

**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. HOUREN**  
**JOHN J. HEINEN**  
**MICHAEL G. TOBIN**  
**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 M. ZALEWSKI**  
**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
**BETH CONRADSON CLEARY**  
**THOMAS D. MILLER**  
Assistant City Attorneys

June 14, 2007

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele, S.C.  
for legal fees for Police Officer Rafael Rivera  
C.I. File No. 04-S-376; EC 2081

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Rafael Rivera. The claim is in the amount of \$418.00 for 3.80 hours of service billed at the rate of \$110 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. A criminal investigation was initiated against the police officer on whose behalf this claim was filed, but they were ultimately not charged.

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.

120425/1032-2004-3034

**EGGERT & CERMELE, S.C.**

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*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings

1840 North Farwell Avenue  
Suite 303  
Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

October 8, 2004

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

**RE: MPD Criminal Investigation of PO Rafael Rivera  
Allegations Regarding Ms. Michelle Morrison  
Date of Incident: June 2, 2003  
Location of Incident: 1571 West Burnham  
EC No.: 2081**

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 knock and talk as part of a narcotics investigation. Later, the MPD concluded that no criminal charges would issue. Attached is a copy of a status report from Commander Settingsgaard of IAD, and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert  
Attorney at Law

6/14/07  
v. k.  
JPS  
letter #2277

LAE/ldl  
attachment  
RIVERA

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings

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Milwaukee, Wisconsin 53202  
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October 08, 2004

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

RE: MPD Criminal Investigation re: Ms. Michelle Morrison  
Regarding: PO Rafael Rivera  
Date of Incident: June 2, 2003  
Location of Incident: 1571 West Burnham  
Professional services

	<u>Hours</u>
6/3/2003 Telephone call from client regarding new criminal investigation; open file; memo to file.	0.70
6/9/2003 Telephone call to client; memo to file; review of file.	0.20
9/5/2003 Review of file; telephone call to client; computer search regarding complainant.	0.80
9/8/2003 Telephone call from client; memo to file; review of file.	0.50
10/14/2003 Review of file; telephone call to client.	0.30
10/29/2003 Review of file.	0.20
1/9/2004 Review of file.	0.20
4/26/2004 Review of file; telephone call to client.	0.10
4/27/2004 Fax to IAD; telephone call from client; memo to file.	0.20
5/3/2004 Review of correspondence from IAD; telephone call to IAD; close file.	0.60

Mr. Ronald D. Leonhardt

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	3.80	\$418.00
Balance due		<u>\$418.00</u>



Police Department

Nannette H. Hegerty  
Chief of Police

Wednesday, April 28, 2004

Laurie Eggert  
Attorney At Law  
1840 North Farwell Avenue  
Suit 303  
Milwaukee, WI 53202

RECEIVED

MAY 3 2004

EGGERT & CERMELE, S.C.

Dear Ms. EGGERT:

This letter is in response to your inquiry of April 27, 2004, regarding the status of CIU Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Jeffery Micklitz can be contacted at 935-3540.

Sincerely,

STEVEN M. SETTINGSGAARD  
INSPECTOR OF POLICE

CIU FILE NO.	IAD FILE NO.	COMPLAINANT	ALLEGATION	DISPOSITION
1. 03-142	03-0550	MORRISON, MICHELLE	D.C. / BATTERY	UNFOUNDED

RECEIVED

MILWAUKEE POLICE DEPARTMENT

04 NOV -8 AM 11:32  
MEMORANDUM

October 28, 2004

TO: P.O. RAFAEL RIVERA  
DISTRICT: INTELIGENCE DIVISION

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 JUNE 2, 2003
- 2) A citizen's complaint made by MICHELLE MORRISON
- 3) A police shooting incident occurring on N/A

Is this information correct? YES X NO \_\_\_\_\_

Did you receive legal representation in this matter? YES X NO \_\_\_\_\_

Your signature: Rafael Rivera  
Print your name: Rafael RIVERA

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

Mary K. Hoerig  
MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs