

CITY OF MILWAUKEE

Form CA-43

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City Attorney

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Assistant City Attorneys

January 25, 2005

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

Re: Communication from Attorney Laurie A. Eggert, Eggert Law Office, S.C.
for legal fees for Police Officers Luis Aguilar, Trinidad Rodriguez, James Hernandez,
Alberto Riestra and Richard Scharnott; C.I. File No. 00-S-57; ELO 1382

Dear Council Members:


Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Luis Aguilar, Trinidad Rodriguez, James Hernandez, Alberto Riestra and Richard Scharnott. The claim is in the amount of \$468.99 including \$6.99 in disbursements for 4.20 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 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. 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.

89580/ 1032-2001-2294

EGGERT LAW OFFICE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

CITY OF MILWAUKEE
'00 FEB 23 PM 12:54
RONALD D. LEONHARDT
CITY CLERK

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

February 18, 2000

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

RE: MPD Criminal Investigation of POs Luis Aguilar,
Trinidad Rodriguez, James Hernandez, Alberto Riestra
and Richard Scharnott
Allegations Regarding Mr. Raymond Greco
Date of Incident: September 5, 1999
Location of Incident: 1950 S. 5th Pl.
ELO No.: 1382

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 and subsequent arrest. Charges will not be issued against the officers; attached is a copy of the clearance report.

The attached is an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.

Laurie A. Eggert
Laurie A. Eggert
Attorney at Law

CITY OF MILWAUKEE
RECEIVED
'00 FEB 23 PM 3:08
OFFICE OF
CITY ATTORNEY

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JAS
Letter 2276

EGGERT LAW OFFICE, S.C.

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February 18, 2000

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

RE: MPD Criminal Investigation
Regarding: POs Luis Aguilar and Trinidad Rodriguez
Date of Incident: September 5, 1999
Location of Incident: 1950 South 5th Place

Professional services

	<u>Hours</u>	
9/16/99 Telephone calls from PO Rodriguez (2); open file; memo to file.	1.20	
9/17/99 Telephone call from PO Riestra; memo to file; office conference with PO Hernandez; memo to file.	1.60	
10/1/99 Review of file; telephone call to IAD.	0.40	
11/2/99 Discussion with IAD; correspondence to clients; correspondence to MPD Open Records.	0.50	
1/13/00 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	4.20	\$462.00

Mr. Ronald D. Leonhardt

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Additional charges:

	<u>Amount</u>
1/31/00 MPD Open Records request	6.99
Total costs	<u>\$6.99</u>
Total amount of this bill	<u>\$468.99</u>
Balance due	<u><u>\$468.99</u></u>

(Rate: \$110.00 per hour)

IGATION NARRATIVE

This report was dictated by Det. Hattie NICHOLS, of the Criminal Investigation Unit/Internal Affairs Division (CIU/IAD), early shift.

On Friday, November 5, 1999, this case was ordered in to the District Attorney's office where it was reviewed by Assistant District Attorney Thomas MCADAMS, in the presence of Lt. James SHEPARD and Det. Hattie NICHOLS, both of the CIU/IAD. The complainant, Mr. CREGO, failed to appear as requested.

Assistant District Attorney MCADAMS no processed the case due to the lack of cooperation from the complainant and insufficient evidence to prove the case beyond a reasonable doubt.

This complaint is cleared as warrant refused.

HN:vii 11-09-99
99-216/99-216.CLR

REVIEWING D.A. ADA Thomas MCADAMS		P.O./DET. ASSIGNED Det. Hattie NICHOLS		COURT CASE NUMBER
FINAL CHARGE NO PROCESS		DISPOSITION/DATE 11-05-99		VICTIM NOTIFIED BY
INCIDENT STATUS	<input type="checkbox"/> CLEARED BY ARREST 18 OR OVER <input type="checkbox"/> PARTIAL CLEARANCE BY ARREST <input type="checkbox"/> UNFOUNDED/BASELESS <input type="checkbox"/> NO PROSECUTION DESIRED	<input type="checkbox"/> PROPERTY RECOVERED <input checked="" type="checkbox"/> WARRANT REFUSED	<input type="checkbox"/> ARREST UNDER 18 <input type="checkbox"/> A. DETAINED AT M.C.C.C. <input type="checkbox"/> B. ORDER IN TO M.C.C.C. <input type="checkbox"/> WAIVED AS AN ADULT	DATE:
C.I.B. ADMINISTRATIVE USE ONLY				
CLEARED	A. DEATH OF OFFENDER	C. EXTRADITION DENIED	E. JUVENILE NO CUSTODY	
EXCEPTIONALLY	B. PROSECUTION DECLINED	D. REFUSED TO COOPERATE	F. NOT APPLICABLE	
JUSTIFIABLE HOMICIDE	<input type="checkbox"/> A. SUSP ATTACKED P.O. AND SAME P.O. KILLED SUSP. <input type="checkbox"/> B. SUSP ATTACKED P.O. AND OTHER P.O. KILLED SUSP. <input type="checkbox"/> C. SUSP. ATTACKED CIVILIAN <input type="checkbox"/> D. SUSP. ATTEMPTED FLIGHT FROM CRIME		<input type="checkbox"/> E. SUSP KILLED IN COMMISSION OF CRIME <input type="checkbox"/> F. SUSP. RESISTED ARREST <input type="checkbox"/> G. UNABLE TO DETERMINE/NOT ENOUGH INFORMATION <input type="checkbox"/> H. SUSPECT KILLED BY PRIVATE CITIZEN <input type="checkbox"/> I. SUSPECT KILLED BY POLICE OFFICER	