

September 10, 2002

To the Honorable Committee
on Judiciary & Legislation
Room 205 – City Hall

Re: *Anderer v. City of Milwaukee Fire & Police Commission*
Case No. 02-CV-007711 – Outside Counsel

Dear Committee Members:

The attached resolution appropriates funds from the Outside Counsel/Expert Witness Fund Special Purpose Account for the purpose of retaining outside counsel to represent the interests of the Fire & Police Commission in the above-referenced matter.

Police Chief Arthur Jones discharged Police Officer Anderer from the Milwaukee Police Department. Officer Anderer appealed the discharge to the Board of Fire and Police Commissioners. The City Attorney's Office has undertaken representation of Chief Jones's interests before the Board; that is, the City Attorney's Office is prosecuting Anderer before the Board. Police Officer Anderer has filed a lawsuit against the Board to reverse a ruling the Board made regarding the admission of certain evidence.

The City Attorney's Office cannot represent the Board in the lawsuit because it already has undertaken representation of the Chief's interests. For the City Attorney to represent the Chief's interests before the Board in a judicial proceeding (the discharge hearing), and also advise and represent the Board in the same matter would constitute a

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conflict of interest. To avoid the conflict, the City Attorney recommends the hiring of outside counsel to represent the Board in this lawsuit.

Very truly yours,

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

RMK:lmb
enclosures
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