

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



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

February 23, 2004

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

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officer Ken Cecil
C.I. File No. 02-S-301; EC No. 1827

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Ken Cecil. The claim is in the amount of \$649.87 including \$0.87 in disbursements for 5.90 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. 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:enm

Enc.

78268/ 1032-2002-3640

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
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MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
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Assistant City Attorneys

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

November 14, 2002

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

**RE: MPD Criminal Investigation of PO Ken Cecil
Allegations Regarding Ms. Tammy L. Kumrow
Date of Incident: February 12, 2002
Location of Incident: 900 East North Avenue
EC No.: 1827**

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 a squad pursuit.

The MPD initiated a criminal investigation in which the officer initially declined to give a statement without counsel. When he requested counsel, IAD compelled PO Cecil to give a statement concerning the incident after issuing a PI-21. Later, the District Attorney "no processed" the case. 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
Laurie A. Eggert
Attorney at Law

*2/20/04
O.K.
JAS
Letter 2276*

02 NOV 19 PM 3:41
COMMUNICATIONS SECTION

JC/ldl
CECIL

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

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November 14, 2002

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

RE: MPD Criminal Investigation re: Ms. Tammy L. Kumrow
Regarding: PO Ken Cecil
Date of Incident: February 12, 2002
Location of Incident: 900 East North Avenue

Professional services

| | <u>Hours</u> | |
|---|--------------|---------------|
| 02/13/02 Telephone call from PO Cecil regarding new criminal investigation; open file; memo to file. | 0.90 | |
| 02/20/02 Meeting with client at District #5; travel; memo to file; telephone call to IAD. | 1.00 | |
| 02/25/02 Telephone calls from client (3). | 0.40 | |
| 02/26/02 Review of file; meeting with client at IAD; attend client's PI-21 statement; travel; memo to file. | 2.50 | |
| 05/22/02 Telephone call to IAD; correspondence to client; correspondence to MPD Open Records. | 0.60 | |
| 09/12/02 Review of correspondence from MPD Open Records; correspondence to client; close file. | 0.50 | |
| | <u>5.90</u> | <u>Amount</u> |
| For professional services rendered | 5.90 | \$649.00 |

Mr. Ronald D. Leonhardt

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Additional charges:

| | <u>Amount</u> |
|-----------------------------------|------------------------|
| 09/12/02 MPD Open Records request | 0.87 |
| Total costs | <u>\$0.87</u> |
| Total amount of this bill | <u>\$649.87</u> |
| Balance due | <u><u>\$649.87</u></u> |

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

REPORT

Internal Affairs
Thursday, May 02, 2002

IN THE MATTER OF: Investigation of CIU#02-047/IAD# 02-0160
P.O. Kenneth Cecil, 52380 and P.O. Robert Davis, 53046

TO: Steven M. Settingsgaard
Police Commander

Sir,

This report is written by Detective William C. Smith of the Criminal Investigation Unit/Internal Affairs Division early shift.

On Wednesday, March 13, 2002 at approximately 5:30p.m., Deputy District Attorney Jon Reddin called our office and related that he will no process the case regarding Tammy Kumrow.

Respectfully submitted

William C. Smith

William C. Smith

Detective

53908

CIU/IAD early shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

DECEMBER 10, 2002

TO: P.O. KEN CECIL
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 FEBRUARY 12, 2002
- 2) A citizen's complaint made by TAMMY KUMROW
- 3) A police shooting incident occurring on N\A

Is this information correct? YES NO

Did you receive legal representation in this matter? YES NO

Your signature: 

Print your name: Ken Cecil

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



Steven M. Settingsgaard
Police Commander
Internal Affairs Division

KS

RECEIVED
02 DEC 30 PM 3:34
MILWAUKEE
INTERNAL AFFAIRS
DIVISION
KJS