

# CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY  
City Attorney

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



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DAWN M. BOLAND  
KATHRYN M. ZALEWSKI

Assistant City Attorneys

April 7, 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 Tom Dineen  
C.I. File No. 03-S-433; EC No. 1958

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officer Tom Dineen. The claim is in the amount of \$561.00 for 5.10 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,

A handwritten signature in cursive script, appearing to read 'Grant F. Langley'.

GRANT F. LANGLEY  
City Attorney

A handwritten signature in cursive script, appearing to read 'Jan A. Smokowicz'.

JAN A. SMOKOWICZ  
Assistant City Attorney  
JAS:enm

Enc.

91875/ 1032-2003-3702.002

**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

November 10, 2003

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

CITY ATTORNEY

NOV. 12 RECD

**RE: MPD Criminal Investigation of PO Tom Dineen  
Allegations Regarding Mr. Trueman McGee  
Date of Incident: July 8, 2003  
Location of Incident: 1456 North 34<sup>th</sup> Street  
EC No.: 1958**


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 field investigation stop.

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 Dineen to give a statement concerning the incident after issuing a PI-21. Later, the MPD did not bring criminal charges against the officer. Attached is a copy of DDA Reddin's letter and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

  
Laurie A. Eggert  
Attorney at Law

4/4/05  
O.K.  
JAS  
Letter 2277

JC/ldl  
attachment  
DINEEN McGee

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

*Attorneys at Law*

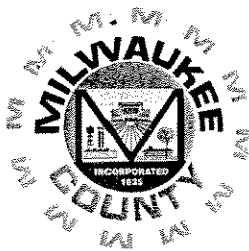
Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Schneider

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Milwaukee, Wisconsin 53202  
(414) 276-8750  
FAX (414) 276-8906

November 10, 2003

Mr. Ronald D. Leonhardt  
Milwaukee City Clerk  
800 City Hall  
200 East Wells Street  
Milwaukee WI 53202  
RE: MPD Criminal Investigation re: Mr. Trueman McGee  
Regarding: PO Tom Dineen  
Date of Incident: July 8, 2003  
Location of Incident: 1456 North 34th Street  
Professional services

	<u>Hours</u>	
7/21/2003 Telephone call from client; open file.	1.10	
7/23/2003 Telephone call from PO Dineen; memo to file; meeting with PO Dineen at IAD; attend Dineen's PI-21; travel; memo to file.	1.80	
7/24/2003 Telephone call to and from witness; memo to file; intra-office conference with Schneider; discussion with witness; memo to file; telephone call to and from witness; memo to file.	1.20	
9/25/2003 Telephone call to DDA Reddin; Fax to IAD.	0.30	
10/8/2003 Telephone call from DDA Reddin; correspondence to client.	0.20	
10/10/2003 Review of correspondence from DDA Reddin confirming investigation was "no processed"; correspondence to client; close file.	0.50	
		<u>Amount</u>
For professional services rendered	5.10	\$561.00
Balance due		<u>\$561.00</u>



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN • District Attorney

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Jon N. Reddin
Carol Lynn White
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James J. Martin
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Norman A. Gahn
Stephanie Gineris Rothstein
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Mary Anne Smith
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Linda Johnson
John M. Stoiber
Thomas L. Potter
David Feiss
Rayann Chandier Szychlins
Carole Manchester
Kenneth R. Berg
Benbow P. Cheasman, Jr.
Lovell Johnson, Jr.
Warren D. Zier
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Christine M. Kraus
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Patricia A. McGowan
Irene Parthum
Karen A. Loebel
Nancy Ettenheim
Ronald S. Dague
Lori S. Korbium
Karine O'Byrne
Maria Dixon
James W. Frisch
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William P. Pipp
Audrey Skwierawski
Joanne L. Hardtke
John T. Chisholm
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Laura A. Crivello
Shawn Pompe
Brian J. Resler
Karen A. Lynch
Kevin R. Shomin
Jennifer Rypel
Beth D. Zirgibel
Shannon Carrick
Rebecca F. Dallett
Mark A. Sanders
Paul C. Dedinsky
David T. Malone
Kelly L. Hedge
Jeffrey J. Altenburg
Rachael Gossens
Julius Kim
Patti Wabitsch
Kent L. Lovem
Paul R. Sander
Bradford J. Logsdon
Joy Bertrand
Margaret M. Zimmer
Bruce W. Becker
Michael T. Mahoney
Mary M. Sowinski
Kathryn K. Sarnier
Jeanette Corbett
Jeffrey P. Greipp
Thomas C. Blinger
David Maas
Jeremy L. Flesar
Daniel J. Gabler
Sara P. Scuffen
Genise M. Hooks
Brent Nistler
T. Christopher Dee
Katharine Kucharski
Lisa P. Fricker
Robin J. Rosche
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Elisabeth Muehler
Megan J. Vawter
Grant I. Huebner
Callie Kidder-Lacy
John Rusch
Stephan Eduard Nolten
Eric C. Defort
Christine M. Quinn
Megan Fisher
Murjed A. Arntstad
Mary C. Theisen
Michelle A. Ackerman

OCT 10 2003

MILWAUKEE, WI

10/08/03

Mr. Jon Cermele
Eggert & Cermele, S.C.
1840 N. Farwell Ave., #303
Milwaukee, WI 53202-1716

Re: Incident No. 03-213-3041
Complainant: Trueman McGee
Officer(s): Tom Dineen

Dear Mr. Cermele:

I am writing at your request to inform you that I have reviewed this incident and will not be issuing criminal charges against any officer involved in it. The allegation was that Mr. McGee was struck and kicked. No witness was able to identify anyone who did this, and therefore there are no suspects and no evidence against anyone.

Although officer Dineen was one of the officers on the scene, there is no evidence that he struck or kicked McGee.

Sincerely,

[Handwritten signature of Jon N. Reddin]

Jon N. Reddin
Deputy District Attorney

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 18, 2003

TO: P.O. TOM DINEEN  
DISTRICT THREE

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 JULY 8, 2003
- 2) A citizen's complaint made by TRUEMAN MCGEE
- 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. Thomas Dineen

Print your name: P.O. THOMAS DINEEN

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

SMS:kjs

# CITY OF MILWAUKEE

Form CA-43

**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
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**MARYNELL REGAN**  
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**DAWN M. BOLAND**

Assistant City Attorneys

November 13, 2003

Commander Steven Settingsgaard  
Milwaukee Police Dept., Internal Affairs Div.  
6680 North Teutonia Avenue, Rm 325  
Milwaukee, WI 53209

Re: C.I. File No. 03-S-433  
Communication from EGGERT LAW OFFICE

Dear Commander Settingsgaard:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers. (See Attachments)

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officer verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'J. Smokowicz'.

JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:beg  
Enclosure  
5091

RECEIVED  
03 NOV 17 AM 8:53  
MILWAUKEE POLICE  
INTERNAL AFFAIRS  
DIVISION