. Corr  
David H. Weber  
Joy Hammond

February 22, 2001

FEB 26 2000

Chief Arthur Jones  
City of Milwaukee Police Department  
749 W. State Street  
Milwaukee, WI 53233

Dear Chief Jones:

On November 4, 2000, members of the Milwaukee Police Department Tactical Enforcement Unit made a dynamic entry into a home at 3620 W. Hampton Avenue to look for a suspect who was wanted on several warrants and who had vowed to fight with police if caught. Police had information that this individual was at that house getting his hair cut.<sup>1</sup>

The complainant in this case, Phillip Jones, was in the basement cutting hair when he heard the entry team and came running up the stairs. He ran into officer Colin Jorgenson, who was carrying a ballistic shield in one hand, and his weapon in the other. According to officer Jorgenson, Jones came headlong at him, slid legs first and struck Jorgenson's legs, which caused Jorgenson to fall to his knees. Jones claims that someone hit him in the head with a gun during this incident.

This was a dynamic entry. Jones came running up the stairs at the first officer on the scene and collided with him. The contusion that Jones said he suffered was, in my opinion, incidental to that collision. If he was struck by a weapon, which Jorgenson denies, I believe it was accidental. In any event, no intent to injure can be shown, and absent such a showing no crime can be proven. I am therefore declining prosecution of this case.

Very truly yours,

Jon N. Reddin  
Deputy District Attorney

JNR:jr

cc/ Jon Cermele

<sup>1</sup>As it turned out, that information was not accurate, and the suspect was not located in the house.

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO HOLLIS SMITH  
SPECIAL OPERATIONS

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 NOVEMBER 4, 2000
- 2) A citizen's complaint made by
- 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: 

Print your name: HOLLIS R. SMITH

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

  
DALE T. SCHUNK *JS*  
Commander of Police  
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO DAVID DROSTER  
SPECIAL OPERATIONS

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 NOVEMBER 4, 2000
- 2) A citizen's complaint made by
- 3) A police shooting incident occurring on

Is this information correct?

YES  NO

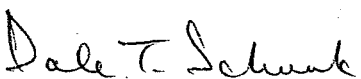
Did you receive legal representation  
in this matter?

YES  NO

Your signature: 

Print your name: DAVID DROSTER

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

  
DALE T. SCHUNK *JS*  
Commander of Police  
Internal Affairs Division

DTS:dnp



MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO COLIN JORGENSEN  
SPECIAL OPERATIONS

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 NOVEMBER 4, 2000
- 2) A citizen's complaint made by
- 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: PO. Colin G. Jorgensen

Print your name: PO. COLIN G. JORGENSEN

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

Dale T. Schunk  
DALE T. SCHUNK JJ  
Commander of Police  
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO ALFREDDY YOUNG  
SPECIAL OPERATIONS

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 NOVEMBER 4, 2000
- 2) A citizen's complaint made by
- 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: \_\_\_\_\_

*Alfred Young*

Print your name: \_\_\_\_\_

Alfred D. Young

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

*DALE T. SCHUNK*

DALE T. SCHUNK  
Commander of Police  
Internal Affairs Division

DTS:dnp

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

APRIL 27, 2001

TO: PO RYAN LEMKE  
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 NOVEMBER 4, 2000
- 2) A citizen's complaint made by
- 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: \_\_\_\_\_

Print your name: \_\_\_\_\_

*Ryan J. Lemke*  
Ryan J. Lemke

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

*Dale T. Schunk*  
DALE T. SCHUNK JH  
Commander of Police  
Internal Affairs Division

DTS:dnp