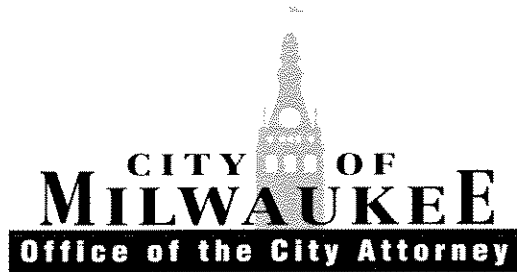


**GRANT F. LANGLEY**  
City Attorney

**RUDOLPH M. KONRAD**  
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**VINCENT D. MOSCHELLA**  
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**MEGAN T. CRUMP**  
**ELOISA DE LEÓN**  
**ADAM B. STEPHENS**  
**KEVIN P. SULLIVAN**  
Assistant City Attorneys

September 21, 2006

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

Re: Amended Claim Communication from Attorney Jon Cermele  
Eggert & Cermele, S.C. for legal fees for Police Officers  
Edmund Estacio, Teresa Patrick, Charles Curt,  
Sarah Polka, Danilo Cardenas and Michael Meade;  
C.I. File No. 04-S-19; EC No. 1973

Dear Council Members:

Returned herewith is a document filed by Attorney Jonathan Cermele for attorney's fees for representing Police Officers Edmund Estacio, Teresa Patrick, Charles Curt, Sarah Polka, Danilo Cardenas and Michael Meade. This is an amended claim in which the attorneys have removed from their billing any request for payment for services for Police Officer Daniel Marsarik. It was previously submitted and presented to the Committee on Judiciary & Legislation which determined not to act upon it because of the claim for services for Officer Marsarik.

The amended claim is in the revised amount of \$1,639.00 for 14.90 hours of service billed at the rate of \$110 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. A criminal investigation was initiated against the police officers on whose behalf this claim was filed, but they were ultimately not charged.

Common Council  
September 21, 2006  
Page Two

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). The Common Council continues to have discretion with regard to this claim because the fees were incurred prior to the effective date of 2005 Wisconsin Act 73 (effective June 7, 2006) which now makes such payment mandatory except in certain, statutorily-defined circumstances.

Very truly yours,



GRANT F. LANGLEY  
City Attorney



JAN A. SMOKOWICZ  
Assistant City Attorney

JAS:enm  
Enc.

1032-2004-228.002/109787

**EGGERT & CERMELE, S.C.**

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*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
Timothy J. Walther

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

February 22, 2006

Mr. Jan Smokowicz  
Assistant City Attorney  
800 City Hall  
200 East Wells Street  
Milwaukee, WI 53202

**RE: AMENDED CLAIM / STATEMENT**  
**MPD Criminal Investigation of PO's Edmund Estacio, Teresa Patrick,**  
**Charles Curt, Sarah Polka, Danilo Cardenas and Michael Meade**  
**Allegations regarding Mr. Larry Moore**  
**Date of Incident: June 15, 2003**  
**Location of Incident: 3000 Block of North 15th Street**  
**EC No.: 1973**

Dear Mr. Smokowicz:

The above named police officers 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 a foot chase.

The MPD initiated a criminal investigation in which the officers initially declined to give a statement without counsel. When they requested counsel, IAD compelled all of the above-referenced Officers to give statements concerning the incident after issuing PI-21's. Later, the MPD concluded that the investigation was unfounded. Attached is a copy of a status report from Commander Settingsgaard of IAD, and an itemization of the time and services rendered.

Sincerely,



EGGERT & CERMELE, S.C.

Jonathan Cermele

JC/kjs  
Attachment  
ESTACIO, ET AL.

**EGGERT & CERMELE, S.C.**

*Attorneys at Law*

Laurie A. Eggert  
Jonathan Cermele  
Rachel L. Pings  
Timothy J. Walther

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

February 16, 2006

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

RE: MPD Criminal Investigation re: Mr. Larry Moore  
Regarding: POs Edmund Estacio, Teresa Patrick, Charles Curt, Sarah  
Polka, Danilo Cardenas and Michael Meade  
Date of Incident: June 15, 2003  
Location of Incident: 3000 Block of North 15th Street  
Professional services

	<u>Hours</u>
7/7/2003 Telephone call from PO Estacio regarding new criminal investigation; open file; memo to file.	0.90
7/8/2003 Review of file; meeting with PO Estacio at IAD; attend PO Estacio's PI-21; travel; memo to file.	1.70
7/14/2003 Telephone call from PO Polka; memo to file.	0.40
7/15/2003 Review of file; meeting with PO Polka at IAD; attend PO Polka's statement to IAD; travel; memo to file.	2.30
7/16/2003 Telephone call to and from witness.	0.30
9/24/2003 Telephone call from client; memo to file.	0.30
9/25/2003 Office conference with PO Patrick; memo to file; Fax to IAD.	1.00
10/1/2003 Telephone call from PO Meade; review of file; meeting with PO Meade at IAD; attend PO Meade's PI-21 statement; travel; memo to file.	1.40

Mr. Ronald D. Leonhardt

Page 2

	<u>Hours</u>
10/2/2003 Telephone call to IAD; travel to IAD; review file; re-schedule PO Patrick's PI-21 due to Officer taking assignment; return travel.	1.10
10/7/2003 Telephone call from PO Danilo Cardenas.	0.30
10/8/2003 Review of file.	0.20
10/9/2003 Review of file; meeting with PO Patrick at IAD; attend PO Patrick's PI-21 statement; travel; memo to file.	1.80
10/20/2003 Telephone call to and from PO Cardenas; memo to file.	0.70
10/23/2003 Review of file; conference with PO Cardenas at IAD; attend PI-21; travel; memo to file.	2.00
11/25/2003 Review of correspondence from IAD confirming complaint was baseless and investigation closed; correspondence to clients; close file.	0.50

	<u>Amount</u>
For professional services rendered	14.90
	<u>\$1,639.00</u>
Balance due	<u>\$1,639.00</u>



Police Department

Nannette H. Hegerty  
Chief of Police

November 20, 2003

Jonathan Cermele  
Attorney At Law  
1840 North Farwell Avenue  
Suit 303  
Milwaukee, WI 53202

NOV 24 2003

Dear Mr. Cermele:

This letter is in response to your inquiry of October 21, 2003, regarding the status of CIU Investigatory Files.

Attached please find the requested information. If further assistance is needed Commander Steven Settingsgaard can be contacted at 935.7940.

Sincerely,

Steven M. Settingsgaard  
Police Commander

STATUS OF CIU INVESTIGATORY FILES

NOV 24 2003

EGGERT & CERMELE, S.C.

CIU FILE NO.	IAD FILE NO.	COMPLAINANT	ALLEGATION	DISPOSITION
1. 99-069	99-0366	FAYMOND BROWN	BATTERY	PENDING IN DA'S OFFICE SINCE APRIL 1999
2. 99-194	99-1102	DERRICK ARRINGTON JR.	BATTERY	PENDING IN DA'S OFFICE SINCE APRIL 2000
3. 99-307	99-1735	PAULA BURKS	ILLEGAL TRANSMISSION OF COMPUTER MATERIAL	WARRANT REFUSED
4. 00-339	00-0728	ALEX LOPEZ	MISCONDUCT IN PUBLIC OFFICE	UNFOUNDED
5. 01-231	01-1007	RADONTAY L. JONES	BATTERY	UNFOUNDED
6. 01-253	01-1003	RYAN ZUEHLKE	BATTERY	UNFOUNDED
7. 02-264	02-1110	TRACEY EATON	BATTERY	UNFOUNDED
8. 02-290	02-1226	MPD - DET. RICHARD JAEGER	CRIMINAL DAMAGE TO PROPERTY	SUSPENDED
9. 02-304	02-1243	CARLOS TEJEDA	BATTERY	UNFOUNDED
10. 02-312	02-1291	KEVIN WILLIAMS	BATTERY	UNFOUNDED
11. 02-320	02-1329	MELVIN GREEN	BATTERY	WARRANT REFUSED
12. 02-331	02-1302	DIEDRE KELLY-BALDWIN	BATTERY/ THEFT & CRIMINAL DAMAGE	UNFOUNDED
13. 03-015	03-0051	PEREZ DAVIS	BATTERY	BASELESS
14. 03-047	03-0210	JAMES NAULT	BATTERY// STOLE MONEY	WARRANT REFUSED
15. 03-058	03-0240	WALTER CHAMLEY	BATTERY	UNFOUNDED
16. 03-059	03-0273	TROY LEISTON	BATTERY	BASELESS
17. 03-060	03-0278	DONALD HARRIS	THEFT OF MONEY	UNFOUNDED

18. 03-086	03-0335	ANTOINE C. WATKINS (AKA ANTHONY L. WATKINS)	BATTERY	WARRANT REFUSED
19. 03-124	03-0484	JESSE WARD	BATTERY	UNFOUNDED
20. 03-150	03-0610	LARRY MOORE	BATTERY/ MOORE	UNFOUNDED
21. 03-151	03-0621	CHRISTOPHER M. SCHWARTZ	BATTERY	CLOSED
22. 03-163	03-0659	DARLENE BONNER	BATTERY/ STOLEN MONEY	UNFOUNDED
23. 03-181	NONE	TRUEMAN MCGEE	BATTERY	WARRANT REFUSED
24. N/A	03-0800	TYRONE BROWN	PURSUIT	NOT CRIMINAL
25. N/A	03-0821	ANTHONY ROOSEVELT VEASLEY	PURSUIT	NOT CRIMINAL