

# 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

April 6, 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 Officers David Willhelm, Jason Schulz, Scott Randow  
and Chris Ederesinghe; C.I. File No. 03-S-382; EC No. 1946

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers David Willhelm, Jason Schulz, Scott Randow and Chris Ederesinghe. The claim is in the amount of \$968.00 for 8.80 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 officers 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,

Handwritten signature of Grant F. Langley in cursive.

GRANT F. LANGLEY  
City Attorney

Handwritten signature of Jan A. Smokowicz in cursive.

JAN A. SMOKOWICZ  
Assistant City Attorney  
JAS:enm

Enc.

91834/ 1032-2003-3166

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

**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 24, 2003

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

**RE: MPD Criminal Investigation of POs David Willhelm, Jason Schulz,  
Scott Randow and Chris Ederesinghe  
Allegations Regarding Mr. Walter Chamley  
Date of Incident: March 11, 2003  
Location of Incident: 9200 West Bluemound Road  
EC No.: 1946**

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 an arrest for possession of controlled substance.

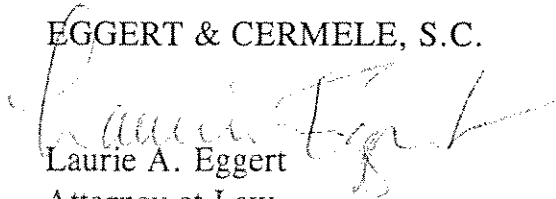
The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled POs Wilhelm, Schulz, Randow and Ederesinghe to give statements concerning the incident after issuing PI-21s. Later, the MPD concluded that the complaint was unfounded. Attached is a copy of a status report from Cmdr. Settingsgaard of IAD, and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.

Laurie A. Eggert  
Attorney at Law

4/13/05  
o.k.  
JAS  
Letter 2277



03 SEP 26 PM 3:43  
CITY ATTORNEY  
CITY OF MILWAUKEE  
RECEIVED

JC/ldl  
attachment  
WILHELM et al.

**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 23, 2003

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

RE: MPD Criminal Investigation re: Mr. Walter Chamley  
Regarding: POs David Wilhelm, Jason Schulz, Scott Randow and Chris Ederesinghe  
Date of Incident: March 11, 2003  
Location of Incident: 9200 West Bluemound Road  
Professional services

	<u>Hours</u>
3/14/2003 Telephone call from PO Wilhelm regarding new criminal investigation; open file; memo to file; telephone call from PO Schulz; memo to file.	1.10
3/21/2003 Telephone call from PO Schulz; memo to file; telephone call to and from PO Randow; memo to file.	0.90
3/24/2003 Telephone call from PO Schulz; meeting with POs Schulz, Wilhelm, and Randow at IAD; attend PO Wilhelm's PI-21 statement; attend PO Schulz's PI-21 statement; meeting with IAD; travel; memos to file.	2.40
3/25/2003 Review of file; meeting with detective at IAD; meeting with PO Randow; attend PO Randow's statement to IAD; travel; memo to file.	2.00
3/27/2003 Telephone call to PO Ederesinghe; memo to file; telephone call to and from IAD.	0.50
3/28/2003 Telephone call to IAD; telephone call to and from PO Ederesinghe; telephone call from witness; telephone call to IAD; memo to file.	0.50
4/4/2003 Brief discussion with IAD regarding re-scheduling PO Ederesinghe's PI-21.	0.20
4/9/2003 Several telephone calls to and from IAD.	0.40

Mr. Ronald D. Leonhardt

Page 2

	<u>Hours</u>	
8/15/2003 Review of file; Fax to Cmdr. Settingsgaard.	0.30	
8/26/2003 Fax to IAD.	0.10	
9/3/2003 Receive and review Fax from IAD; correspondence to clients; close file.	0.40	
		<u>Amount</u>
For professional services rendered	8.80	\$968.00
Balance due		<u>\$968.00</u>

(Rate: \$110.00 per hour)



AUG 27 2003

Police Department

Arthur L. Jones  
Chief of Police

August 25, 2003

Attorney Jonathan Cermele  
1840 North Farwell Avenue  
Suite 303  
Milwaukee, WI 53202

Dear Mr. Cermele:

Attached is the information you had requested via a fax dated August 15, 2003 regarding Criminal Investigations conducted by our Division.

If you have any further questions please feel free to contact the Internal Affairs Division at 935-7942.

Sincerely,

ARTHUR L. JONES  
CHIEF OF POLICE

STEVEN M. SETTINGSGAARD  
Police Commander  
Internal Affairs Division

ALJ:SMS:lj

7. Officer(s): David Wilhelm, Scott Marlock, Jason Schulz  
Chris Edersinghe and Scott Randow.  
Complainant: Walter Chamley  
Handled by: Detective Mark Levenhagen  
CIU #03-058  
IAD #03-0240  
Dispo: Unfounded – complainant charged with  
Possession with intent to deliver.

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

OCTOBER 6, 2003

TO: P.O. DAVID WILHELM  
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 MARCH 11, 2003
- 2) A citizen's complaint made by WALTER CHAMLEY
- 3) A police shooting incident occurring on N/A

Is this information correct? YES X NO \_\_\_\_\_

Did you receive legal representation in this matter? YES X NO \_\_\_\_\_

Your signature: David P. Wilhelm

Print your name: DAVID P. WILHELM

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 *KJS*

SMS:kjs

RECEIVED  
03 OCT 10 AM 10:37  
MILWAUKEE POLICE DEPARTMENT  
INTERNAL AFFAIRS  
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

OCTOBER 6, 2003

TO: P.O. JASON SCHULZ  
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 MARCH 11, 2003
- 2) A citizen's complaint made by WALTER CHAMLEY
- 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. Jason Schulz

Print your name: JASON SCHULZ

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

*Steven M. Settingsgaard*  
KJS

Steven M. Settingsgaard  
Police Commander  
Internal Affairs Division

SMS:kjs

RECEIVED  
03 OCT -9 AM 10:18  
MILWAUKEE POLICE DEPARTMENT  
INTERNAL AFFAIRS  
DIVISION



MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

OCTOBER 6, 2003

TO: P.O. SCOTT RANDOW  
DISTRICT THREE

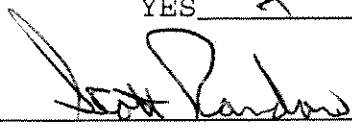
RE: Receipt of Legal Services from Law Firm of  
Attorney

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 MARCH 11, 2003
- 2) A citizen's complaint made by WALTER CHAMLEY
- 3) A police shooting incident occurring on N/A

Is this information correct? YES X NO \_\_\_\_\_

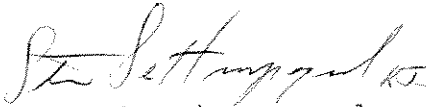
Did you receive legal representation in this matter? YES X NO \_\_\_\_\_

Your signature: 

Print your name: Scott RANDOW

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

RECEIVED  
OCT 13 PM 12:04  
INTERNAL AFFAIRS  
DIVISION

  
Steven M. Settingsgaard  
Police Commander  
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

OCTOBER 6, 2003

TO: DET. CHRIS EDERESINGHE  
DISTRICT CIB

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 MARCH 11, 2003
- 2) A citizen's complaint made by WALTER CHAMLEY
- 3) A police shooting incident occurring on N/A

Is this information correct?

YES X NO \_\_\_\_\_

Did you receive legal representation  
in this matter?

YES X NO \_\_\_\_\_

Your signature

Print your name

CHRISTOPHER EDERESINGHE  
CHRISTOPHER EDERESINGHE

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

Steven M. Settingsgaard KES  
Steven M. Settingsgaard  
Police Commander  
Internal Affairs Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT  
INTERNAL AFFAIRS  
DIVISION

03 OCT 15 AM 10:24

RECEIVED