

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
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THOMAS E. HAYES
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Assistant City Attorneys

March 19, 2003

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

Re: Communication from Attorney Laurie Eggert, Eggert and Cermele Office, S.C.,
for legal fees for Police Officers Joe Coombs and Dan Dzievit
C.I. File No. 01-S-356; ELO No. 1705

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Joe Coombs and Daz Dzievit. The claim is in the amount of \$880.00 for 8.00 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 Police 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. Sec. 895.35, Stats., *Bablitch and Bablitch v. Lincoln County*, 82 Wis. 2d 574 (1978).

Very truly yours,

Handwritten signature of Grant F. Langley in black ink.

GRANT F. LANGLEY
City Attorney

Handwritten signature of Jan A. Smokowicz in black ink.

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:
Enc.
2277

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

October 8, 2001

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

RE: MPD Criminal Investigation of POs Joe Coombs and Dan
Dzievit
Allegations Regarding a juvenile arrest
Date of Incident: August 15, 2001
Location of Incident: 5701 West Center Street
ELO No.: 1705

Dear Mr. Leonhardt:

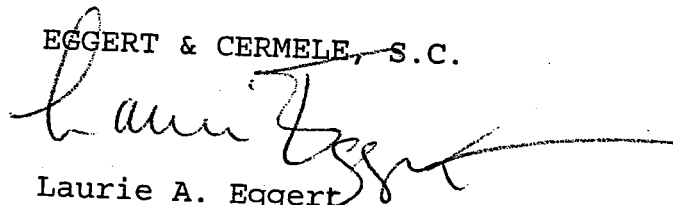
The above-named police officers have retained us to represent them in connection with the above-referenced matter.

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, the claim is hereby made on their behalf for the indicated legal fees. This incident involved a foot chase after responding to an entry to auto complaint.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled Officers Coombs and Dzievit to give statements concerning the incident after issuing PI-21s. Later, the MPD decided not to issue criminal charges against the officers. Since the complainant was a juvenile, the MPD did not create a clearance report regarding the officers. Attached is a copy of an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.



Laurie A. Eggert
Attorney at Law

3/5/03
O.K.
JAS
Letter 2277

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

October 8, 2001

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

RE: MPD Criminal Investigation re: juvenile matter
Regarding: POs Joe Coombs and Dan Dzievit
Date of Incident: August 15, 2001
Location of Incident: 5701 West Center Street

Professional services

| | <u>Hours</u> |
|--|--------------|
| 08/22/01 Telephone call from PO Coombs regarding new criminal investigation; open file; memo to file. | 0.80 |
| 08/24/01 Telephone calls from clients; telephone call to clients; memo to file. | 0.40 |
| 08/28/01 Telephone call to PO Coombs; review of file; meeting with PO Coombs at IAD; attend PO Coombs' PI-21 statement; travel; memo to file. | 1.70 |
| 08/29/01 Discussion with DA; telephone call to PO Coombs; telephone call to PO Dzievit; memo to file; review statement; meeting with PO Coombs at DA's office; attend PO Coombs' statement to DA; meeting with PO Dzievit; attend PO Dzievit's statement to DA; travel; memos to file. | 2.50 |

| | <u>Hours</u> | |
|--|--------------|-----------------|
| 08/30/01 Telephone call to PO Dzievit; conference with PO Dzievit at IAD; attend PO Dzievit's PI-21 statement to IAD; travel; memo to file. | 1.90 | |
| 09/26/01 Telephone call to DA; correspondence to clients; close file. | 0.70 | |
| | | <u>Amount</u> |
| For professional services rendered | 8.00 | \$880.00 |
| Balance due | | <u>\$880.00</u> |

(Rate: \$110.00 per hour)

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. DAN DZIEVIT
DISTRICT TWO

RECEIVED
01 NOV 29 PM 3:06
MILWAUKEE POLICE
INTERNAL AFFAIRS
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 AUGUST 15, 2001
- 2) A citizen's complaint made by JUVENILE ARREST
- 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 Daniel Dziejit

Print your name: PO DANIEL DZIEVIT

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

RECEIVED
NOV 29 2001

Receipt of
Attorney

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. JOE COOMBS
DISTRICT TWO

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 AUGUST 15, 2001
- 2) A citizen's complaint made by JUVENILE ARREST
- 3) A police shooting incident occurring on

Is this information correct?

YES X NO

Did you receive legal representation in this matter?

YES X NO

Your signature: Joseph P Coombs

Print your name: Joseph P COOMBS

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

STEVEN SETTINGSGAARD
POLICE COMMANDER
Internal Affairs Division

DTS:dnp

RECEIVED
01 NOV 27 AM 10:48
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION