

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
PATRICK B. McDONNELL
LINDA ULISS BURKE
Deputy City Attorneys



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

THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
HAZEL MOSLEY
STUART S. MUKAMAL
THOMAS J. BEAMISH
MAURITA F. HOUREN
JOHN J. HEINEN
MICHAEL G. TOBIN
DAVID J. STANOSZ
SUSAN E. LAPPEN
JAN A. SMOKOWICZ
PATRICIA A. FRICKER
HEIDI WICK SPOERL
KURT A. BEHLING
GREGG C. HAGOPIAN
ELLEN H. TANGEN
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
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 20, 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 John Graber and Michael Branski
Claim File No. 03-S-107; EC No. 1844

Dear Council Members:

Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers John Graber and Michael Branski. The claim is in the amount of \$783.60, including \$24.60 in disbursements for 6.90 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 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.

89399/1032-2003-780

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 MAR 27 PM 3:25
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION

**RE: Citizen Complaint of Mr. Cedric J. Sanders
Against POs John Graber and Michael Branski
Complaint No.: 02-26
Date of Incident: March 14, 2002
EC No.: 1844**

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.

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
Laurie A. Eggert
Attorney at Law

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

LAE/ldl
attachment
GRABRAN

9/24/04
O.K.
JMS
Letter 2295

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 Mr. Cedric J. Sanders
Against POs John Graber and Michael Branski
FPC No: 02-26
Date of Incident: March 14, 2002
Location of Incident: East Capitol Drive Pic 'n Save

Professional services

	<u>Hours</u>
6/10/02 Conference with clients; open file; memo to file; correspondence to FPC; correspondence to MPD Open Records.	1.40
6/18/02 Review of correspondence from FPC.	0.10
8/26/02 Telephone call from FPC; review of file; memo to file.	0.30
9/6/02 Preparation for and appearance at conciliation; conference with client; memo to file; travel.	2.60
9/23/02 Telephone call from and to MPD Open Records; telephone call to and from client; memo to file.	0.80
9/24/02 Telephone call to MDP Open Records.	0.20
10/10/02 Review documents and video from MPD Open Records; telephone call to FPC.	0.70

Mr. Ronald Leonhardt

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	<u>Hours</u>	
11/18/02 Review of correspondence from FPC; correspondence to clients.	0.30	
11/20/02 Telephone call from and to Graber; close file.	0.50	
		<u>Amount</u>
For professional services rendered	6.90	\$759.00
Additional charges:		
9/6/02 Parking		3.00
10/9/02 MPD Open Records request		21.60
		<u>\$24.60</u>
Total costs		\$24.60
		<u>\$783.60</u>
Total amount of this bill		\$783.60
		<u>\$783.60</u>
Balance due		<u>\$783.60</u>

(Rate: \$110.00 per hour)

NOV 18 2002

EGGERT & CCR-ALL

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

In Re:
THE CHARGES OF CEDRIC J. SANDERS
AGAINST POLICE OFFICERS MICHAEL
BRANSKI AND JOHN GRABER

ORDER OF DISMISSAL

To Officer Michael Branski:

It is hereby ordered that the Complaint of Cedric J. Sanders, Complaint No. 02-26, filed with the Board on March 27, 2002, is dismissed against Officer Graber because the Complaint against him lacks sufficient prosecutorial merit, and is dismissed against Officer Branski because the Complainant has requested that the Complaint against him be dismissed, by the

MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:


JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 15, 2002.

c: Attorney Laurie Eggert ✓

NOV 18 2002

EGG

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

In Re:
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AGAINST POLICE OFFICERS MICHAEL
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MILWAUKEE BOARD OF
FIRE AND POLICE
COMMISSIONERS

WOODY WELCH,
CHAIRMAN

BY:


JOSEPH J. CZARNECKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 15, 2002.

c: Attorney Laurie Eggert ✓

MILWAUKEE POLICE DEPARTMENT

March 21, 2003

MEMORANDUM

TO: P.O. JOHN GRABER
DISTRICT FIVE

RE: Receipt of Legal Services from Law Firm of
Attorney

RECEIVED
03 MAR 27 PM 1:11
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 MARCH 14, 2002
- 2) A citizen's complaint made by CEDRIC SANDERS
- 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: *P.O. John Graber*
Print your name: P.O. JOHN GRABER

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

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

March 21, 2003

TO: P.O. MICHAEL BRANSKI
DISTRICT FIVE

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Attorney

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MILWAUKEE POLICE DEPARTMENT
INTERNAL AFFAIRS
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- 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: P.O. Michael J Branski

Print your name: MICHAEL J BRANSKI

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