

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
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LINDA ULISS BURKE
Deputy City Attorneys



OFFICE OF CITY ATTORNEY
800 CITY HALL
200 EAST WELLS STREET
MILWAUKEE, WISCONSIN 53202-3551
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MAURITA F. HOUREN
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MICHAEL G. TOBIN
DAVID J. STANOSZ
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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

January 19, 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 Darren Davis and Sean Pecoraro
Claim File No. 13-S-107/23; EC No. 1842

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Darren Davis and Sean Pecoraro. The claim is in the amount of \$1,445.82, including \$4.82 in disbursements for 13.10 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 officers 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.

89362/1032-2003-778

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

February 24, 2003

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

03 FEB 27 PM 3:25
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

**RE: Citizen Complaint of Ms. Delnita Y. Lewis
Against POs Darren Davis and Sean Pecoraro
Complaint No.: 01-63
Date of Incident: September 8, 2001
EC No.: 1842**

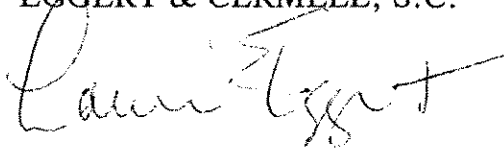
Dear Mr. Leonhardt:

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. 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

RECEIVED
03 MAR 11 PM 1:49
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

9/23/04
O.K.
JAS
Letter 2295

LAE/ldl
attachment
DAVPEC

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

February 18, 2003

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

RE: Citizen Complaint of Ms. Delnita Y. Lewis
Against PO Darren Davis and Sean Pecoraro
FPC No: 01-63
Date of Incident: September 8, 2001
Location of Incident: 770 North Jefferson Street

Professional services

	<u>Hours</u>
10/17/01 Conference with client; review complaint; open file; correspondence to FPC; correspondence to MPD Open Records.	1.60
10/24/01 Review of correspondence from FPC.	0.10
11/29/01 Search for municipal court records.	0.60
12/10/01 Telephone call from Heard; review of file; memo to file.	0.30
12/12/01 Review of correspondence from FPC.	0.10
3/28/02 Telephone call from and to FPC; telephone call to client; memo to file.	0.80
4/10/02 Review of correspondence from FPC; review of file.	0.20
4/13/02 Review of correspondence from FPC; correspondence to clients; telephone call to FPC.	0.50

	<u>Hours</u>	
4/17/02	2.30	Conference with clients; review documents; correspondence to FPC; telephone call from FPC; telephone call to clients; memo to file.
4/18/02	0.10	Telephone call from Pecoraro.
4/19/02	0.30	Review of correspondence from FPC; correspondence to clients.
4/23/02	0.60	Telephone call from client; memo to file; correspondence to municipal court.
5/8/02	0.30	Review of file; telephone call to FPC.
5/10/02	2.40	Preparation for and appearance at conciliation; conference with clients; memo to file; travel.
5/13/02	0.40	Memo to file regarding conciliation; review of file.
6/18/02	0.20	Review of correspondence from Municipal Court.
6/21/02	0.40	Review of file; telephone call to FPC.
9/12/02	0.20	Review of file; telephone call to FPC.
9/13/02	0.60	Review of file; conference with FPC; memo to file.
11/5/02	0.20	Telephone call from FPC; memo to file; review of file.
1/17/03	0.40	Review of file; telephone call to FPC; memo to file.
1/28/03	0.50	Review of correspondence from FPC; correspondence to clients; close file.
		<u>Amount</u>
	13.10	\$1,441.00
For professional services rendered		

Mr. Ronald Leonhardt

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Additional charges:

	<u>Amount</u>
4/19/02 MPD Open Records request	2.82
5/10/02 Parking	2.00
Total costs	<u>\$4.82</u>
Total amount of this bill	<u>\$1,445.82</u>
Balance due	<u><u>\$1,445.82</u></u>

(Rate: \$110.00 per hour)

JAN 27 2003

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF DELNITA Y. LEWIS
AGAINST POLICE OFFICERS DARREN DAVIS
AND SHAWN PECORARO

ORDER OF DISMISSAL

To Officer Shawn Pecoraro:

It is hereby ordered that the Complaint of Delnita Y. Lewis, Complaint No. 2001-63, filed with the Board on September 14, 2001, is dismissed because the Complaint has been resolved through conciliation, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNECKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 23, 2002.

c: Attorney Laurie Eggert ✓

JAN 27 2003

EGGERT & CERMELE, S.C.

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

In Re:
THE CHARGES OF DELNITA Y. LEWIS
AGAINST POLICE OFFICERS DARREN DAVIS
AND SHAWN PECORARO

ORDER OF DISMISSAL

To Officer Darren Davis:

It is hereby ordered that the Complaint of Delnita Y. Lewis, Complaint No. 2001-63, filed with the Board on September 14, 2001, is dismissed because the Complaint has been resolved through conciliation, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, JANUARY 23, 2002.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 21, 2003

TO: P.O. DARREN DAVIS
PPS

RE: Receipt of Legal Services from Law Firm of
Attorney

RECEIVED
03 MAR 27 PM 1:12
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

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 8, 2001
- 2) A citizen's complaint made by DELNITA LEWIS
- 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: Darren Davis

Print your name: DARREN DAVIS

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

