

**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

February 11, 2008

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

Re: Communication from Attorney Laurie A. Eggert for legal fees for  
Police Officers James R. Langer and Mike Hayes  
C.I. File No. 06-S-111; EC 2311

Dear Council Members:

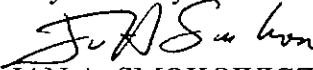
Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers James R. Langer and Mike Hayes. The claim is in the amount of \$1,837.00 for 16.70 hours of service billed at the rate of \$110 per hour. We ask that this matter be introduced and referred 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. No criminal charges were brought against the 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. 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.  
:124731v1

OFFICE OF THE CITY ATTORNEY

Milwaukee City Hall Suite 800 • 200 East Wells Street • Milwaukee, Wisconsin 53202-3551 • Telephone: 414.286.2601 • TDD: 414.286.2025 • Fax: 414.286.8550

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

April 18, 2006

TO: P.O. JAMES LANGER  
DISTRICT: SEVEN

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 26, 2004
- 2) A citizen's complaint made by CARLTON BURNS
- 3) A police shooting incident occurring on N/A

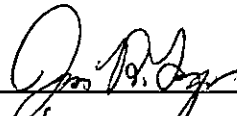
Is this information correct?

YES  NO

Did you receive legal representation  
in this matter?

YES  NO

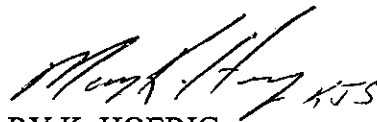
Your signature: \_\_\_\_\_



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

LANGER, JAMES R

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



MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

April 18, 2006

TO: P.O. MIKE HAYES  
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 26, 2004
- 2) A citizen's complaint made by CARLTON BURNS
- 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:

Michael Hayes

Print your name:

Michael Hayes

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

*Mary K. Hoerig* KSS

MARY K. HOERIG  
Captain of Police  
Professional Performance Division

MKH:kjs

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

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
Timothy J. Walther

CITY OF MILWAUKEE 840 North Farwell Avenue  
Suite 303  
Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

2006 APR -7 PM 3:33  
RONALD D. LEONHARDT  
CITY CLERK

April 5, 2006

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

**RE: MPD Criminal Investigation of PO's Jim Langer and Mike Hayes  
Allegations Regarding Mr. Carlton Burns  
Date of Incident: December 26, 2004  
Location of Incident: 965 North 34<sup>th</sup> Street**

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 an arrest.

DDA Reddin reviewed the matter and did not issue charges against the officers. Attached is a copy of DDA Reddin's letter and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Jon Cermele

JC/kjs  
Attachments  
LANGER and HAYES

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

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
Timothy J. Walther

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

April 05, 2006

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

RE: MPD Criminal Investigation re: Mr. Carlton Burns  
Regarding: POs Jim Langer and Mike Hayes  
Date of Incident: December 26, 2004  
Location of Incident: 965 North 34th Street  
Professional services

	<u>Hours</u>
7/5/2005 Telephone call from PO Langer regarding criminal investigation; open file; memo to file.	0.70
7/6/2005 Meeting with IAD; travel; memo to file; telephone call to PO Langer.	1.20
7/7/2005 Telephone call to PO Langer.	0.40
7/8/2005 Telephone call to and from PO Langer.	0.40
7/13/2005 Telephone call to PO Langer; telephone call to and from PO Hayes; memo to file.	0.60
7/14/2005 Telephone call to IAD.	0.20
7/19/2005 Telephone call from PO Langer.	0.30
7/21/2005 Telephone call to IAD regarding Use of Force Report; receive and review fax of Use of Force from IAD; review Use of Force report with JC.	0.70
8/24/2005 Telephone call to PO Langer.	0.20

	<u>Hours</u>
8/26/2005 Conference with PO Langer; memo to file.	1.20
9/6/2005 Intra-office conference with Cermele; research on Endangering Safety Statute and Jury Instruction; telephone call to DDA Reddin.	0.50
9/8/2005 Research privilege; telephone call from PO Hayes; memo to file; intra-office conference with Cermele.	0.70
9/9/2005 Telephone call from PO Langer; telephone call to IAD.	0.20
9/13/2005 Telephone call to IAD; memo to file.	0.10
9/15/2005 Review file; travel; meeting with clients; attend PO Langer's statement to IAD; attend PO Haye's statement to IAD; return travel; memo to file.	3.20
9/29/2005 Telephone call to IAD; memo to file.	0.20
11/7/2005 Telephone call to Langer; telephone call to IAD.	0.20
11/21/2005 Telephone call from PO Langer.	0.30
11/29/2005 Telephone call to IAD.	0.20
1/5/2006 Telephone call to PO Langer; telephone call to PO Hayes; telephone call from PO Langer.	0.40
1/6/2006 Telephone call from Atty. Reddin.	0.20
1/19/2006 Telephone call to PO Hayes regarding statement to IAD.	0.30
1/20/2006 Telephone call to Atty. Reddin to schedule statement.	0.10
1/23/2006 Telephone call from DDA Reddin to schedule statements.	0.20
1/24/2006 Telephone calls to PO's Langer and Hayes regarding statements with DDA Reddin.	0.20

Hours

1/25/2006	Telephone call from PO Langer; review file and privilege statute; telephone call to IAD regarding statement; telephone call from PO Hayes.	0.70
1/26/2006	Review file; travel to DA's Office; prepare with clients; attend statements to DDA Reddin; return travel.	2.10
2/22/2006	Receive and review correspondence from Reddin regarding clearance; correspondence to PO's Langer and Hayes regarding same; close file.	1.00

Amount

For professional services rendered	16.70	\$1,837.00
Balance due		<u>\$1,837.00</u>

(Rate: \$110.00 per hour)



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

Robert D. Donohoe
Jon N. Reddin
Patrick J. Kanney
Lovell Johnson, Jr.
James J. Martin
Thomas A. Schutz
Alexander G. Skuenerz
William J. Molitor
Donald S. Jackson
Gale G. Shelton
Terry Magowan
Gery D. Mahkorn
David Robles

Deborah Daley
Peg Tarran
Douglas J. Strmpton
Cynthia G. Brown
Norman A. Gahn
Stephanie Glinis Rothstein
Carol E. Janick
Steven H. Glamm
Mary Anne Smith
Mark S. Williams
Linda Johnson
John M. Stober
Thomas L. Potter
David Faiss
Rayann Chandler Szychni
Carole Manchester
Kenneth R. Berg
Benbow P. Cheesman, Jr.
Warren D. Zier
Timothy J. Cotter
Carol Barry Crowley
Steven V. Licata
Brad Vorpahl
Jana Carroll
Paul Tiran
Miriam S. Falk
Phyllis M. DeCarvalho
Dennis P. Murphy
Christine M. Kraus
Philip A. Arief
Thomas J. McAdams
Bruce J. Landgraf
Denis J. Stingsi
David M. Larman
Janet C. Protasiewicz
DeAnn L. Haard
Patricia A. McGowan
Irene E. Parthum
Karen A. Loebel
Nancy Eitenheim
Ronald S. Dague
Lori S. Koblum
Karina O'Byrne
Marla Dorsey
James W. Frisch
Kurt B. Benkley
James C. Griffin
William P. Pipp
Audray Skwierawski
Joanne L. Hardtke
John T. Chisholm
Christopher A. Liegel
Megan P. Camody
Laure A. Civallo
Shawn Pompe
Brian J. Resler
Kevin R. Shomin
Jennifer Rypel
Beth D. Zirgibel
Karen A. Vespalec
Rebecca F. Dalbet
Mark A. Sanders
Paul C. Dedinsky
David T. Malone
Kelly L. Hodge
Jeffrey J. Altenburg
Rachel Slencel
Patti Wabitch
Kent L. Lovem
Bruce W. Becker
Michael T. Mahoney
Mary M. Sowsaki
Kathryn K. Garner
Jeanette Corbett
Jeffrey P. Galipp
Thomas C. Singer
David Maas
Jeremy L. Raszar
Daniel J. Gabler
Sara P. Scullen
T. Christopher Dee
Katharine Kucharaki
Lisa P. Fricker
Tiffany J. Harris
Daniel R. Humble
Jacob D. Corr
Joy Hammond
Trevor A. Sisk
Andrew J. Maier
Heidi E. Galven
Nancy A. Noel
Elisabeth Mueller
Megan J. Thomas
Grant I. Huebner
Stephan Eduard Notten
Eric D. Delfort
Christine M. Quinn
Michelle A. Ackerman
Adam J. Levin
Scott A. Mielke
Jennifer K. Rhodes
Claire Staring
Zach Whitney
Rebecca A. Kieler
Matthew J. Torbenon
Katriona L. Childs
Jason M. Geckhefer
Carah Helwig
Mathew Andrus
Gilbert Ufner
Jenna Menten
Anthony White
Antoni Apollo
Julia Carian
Nicole Dondingar
Erin Karahan
Lucy Kronroet

February 16, 2006

RECEIVED

FEB 22 2006

EGGERT & CERNELE, S.C.

Chief Nannette Hegerty
City of Milwaukee Police Department
749 W. State Street
7th Floor
Milwaukee, WI 53233

Re: Officers James Langer & Michael Hayes (Incident #05-159-0106)

Dear Chief Hegerty:

On December 26, 2004, City of Milwaukee Police officers James Langer and Michael Hayes arrested Karlton Burns after encountering him waving a baseball bat on N. 34th Street. During the arrest, Burns suffered a nasty contusion to his forehead, apparently when he was decentralized, uncontrolled, to the sidewalk.

After reviewing the facts, I do not believe that we can prove that the force used by the officers was excessive, and no criminal charges will be issued against them.

Very truly yours,

[Signature of Jon N. Reddin]

Jon N. Reddin
Deputy District Attorney

JNR:jr

cc/ Det. Karen Dubis
Inv. Aaron Weiss
Attorney Timothy Walther