

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. HOUEN
JOHN J. HEINEN
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 Z. BLOCK
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
HEIDI E. GALVÁN
Assistant City Attorneys

March 17, 2008

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 David Bettin, Brian Flannery, Gregory
Nelson, Ray Harris, Jeffrey Buckson, and Eric Rom
C.I. File No. 06-S-333 (4); EC 2375

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers David Bettin, Brian Flannery, Gregory Nelson, Ray Harris, Jeffrey Buckson, and Eric Rom. The claim is in the amount of \$336.12 including \$6.12 in disbursements for 3.00 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:amp
Enc.

1032-2006-3040:124771v1

OFFICE OF THE CITY ATTORNEY

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. DAVID BETTIN
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

RECEIVED
06 NOV 14 PM 2:42
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

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 DECEMBER 13, 2005
- 2) A citizen's complaint made by CRYSTAL FITZPATRICK

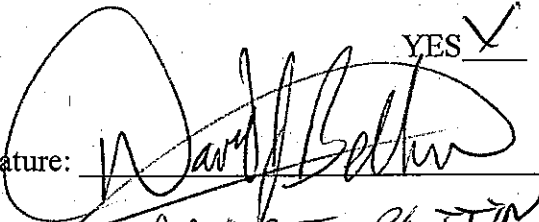
Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature:



Print your name:

DAVID J. BETTIN

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. BRIAN FLANNERY
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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06 NOV 14 PM 2:42
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

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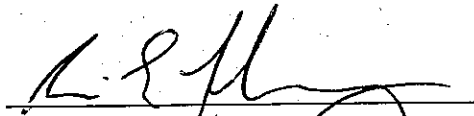
- 1) An incident occurring on DECEMBER 13, 2005
- 2) A citizen's complaint made by CRYSTAL FITZPATRICK

Is this information correct?

YES X NO

Did you receive legal representation
in this matter?

YES X NO

Your signature: 

Print your name: BRIAN E FLANNERY

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. GREGORY NELSON
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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INTERNAL AFFAIRS
DIVISION
06 NOV 14 PM 2:42

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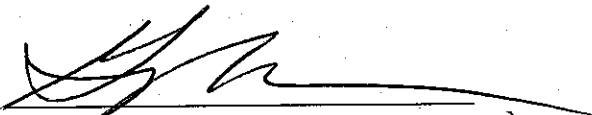
Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature:



Print your name:

GREGORY NELSON

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. RAY HARRIS
DISTRICT: ONE-COURT ADMINISTRATION

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 DECEMBER 13, 2005
- 2) A citizen's complaint made by CRYSTAL FITZPATRICK

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature:

PO Ray Harris

Print your name:

PO RAY HARRIS

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

TO: P.O. JEFFREY BUCKSON
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

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 DECEMBER 13, 2005
- 2) A citizen's complaint made by CRYSTAL FITZPATRICK

Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature: PO Jeffrey Buckson

Print your name: PO Jeffrey Buckson

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

November 8, 2006

RECEIVED
06 NOV 22 AM 11:57
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

TO: P.O. ERIC ROM
DISTRICT: THREE

RE: Receipt of Legal Services from Law Firm of
Attorney Laurie Eggert

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 DECEMBER 13, 2005
- 2) A citizen's complaint made by CRYSTAL FITZPATRICK

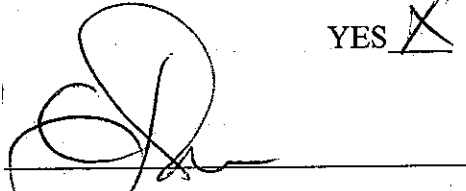
Is this information correct?

YES NO

Did you receive legal representation
in this matter?

YES NO

Your signature:



Print your name:

ERIC ROM

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

MARY K. HOERIG
Deputy Inspector
Professional Performance Division

MKH:kjs

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
LAURIE A. EGGERT
RACHEL L. PINGS
MATTHEW L. GRANITZ

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

October 19, 2006

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

CITY OF MILWAUKEE
2006 OCT 25 PM 1:26
RONALD D. LEONHARDT
CITY CLERK

**RE: Citizen Complaint of Ms. Crystal Fitzpatrick
Against PO's Nathan Neibauer, David Bettin, Brian Flannery, Gregory
Nelson, Ray Harris, Jeffrey Buckson and Eric Rom
Complaint No.: 05-55
Date of Incident: December 13, 2005**

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, this claim is hereby made on their behalf for the indicated legal fees. This incident involved serving a warrant.

The Fire and Police Commission dismissed the complaint. Attached are copies of the dismissal notices and an itemization of the time and services rendered.

Sincerely,

CERMELE & ASSOCIATES, S.C.

Jon Cermele

OFFICE OF
CITY ATTORNEY

2006 OCT 25 PM 2:39

CITY OF MILWAUKEE
OFFICE OF THE
CITY CLERK

/kjs
Attachments
NEIBAUER, ET AL

CERMELE & ASSOCIATES, S.C.

ATTORNEYS AT LAW

JONATHAN CERMELE
LAURIE A. EGGERT
RACHEL L. PINGS
MATTHEW L. GRANITZ

6310 WEST BLUEMOUND ROAD
SUITE 200
MILWAUKEE, WISCONSIN 53213
(414) 276-8750
FAX (414) 276-8906

October 19, 2006

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

RE: Citizen Complaint of Ms. Crystal Fitzpatrick
Against PO's Nathan Neibauer, David Bettin, Brian Flannery, Gregory
Nelson, Ray Harris, Jeffrey Buckson and Eric Rom
FPC No: 05-55
Date of Incident: December 13, 2005
Professional services

	<u>Hours</u>
4/18/2006 Telephone call from PO Bettin regarding citizen complaint; open file; review complaint; conference with PO Bettin; Open Records request.	0.90
4/19/2006 Review and sign correspondence to FPC.	0.10
4/27/2006 Telephone call from FPC; schedule and calendar conciliation.	0.10
5/3/2006 Receive and review correspondence from FPC regarding Open Records request.	0.10
5/8/2006 Receive and review correspondence from FPC regarding conciliation; receive and review Open Records request; review and sign correspondence to clients.	0.50
5/18/2006 Review file as preparation for conciliation; travel to conciliation; citizen no-show; return travel.	1.00
8/23/2006 Receive and review Notice of Dismissals.	0.20
8/24/2006 Correspondence to clients; close file.	0.10

Mr. Ronald Leonhardt

Page 2

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	3.00	\$330.00
Additional charges:		
5/12/2006 MPD Open Records request		5.12
5/18/2006 Parking		1.00
Total costs		<u>\$6.12</u>
Total amount of this bill		<u>\$336.12</u>
Balance due		<u><u>\$336.12</u></u>

(Rate: \$110.00 per hour)

AUG 23 2006

CERMELE & ASSOCIATES, S.C.

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

In Re:
THE CHARGES OF CRYSTAL FITZPATRICK
AGAINST POLICE OFFICERS NATHAN NEIBAUER,
DAVID BETTIN, BRIAN FLANNERY, GREGORY
NELSON, RAY HARRIS, JEFFREY BUCKSON,
AND ERIC ROM

ORDER OF DISMISSAL

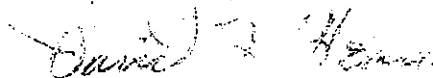
To Officer Eric Rom:

It is hereby ordered that the Complaint of Crystal Fitzpatrick, Complaint No. 05-55, filed with the Board on December 22, 2005, is dismissed because the Complainant failed to appear at the scheduled meeting, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCZAK, CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, AUGUST 22, 2006.

c: Attorney Rachel Pings ✓

AUG 23 2006

CERMELE & ASSOCIATES, S.C.

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

In Re:
THE CHARGES OF CRYSTAL FITZPATRICK
AGAINST POLICE OFFICERS NATHAN NEIBAUER,
DAVID BETTIN, BRIAN FLANNERY, GREGORY
NELSON, RAY HARRIS, JEFFREY BUCKSON,
AND ERIC ROM

ORDER OF DISMISSAL

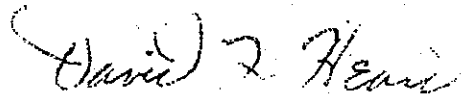
To Officer Nathan Neibauer:

It is hereby ordered that the Complaint of Crystal Fitzpatrick, Complaint No. 05-55, filed with the Board on December 22, 2005, is dismissed because the Complainant failed to appear at the scheduled meeting, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

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BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, AUGUST 22, 2006.

c: Attorney Rachel Pings ✓

RECEIVED

AUG 23 2006

CERMELE & ASSOCIATES, S.C.

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In Re:
THE CHARGES OF CRYSTAL FITZPATRICK
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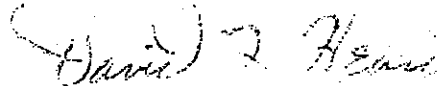
To Officer David Bettin:

It is hereby ordered that the Complaint of Crystal Fitzpatrick, Complaint No. 05-55, filed with the Board on December 22, 2005, is dismissed because the Complainant failed to appear at the scheduled meeting, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

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EXECUTIVE DIRECTOR

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c: Attorney Rachel Pings ✓

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

In Re:
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AND ERIC ROM

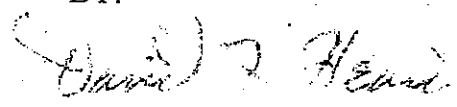
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To Officer Brian Flannery:

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MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS
LEONARD J. SOBCZAK, CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, AUGUST 22, 2006.

c: Attorney Rachel Pings ✓

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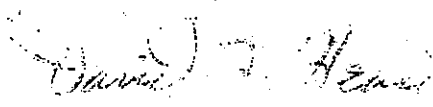
To Officer Gregory Nelson:

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FIRE AND POLICE COMMISSIONERS

LEONARD J. SOBCHAK, CHAIRMAN

BY:


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DATED AT MILWAUKEE, WISCONSIN, AUGUST 22, 2006.

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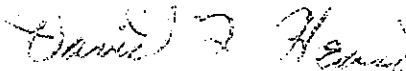
To Officer Ray Harris:

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FIRE AND POLICE COMMISSIONERS

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BY:



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EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, AUGUST 22, 2006.

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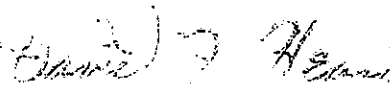
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BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, AUGUST 22, 2006.

c: Attorney Rachel Pings ✓