

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

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
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
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

February 21, 2005

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 Roberto Colon
C.I. Claim File No. 03-S-347; EC 1912

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Roberto Colon. The claim is in the amount of \$502.00, including \$7.00 in disbursements for 4.50 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 the filing of a citizen's complaint against the officer with the Fire and Police Commission. The complaint was dismissed by the Commission.

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.

90476/1032-2003-2890.003

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Schneider

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

September 3, 2003

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

2003 SEP -5 PM 3:06
MILWAUKEE CITY CLERK

**RE: Citizen Complaint of Ms. Ernestine Carr
Against PO Roberto Colon
Complaint No.: 02-67
Date of Incident: September 3, 2002
EC No.: 1912**

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 burglary investigation. The Fire and Police Commission dismissed the complaint. Attached is a copy of the dismissal notice and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert
Attorney at Law

2/5/05
O.K.
JAS
Letter 2295

LAE/Idl
attachment
COLON R

2003 SEP -5 PM 3:06
MILWAUKEE CITY CLERK

EGGERT & CERMELE, S.C.*Attorneys at Law*Laurie A. Eggert
Jonathan Cermele
Rachel L. Schneider1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906

September 03, 2003

Mr. Ronald Leonhardt
Milwaukee City Clerk
City Hall
200 East Wells Street
Milwaukee WI 53202RE: Citizen Complaint of Mr. Ernestine Carr
Against PO Roberto Colon
FPC No: 02-67
Date of Incident: September 3, 2002
Location of Incident: 2030-A South 13th Street
Professional services

	<u>Hours</u>	
2/24/2003 Open file; conference with client; memo to file; computer search; correspondence to FPC.	0.80	
3/7/2003 Review of file; telephone call to FPC.	0.60	
4/17/2003 Review of correspondence from FPC.	0.10	
4/28/2003 Telephone call from and to FPC; preparation for and appearance at conciliation; conference with client; memo to file; travel; review of correspondence from MPD Open Records.	2.50	
5/16/2003 Review of correspondence from FPC; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	4.50	\$495.00
Additional charges:		
4/28/2003 MPD Open Records request		1.00
Parking		6.00
Total costs		<u>\$7.00</u>
Total amount of this bill		<u>\$502.00</u>

Mr. Ronald Leonhardt

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Amount

Balance due

\$502.00

(Rate: \$110.00 per hour)

MAY 16

EGBERT & CERMELE, S.C.

BOARD OF
FIRE AND POLICE COMMISSIONERS : CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF ERNESTINE CARR
AGAINST POLICE OFFICER ROBERTO COLON

ORDER OF DISMISSAL

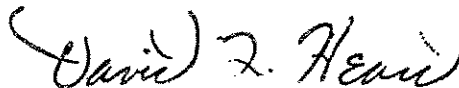
To Officer Roberto Colon:

It is hereby ordered that the Complaint of Ernestine Carr, Complaint No. 02-67, filed with the Board on September 30, 2002, is dismissed because the Complaint has been successfully conciliated, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



DAVID L. HEARD
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MAY 15, 2003.

c: Attorney Laurie Eggert ✓

BOARD OF FIRE AND POLICE COMMISSIONERS
CITY OF MILWAUKEE : COUNTY OF MILWAUKEE

In Re:
THE CHARGES OF ERNESTINE CARR
AGAINST OFFICER ROBERTO COLON

File No. 02-67

RESOLUTION OF DISPUTE

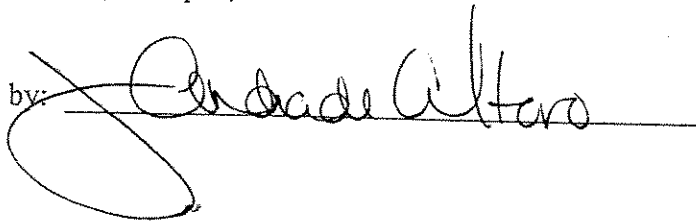
I, Ernestine Carr, have had the opportunity to discuss the circumstances of my complaint with Officer Roberto Colon. I am satisfied with the result of such discussion and do not wish to pursue this complaint further. I would hereby request that the matter be dismissed, and I understand that I may not reissue this complaint in the future.


ERNESTINE CARR


ROBERTO COLON

Dated this 28th day of April, 2003.

Witnessed by:



MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 16, 2003

TO: P.O. ROBERTO COLON
DISTRICT SOB CYCLES

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 SEPTEMBER 3, 2002
- 2) A citizen's complaint made by ERNESTINE CARR
- 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: _____

P.O. Roberto M. Colon

Print your name: _____

P.O. ROBERTO M. COLON

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

Steven M. Settingsgaard

Steven M. Settingsgaard
Police Commander
Internal Affairs Division

SMS:kjs