

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
CHARLES R. THEIS
Special Deputy City Attorneys



OFFICE OF CITY ATTORNEY
200 EAST WELLS STREET, SUITE 800
MILWAUKEE, WISCONSIN 53202-3551
TELEPHONE (414) 286-2601
TDD 286-2025
FAX (414) 286-8550

BEVERLY A. TEMPLE
THOMAS O. GARTNER
LINDA ULISS BURKE
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
DAVID R. HALBROOKS
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

April 30, 2001

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 Officer Chris Ederesinghe
C.I. File No. 00-S-293/ELO 1479

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officer Chris Ederesinghe. The claim is in the amount of \$486.18 including \$13.18 in disbursements for 4.30 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 Officer 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

CITY OF MILWAUKEE

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September 5, 2000

BEVERLY A. TEMPLE
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MARYNELL REGAN
G. O'SULLIVAN
CROWLEY

Assistant City Attorneys

RECEIVED
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION
00 SEP 25 AM 10:11

Commander Dale Schunk
Milwaukee Police Department
Internal Affairs Division
6680 North Teutonia Avenue, Rm 325
Milwaukee, WI 53209

Re: C.I. File No. 00-S-293
Communication from EGGERT LAW OFFICE

Dear Commander Schunk:

Enclosed please find a claim filed by attorney Laurie A. Eggert for Attorney's fees incurred during her representation of officers Albanese, et al., albanese/Anderer, Anderer/Meister, Buddenhagen/Trczinski, Charles, Ederesinnnghe, Grant, et al., Hainzl, Hines, et al., Johnson/lopez/luebbe, Koestering/Clark, Lazo, Lelinski, Lintonen/Finley, Meister, Newport/Doyne, Raap, etal, Robinson/Gagliano, Timmerman/Jenkins and Walton/Stein.

Please determine whether these officers were in fact involved in the matter described in Ms. Eggert's claim, and have these officers verify Ms. Eggert's representation. Thank you for your anticipated cooperation in this matter.

Very truly yours,

JAN A. SMOKOWICZ
Assistant City Attorney

JAS:beg
Enclosure
5091

EGGERT LAW OFFICE, 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

August 23, 2000

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

RE: MPD Criminal Investigation of PO Chris Ederesinghe
Allegations Regarding Mr. Timothy Bohlmann
Date of Incident: March 10, 2000
Location of Incident: 2708 S. 76th St.
ELO No.: 1479

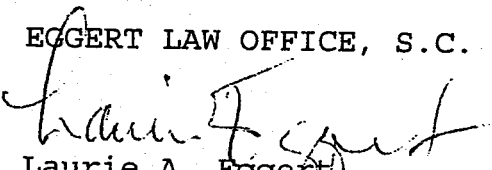
Dear Mr. Leonhardt:

The above-named police officer has retained us to represent him in connection with the above-referenced matter.

Consistent with its policy, the City Attorney's Office has refused to represent him, and as he was performing the duties of his office at the time of the events giving rise to the incident, the claim is hereby made on his behalf for the indicated legal fees. This incident involved a traffic stop. Charges will not be issued against the officer. Attached is a copy of the clearance report and an itemization of the time and services rendered.

Sincerely,

EGGERT LAW OFFICE, S.C.


Laurie A. Eggert
Attorney at Law

CITY CLERK
AUG 28 3:32
EDERESINGHE
CITY ATTORNEY

4/27/2001

O.K.

JAS

Letter # 2276

EGGERT LAW OFFICE, 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

August 23, 2000

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

RE: MPD Criminal Investigation
Regarding: PO Chris Ederesinghe
Date of Incident: March 9, 2000
Location of Incident: 2700 South 76th Street

Professional services

	<u>Hours</u>	
4/17/00 Telephone call from Ederesinghe; open file; telephone call to IAD; meeting with PO Ederesinghe at CJF attend PO Ederesinghe's charging conference; travel.	2.70	
4/25/00 Telephone call from client.	0.20	
5/4/00 Telephone call to and from DA; correspondence to MPD Open Records; correspondence to client.	0.40	
8/3/00 Review of correspondence from MPD Open Records; correspondence to client; 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	4.30	\$473.00

Mr. Ronald D. Leonhardt

Page 2

Additional charges:

	<u>Amount</u>
4/17/00 Parking	3.00
8/3/00 MPD Open Records request	10.18
Total costs	<u>\$13.18</u>
Total amount of this bill	<u>\$486.18</u>
Balance due	<u><u>\$486.18</u></u>

(Rate: \$110.00 per hour)

reports that it was at this time that the complainant then made an obscene gesture with his finger. Officer EDERESINGHE states at this time determination was made to stop the complainant. Officer EDERESINGHE states that while behind the complainant he did activate his red lights, but the complainant, however, refused to pull over. He states that the complainant did eventually stop at which time he approached the drivers side of the vehicle. He states that he then told the complainant to put the vehicle in park and to shut off the engine. Officer EDERESINGHE states that the complainant ignored his request to put the vehicle in park and shut off the engine. The request was made two additional times. Officer EDERESINGHE states that he then opened the drivers side door, reached in, and turned off the engine. Officer EDERESINGHE states that the complainant then said words to the effect, "this is West Allis, you have no jurisdiction, you have no probable cause." Officer EDERESINGHE states that he then requested the complainant's drivers license at which point the complainant replied, "you have no idea who the fuck I am. My dad is lieutenant of this city (referring to West Allis)." Officer EDERESINGHE states after repeated efforts to calm down the complainant he then determined that the complainant would be arrested for Disorderly Conduct. He states that as he and his partner attempted to handcuff the complainant he then "stiffened up" requiring his hands to be forced behind his back to affect the handcuffing process. Officer EDERESINGHE indicates that the complainant made no mention of suffering injuries during the course of his arrest. Further, if injury did occur, it was not his intent.

During the course of this investigation a West Allis police officer, Officer Michael WROBLEWSKI, who arrived on the scene was interviewed in addition to neighbors and that of Officer EDERESINGHE'S partner, Stephanie JAMES. Said interviews did not result in the substantiation of excessive force while executing the arrest of the complainant.

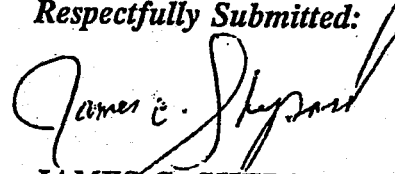
CONCLUSION:

On Wednesday, April 12, 2000 and Monday, April 17, 2000, this case was reviewed in the office of the District Attorney. It was on the latter date that ADA Thomas MCADAMS did decline to pursue a charge of Battery against Officer EDERESINGHE. ADA MCADAMS

PAGE 4
SUMMARY
CIU#00-069

offered insufficient evidence to prove a case against Officer EDERESINGHE beyond a reasonable doubt. It is for said reasons that this incident will be cleared as warrant refused.

Respectfully Submitted:

A handwritten signature in black ink that reads "James C. Shepard". The signature is written in a cursive style with a large, looping initial "J".

JAMES C. SHEPARD
Captain of Police
CIU/IAD

JS:laf

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

OCTOBER 26, 2000

TO: PO CHRIS EDERESINGHE
DISTRICT SIX

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 10, 2000
- 2) A citizen's complaint made by
- 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: CHRISTOPHER EDERESINGHE

Print your name: CHRISTOPHER EDERESINGHE

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

Dale T. Schunk
DALE T. SCHUNK JS
Commander of Police
Internal Affairs Division

DTS:dnp