

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

December 8, 2003

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 Christopher Shorts and Malcom McNeal
C.I. File No. 01-S-311; ELO No. 1649

Dear Council Members:

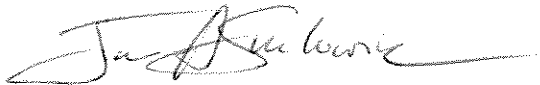
Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Christopher Shorts and Malcom McNeal. The claim is in the amount of \$809.68 including \$6.68 in disbursements for 7.30 hours of service billed at the rate of \$110.00 per hour. We ask 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. Sec. 895.35, Stats., *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.

2276

BEVERLY A. TEMPLE
THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
HARRY A. STEIN
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
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

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

September 5, 2001

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

**RE: MPD Criminal Investigation of POs Christopher Shorts
and Malcom McNeal
Allegations Regarding Mr. Jerome Beamon
Date of Incident: February 19, 2000
Location of Incident: 6801 North 41st Street
ELO No.: 1649**


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 investigation of a fight. Charges will not be issued against the officers. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT & CERMELE, S.C.


Laurie A. Eggert
Attorney at Law

12/8/03
O.F.
JAS

JC/ldl
SHORTS

Letter 2276

EGGERT & CERMELE, S.C.

Attorneys at Law

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Jonathan Cermele

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September 5, 2001

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

RE: MPD Criminal Investigation re: Mr. Jerome Beamon
Regarding: POs Christopher Shorts and Malcom McNeal
Date of Incident: February 19, 2000
Location of Incident: 6801 North 41st Street

Professional services

	<u>Hours</u>
01/17/01 Telephone call from PO Shorts; open file; telephone call to IAD; memo to file.	0.70
01/25/01 Receive and review documents from client; telephone call to and from client; memo to file.	0.60
01/29/01 Review of file; telephone call to IAD; meeting with IAD; re-schedule date and time for clients' statements to IAD; travel; telephone call from PO Shorts; memo to file.	1.90
02/05/01 Review of file; meeting with POs Shorts and McNeal at IAD; attend PO Shorts' statement to IAD; attend PO McNeal's statement to IAD; travel; memos to file.	2.40
02/27/01 Telephone call to IAD; memo to file.	0.20

	<u>Hours</u>	
04/19/01 Telephone call to and from IAD; correspondence to clients; correspondence to MPD Open Records.	0.50	
05/07/01 Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
Review of correspondence from MPD Open Records; correspondence to clients; close file.	0.50	
		<u>Amount</u>
For professional services rendered	7.30	\$803.00
Additional charges:		
05/07/01 MPD Open Records request		6.68
Total costs		<u>\$6.68</u>
Total amount of this bill		<u>\$809.68</u>
Balance due		<u><u>\$809.68</u></u>

(Rate: \$110.00 per hour)

RE: CIU#00-134 BATTERY
PAGE 3

stated that BEAMON would have to be arrested. Officer SHORTS stated that BEAMON began resisting arrest and was decentralized to the ground then handcuffed. Officer SHORTS stated that BEAMON was conveyed to District Four where he was booked without physical incident. Officer SHORTS stated that BEAMON was not punched or kicked by officers and that no one slammed BEAMON'S face down onto the hood of a squad car.

Officer Adrian HARRIS was interviewed by Detective SYKES and advised that he observed no physical fight between officers and a prisoner during his tour of duty as booking officer on 02-19-00.

Officer John KLABECHEK was not interviewed during this investigation. He resigned from service with the Milwaukee Police Department on September 22, 2000.

CONCLUSION:

Upon concluding this investigation, there is no evidence which supports the allegation of battery made by Jermaine BEAMON. No physical injuries were observed on BEAMON'S torso at the time of his interview with Detective SYKES and he admitted that he was intoxicated at the time of his police contact. There is no evidence which would establish probable cause against the officers involved subsequently, this investigation will be cleared as baseless/unfounded.

Respectfully submitted:



Michael SYKES
Police Detective, 53312
CIU/IAD, Day Shift

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. CHRISTOPHER SHORTS
DISTRICT FOUR

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 FEBRUARY 19, 2000
- 2) A citizen's complaint made by JEROME BEAMON
- 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: P.O. CCM. SA SHORTS

Print your name: P.O. CHRISTOPHER M. SHORTS

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

INTERNAL AFFAIRS DIVISION
NOV 13 2001

NOV 26 PM 5:25

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

NOVEMBER 13, 2001

TO: P.O. MALCOM MCNEAL
DISTRICT FOUR

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 FEBRUARY 19, 2000
- 2) A citizen's complaint made by JEROME BEAMON
- 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: _____

Print your name: _____

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

DISTRICT #4
 Received By: Capt. [Signature] On: 11-19-01
 Referred To: IAD On: _____
 Recommendation: member on
ACTIVE MILITARY DUTY FOR
UP TO 2 YEARS AT UNDISCLOSED
LOCATION

01 NOV 20 11:10:19
 DTS: dnp
 INTERNAL AFFAIRS DIVISION