

# CITY OF MILWAUKEE

Form CA-43

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
Deputy City Attorney

**THOMAS E. HAYES**  
**PATRICK B. McDONNELL**  
**CHARLES R. THEIS**  
Special Deputy City Attorneys



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

**BEVERLY A. TEMPLE**  
**THOMAS O. GARTNER**  
**LINDA ULISS BURKE**  
**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**  
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**ELLEN H. TANGEN**  
**JAY A. UNORA**  
**DONALD L. SCHRIEFER**  
**EDWARD M. EHRlich**  
**CHRISTOPHER J. CHERELLA**  
**LEONARD A. TOKUS**  
**MIRIAM R. HORWITZ**  
**MARYNELL REGAN**  
**G. O'SULLIVAN-CROWLEY**

Assistant City Attorneys

March 22, 2001

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 Officer James Collins  
C.I. File No: 99-S-272**

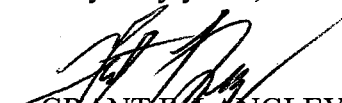
Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer James Collins. The claim is in the amount of \$802.95 including \$32.95 in disbursements for 7.00 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 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,

  
GRANT F. LANGLEY  
City Attorney

  
JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:enm  
Enc.  
2276

# CITY OF MILWAUKEE

Form CA-43

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City Attorney

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June 2, 1999

BEVERLY A. TEMPLE  
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CHRISTOPHER J. CHERELLA  
LEONARD A. TOKUS

Assistant City Attorneys

Deputy Inspector Dale Schunk  
Milwaukee Police Department  
749 West State Street, Room 714  
Milwaukee, WI 53233

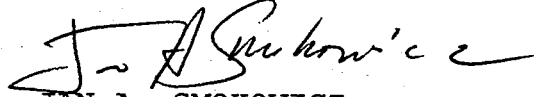
Re: C.I. File No. 99-S-272  
Communication from EGGERT LAW OFFICE

Dear Deputy Inspector Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during his representation of Officer James Collins.

Please determine whether this officer was in fact involved in the matter described in Ms. Eggerts' claim, and have the officer verify Ms. Eggerts' representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

  
JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure

3/22/2001

O.K.

JAS

Letter # 2276

99 JUL 13 AM 11:29  
MILWAUKEE POLICE DEPARTMENT  
RECEIVED

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

**Attorneys at Law**

Laurie A. Eggert  
Jonathan Cermele

CITY OF MILWAUKEE  
1840 North Farwell Avenue  
Suite 303  
Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906  
93 MAY 20 PM 2:37  
RONALD D. LEONHARDT  
CITY CLERK

May 17, 1999

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

**RE: MPD Criminal Investigation  
Regarding PO James Collins  
Date of Incident: October 31, 1998  
Location of Incident: 97th and Flag**

Dear Mr. Leonhardt:

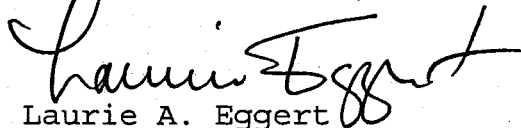
The above-named police officer has retained us to represent him in connection with the above-referenced matter.

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 arose from a call for service regarding a disturbance in the 5700 block of North 93rd St. ADA Stephanie Rothstein declined to issue charges against the officer. Attached is a copy of IAD's report confirming the same.

The attached is an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.



Laurie A. Eggert  
Attorney at Law

CITY OF MILWAUKEE  
RECEIVED  
1999 MAY 20 PM 4:51  
CITY ATTORNEY

JC/ldl  
COLLINS

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

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele

1840 North Farwell Avenue  
Suite 303  
Milwaukee, Wisconsin 53202  
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FAX(414)276-8906

May 17, 1999

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

RE: MPD Criminal Investigation  
Regarding: PO James Collins  
Date of Incident: October 31, 1998  
Location of Incident: 97th and Flag

Professional services

	<u>Hours</u>
12/8/98 Telephone call from client; office conference with client; open file; several telephone calls to IAD re: status.	1.80
12/9/98 Several telephone calls to IAD.	0.20
12/11/98 Telephone call to IAD; telephone call to client.	0.20
12/14/98 Telephone call to IAD; telephone call to client.	0.20
12/16/98 Correspondence to client.	0.10
12/30/98 Telephone call from client; telephone call to IAD; correspondence to client.	0.40
1/15/99 Telephone call to and from IAD; review of file.	0.10
1/18/99 Telephone call to IAD.	0.10

	<u>Hours</u>	
1/19/99 Telephone call to IAD.	0.30	
1/21/99 Correspondence to client.	0.10	
2/9/99 Letter to client re: charging conference date.	0.20	
2/15/99 Office conference with client.	1.30	
2/17/99 Intra-office conference; telephone call to IAD; preparation for charging conference; telephone call from ADA Rothstein; telephone call to client; correspondence to MPD Open Records.	1.40	
4/7/99 Review of correspondence from MPD Open Records; correspondence to client; close file.	0.60	
		<u>Amount</u>
For professional services rendered	7.00	\$770.00
Additional charges:		
4/7/99 MPD Open Records request		22.45
4/30/99 MPD Open Records request		10.50
Total costs		<u>\$32.95</u>
Total amount of this bill		<u>\$802.95</u>
Balance due		<u><u>\$802.95</u></u>

(Rate: \$110.00 per hour)

Other juveniles were arrested at the Halloween party but no one witnessed MCGOVNEY'S arrest. Officer COLLINS was interviewed but declined to make a statement.

Two other juveniles also had contact with Officer COLLINS. One juvenile, Shannon HUBBARD, filed a battery complaint against Officer COLLINS. Another juvenile, James SEELY, was struck with a marijuana pipe but wasn't injured and did not file any complaint. The marijuana pipe was allegedly recovered from SEELY by Officer COLLINS but the pipe was not inventoried.

On 02-17-99 ADA Stephanie ROTHSTEIN reviewed the case and declined to issue charges.

**CONCLUSION:**

Investigation by the CIU revealed that Scott MCGOVNEY was arrested by officers for a city charge of Resisting Obstructing an Officer. During the arrest MCGOVNEY stated that he was slammed to the concrete by Officer COLLINS causing contusions and abrasions. The case was reviewed by ADA ROTHSTEIN who declined to issue charges. This case will be cleared as warrant refused.

Respectfully submitted:



DAVID R. BRUESS  
Lieutenant of Detectives  
CIU/IAD

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

JULY 22, 1999

TO: PO JAMES COLLINS  
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 OCTOBER 31, 1998
- 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 James Collins

Print your name: JAMES P. COLLINS

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 *DS*  
Deputy Inspector of Police  
Internal Affairs Division

DTS:dnp