

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
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MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY
DAWN M. BOLAND
KATHRYN M. ZALEWSKI

Assistant City Attorneys

January 13, 2005

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

Re: Communication from Attorney Laurie A. Eggert, Eggert & Cermele, S.C.
for legal fees for Police Officers Eric Neitman and Sean Hanley
C.I. File No. 03-S-107; EC No. 1854

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Eric Neitman and Sean Hanley. The claim is in the amount of \$542.58 including \$3.58 in disbursements for 4.90 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.
89669/ 1032-2003-790

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

**RE: MPD Criminal Investigation of POs Eric Neitman and Sean Hanley
Allegations Regarding Mr. Andrew Perry
Date of Incident: June 13, 2002
Location of Incident: 46th and Burleigh Streets
EC No.: 1854**

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 the conveyance of an arrestee.

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 Neitman and Hanley to give statements concerning the incident after issuing PI-21s. Later, the MPD decided not to issue criminal charges 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

10/11/04
D.K.
JNS
Letter 2276

RECEIVED
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
03 MAR 11 PM 1:50

JC/ldl
attachment
NEIHAN

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele

1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
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February 25, 2003

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

RE: MPD Criminal Investigation re: Mr. Andrew Perry
Regarding: POs Eric Neitman and Sean Hanley
Date of Incident: June 13, 2002
Location of Incident: 46th and Burleigh Streets

Professional services

	<u>Hours</u>
6/14/02 Telephone call from PO Neitman regarding new criminal investigation; open file; memo to file.	0.70
6/18/02 Office conference with PO Neitman; memo to file.	0.80
7/19/02 Telephone call to and from PO Neitman.	0.20
7/25/02 Review of file; meeting with IAD; meeting with PO Neitman; attend PO Neitman's PI-21 statement; travel; memo to file.	1.50
8/15/02 Telephone call to DDA Reddin; correspondence to MPD Open Records; correspondence to clients.	0.50
1/8/03 Review of correspondence from MPD Open Records; correspondence to clients.	0.50
1/9/03 Fax to DDA Reddin.	0.10
1/16/03 Review of correspondence from DA regarding his decision to clear the complaint; correspondence to clients; close file.	0.60

Mr. Ronald D. Leonhardt

Page 2

	<u>Hours</u>	<u>Amount</u>
For professional services rendered	5.30	\$583.00
Additional charges:		
1/8/03 MPD Open Records request	4.90 JRS	539. ⁰⁰ JRS
Total costs		<u>\$3.58</u>
Total amount of this bill		<u>\$586.58 542.58 JRS</u>
Balance due		<u><u>\$586.58 542.58 JRS</u></u>

(Rate: \$110.00 per hour)



OFFICE OF DISTRICT ATTORNEY

Milwaukee County

E. MICHAEL McCANN - District Attorney

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Jon N. Reddin
Carol Lynn White
Patrick J. Kenney
James J. Martin
Thomas A. Schulz
Alexander G. Sklenarz
William J. Molitor
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Lowell Johnson, Jr.
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Megan P. Carmody
Laura A. Crivello
Shawn Pompe
Brian J. Resler
Karen A. Lynch
Allison M. Ritter
Kevin R. Stormin
Jennifer Rypfel
Beth D. Zirgibel
Shannon Corrick
Rebecca F. Dallet
Mark A. Sanders
Paul C. Dedinsky
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Patsi Waltsch
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Bractord J. Logsdon
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T. Christopher Dee
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Calle Kidder
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Eric D. Delort
Christine M. Quinn
Megan Fisher
Monica A. Ahmed
Mary C. Theissen
Michelle A. Acherman

January 14, 2003

Mr. Jonathan Cermele
Attorney at Law
Eggert & Cermele
1840 N. Farwell Avenue, Suite 303
Milwaukee, WI 53202

JAN 16 2003

JONATHAN CERMELE, S.O.

Re: Your Inquiry

Dear Mr. Cermele:

I have received your January 9, 2003, letter inquiring into the status of 20 cases involving various of your client City of Milwaukee Police Officers. I have also received your second January 9, 2003, letter asking about another case, apparently as an afterthought. Of the cases listed, I am currently reviewing 2, have previously reviewed and made decisions on 4 and have no knowledge of the remaining 15.

I am currently reviewing the following cases:

- 1. Incident of 7/25/02, complainant Calvin Brown (#7 on your list).
2. Incident of 8/4/02, complainant Justin Royce (#16 on your list).

I have previously reviewed and made a decision on the following cases:

- 1. Incident of 7/10/02, complainant Terrence Ward (#9 on your list). On 9/20/02 I declined prosecution on that complaint, because I found that the force used to secure the arrest of a combative Mr. Ward atop a 2' platform on a railroad car was not excessive.
2. Incident of 8/8/02, complainant Roy Lawson (#10 on your list). On 10/23/02 I declined prosecution on that complaint, which Mr. Lawson no longer wished to pursue, because there was no corroboration of his claim that officer Lacy put on brass knuckles with a blade in them and threatened to kill him.
3. Incident of 6/10/02, complainant Reginald Taylor (#17 on your list). On 10/23/02 I declined prosecution on that complaint

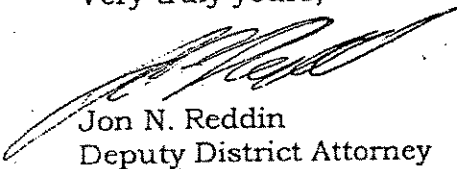
Mr. Cermele
January 14, 2003
Page 2

because I found that the force used to arrest Mr. Taylor, who was high and fighting with the officers, was not excessive.

4. Incident of 6/13/02, complainant Andrew Perry (in your second letter). On 8/14/02 I declined prosecution on that complaint because it was impossible to prove whether the officers' version or Mr. Perry's 3 versions of what occurred was correct.

I have no knowledge of the remaining 15 cases. You might check with IAD to learn the disposition of them.

Very truly yours,



Jon N. Reddin
Deputy District Attorney

JNR:jr

MILWAUKEE POLICE DEPARTMENT

March 21, 2003

MEMORANDUM

TO: P.O. ERIC NEITMAN
DISTRICT SEVEN

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 JUNE 13, 2002
- 2) A citizen's complaint made by ANDREW PERRY
- 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: Eric Neitman

Print your name: ERIC NEITMAN

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

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03 APR - 1 AM 10: 26
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INTERNAL AFFAIRS
DIVISION

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 21, 2003

MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

03 MAR 31 PM 2:38

RECEIVED

TO: P.O. SEAN HANLEY
DISTRICT SEVEN

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 JUNE 13, 2002
- 2) A citizen's complaint made by ANDREW PERRY
- 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: *SH*

Print your name: Sean HANLEY

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