

CITY OF MILWAUKEE

Form CA-43

GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
Deputy City Attorney

THOMAS E. HAYES
PATRICK B. McDONNELL
LINDA ULISS BURKE
Special Deputy City Attorneys



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

BEVERLY A. TEMPLE
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BRUCE D. SCHRIMPF
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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
MELANIE R. SWANK
JAY A. UNORA
DONALD L. SCHRIEFER
EDWARD M. EHRlich
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

November 19, 2002

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 Officers Bradley Kust and Ray Walker
C.I. File No. 98-S-204

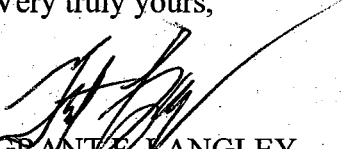
Dear Council Members:

Returned herewith is a document filed by Attorney Laurie Eggert for attorney's fees for representing Police Officers Bradley Kust and Ray Walker. The claim is in the amount of \$3,563.25 including \$54.25 in disbursements for 31.90 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 citizens' complaints against the officers with the Fire and Police Commission. The complaints were 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. 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.
2295

CITY OF MILWAUKEE

Form CA-43

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City Attorney

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Deputy City Attorney

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CHARLES R. THEIS
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CHRISTOPHER J. CHERELLA
LEONARD A. TOKUS
MIRIAM R. HORWITZ
MARYNELL REGAN
G. O'SULLIVAN-CROWLEY

Assistant City Attorneys

July 20, 2001

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

Re: C.I. File No. 98-S-204
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 Bradley Kust & Ray Walker.

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

11/15/02

O.K.
JAS

Letter

2295

EGGERT & EDMONDS, S.C.

Attorneys at Law

Laurie A. Eggert
Michael J. Edmonds

CITY OF MILWAUKEE
1840 North Farwell Avenue
Suite 303
Milwaukee, Wisconsin 53202
(414) 276-8750
FAX (414) 276-8906
98 APR 22 AM 11:47
RONALD D. LEONHARDT
CITY CLERK

April 17, 1998

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

**RE: Citizen Complaint of Ms. Yolanda Villanueva
Against Police Officer Bradley Kust
Complaint No.: 96-26
Date of Incident: December 9, 1996**
and
**Citizen Complaint of Mr. Isidoro Munoz
Against Police Officer Ray Walker
Complaint No.: 96-05
Date of Incident: December 9, 1995**

Dear Mr. Leonhardt:

The above-named police officer has retained us to represent him in connection with the above-referenced matter. The officers were previously represented by another law firm (Adelman, Adelman & Murray, S.C.) which will be submitting a separate bill to you regarding these matters.

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 statement is for services in two complaints, against two officers, which arose from a single incident. The Munoz complaint was dismissed in November of 1997, but we held the bill until now so they could be billed together. The Fire and Police Commission dismissed the complaint. Attached are copies of the dismissal notices. The attached is an itemization of the time and services rendered.

Sincerely,

EGGERT & EDMONDS, S.C.

Laurie A. Eggert

Laurie A. Eggert
Attorney at Law

LAE/ldl
KUST

CITY ATTORNEY
1998 APR 22 PM 3:05

EGGERT & EDMONDS, S.C.

Attorneys at Law

Laurie A. Eggert
Michael J. Edmonds

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

April 17, 1998

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

Re: Citizen Complaint of Ms. Yolanda Villanueva
Against Police Officer Bradley Kust
FPC No.: 96-26
and
Citizen Complaint of Mr. Isodoro Munoz
Against Police Officer Ray Walker
FPC No.: 96-05
Date of Incident: December 9, 1995
Location of Incident: 2000 Block of South 15th St.

Professional services

| | <u>Hours</u> |
|---|--------------|
| 07/28/97 Review of file; correspondence to MPD Open Records; correspondence to Department of Justice; correspondence to complainant. | 1.70 |
| 08/25/97 Telephone call to FPC re: scheduling; memo to file. | 0.30 |
| 08/28/97 Review of correspondence from client. | 0.10 |
| 08/29/97 Review use of force report; memo to file. | 0.30 |

| | <u>Hours</u> |
|---|--------------|
| 09/03/97 Preparation for and appearance at pre-trial; review of files; draft witness and exhibit list; memo to file; correspondence to hospitals; travel. | 2.40 |
| 09/04/97 Review of correspondence from complainant; correspondence to doctor. | 0.20 |
| 09/05/97 Review of correspondence from Department of Justice re: Munoz. | 0.10 |
| 10/04/97 Review of file. | 0.20 |
| 11/07/97 Telephone call to FPC. | 0.10 |
| 11/12/97 Review of file; telephone call to Fronk; correspondence to hospital. | 0.70 |
| 11/13/97 Telephone call from Fronk; memo to file. | 0.20 |
| 11/14/97 Review of correspondence from FPC. | 0.10 |
| 11/24/97 Telephone call from FPC. | 0.20 |
| 11/26/97 Review of correspondence from FPC; correspondence to client; memo to file; close file re: Munoz complaint. | 0.60 |
| 12/02/97 Telephone call from Fronk; memo to file. | 0.20 |
| 12/03/97 Memo to file; correspondence to client. | 0.20 |
| 12/12/97 Telephone call from client; memo to file; correspondence to complainant; review of file; revise witness list. | 0.80 |

| | <u>Hours</u> |
|--|--------------|
| 12/15/97 Conference with witness. | 0.20 |
| 12/18/97 Telephone call from client; correspondence to complainant. | 0.30 |
| 12/26/97 Review of file. | 0.10 |
| 01/02/98 Review of file; memo to file; draft subpoenas. | 0.40 |
| 01/05/98 Telephone call to FPC; review of file; telephone call to client; memo to file; telephone call from client. | 0.70 |
| 01/08/98 Telephone call from FPC; memo to file; correspondence to client. | 0.70 |
| 01/09/98 Conference with FPC; memo to file; correspondence to client. | 0.30 |
| 01/16/98 Review FAX from FPC. | 0.10 |
| 01/19/98 Review of correspondence from FPC. | 0.10 |
| 01/21/98 Telephone call from Fronk; memo to file. | 0.10 |
| 01/26/98 Review of correspondence from FPC. | 0.10 |
| 02/05/98 Telephone call from and to Sgt. Camacho; memo to file. | 0.20 |
| 02/06/98 Telephone call from Internal Affairs re: records. | 0.10 |
| Telephone call from client. | 0.10 |
| 02/09/98 Telephone call from client. | 0.10 |

| | <u>Hours</u> |
|---|--------------|
| 02/11/98 Conference with FPC; telephone conference with client. | 0.20 |
| 02/13/98 Telephone call from client. | 0.10 |
| 02/16/98 Review of file; conference with client; correspondence to FPC; subpoenas. | 1.80 |
| 02/17/98 Subpoenas; conference with personnel. | 0.40 |
| 02/18/98 Telephone call from client. | 0.10 |
| 02/19/98 Telephone call from Fronk; memo to file. | 0.20 |
| 02/25/98 Review of file; telephone call to Taylor; telephone call to Fronk; review portions of criminal trial transcript. | 2.70 |
| 02/26/98 Review remainder of circuit court transcript; review of file; telephone call from witnesses. | 2.70 |
| 02/27/98 Review medical records; review correspondence from FPC; review correspondence from MPD personnel; telephone call to and from witnesses. | 2.60 |
| 03/02/98 Telephone call to client; telephone call to and from witnesses; telephone call to FPC; memo to file. | 3.40 |
| 03/03/98 Preparation for and appearance at hearing; conference with client and witnesses; travel; telephone call to MPSO; telephone call from Sgt. Ziarnik; telephone calls to witnesses. | 5.30 |

| | <u>Hours</u> | |
|---|--------------|--------------------------|
| 03/13/98 Review of correspondence from witness; close file. | 0.40 | |
| | | <u>Amount</u> |
| For professional services rendered | 31.90 | \$3,509.00 |
| Additional charges: | | |
| 07/30/97 Department of Justice | | 13.00 |
| 08/29/97 Open Records report re: Villanueva | | 1.25 |
| 09/03/97 Parking | | 2.00 |
| 12/17/97 Parking | | 1.00 |
| 02/17/98 Subpoenaes (6) | | 36.00 |
| 02/27/98 Parking | | 1.00 |
| Total costs | | <u>\$54.25</u> |
| Total amount of this bill | | <u>\$3,563.25</u> |
| Balance due | | <u><u>\$3,563.25</u></u> |

(Rate: \$110.00 per hour)

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

In Re:
THE CHARGES OF YOLANDA VILLANUEVA
AGAINST POLICE OFFICER BRADLEY KUST

ORDER OF DISMISSAL

To Officer Bradley Kust:

It is hereby ordered that the Complaint of Yolanda Villanueva, Complaint No. 96-26, filed with the Board on April 16, 1996, is dismissed due to the Complainant's failure to appear at the scheduled trial, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

AUGUST G. ERDMANN,
CHAIRMAN

BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, MARCH 25, 1998.

cc: Attorney Laurie Eggert ✓

EGGERT & EDMONDS, S.C.
RECEIVED

NOV 26 1997

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

In Re:
THE CHARGES OF ISIDORO MUNOZ
AGAINST POLICE OFFICER RAY WALKER, JR.

ORDER OF DISMISSAL

To Officer Ray Walker, Jr.:

It is hereby ordered that the Complaint of Isidoro Munoz, Complaint No. 96-05, filed with the Board on January 18, 1996, is dismissed due to Complainant's passivity, by the

MILWAUKEE BOARD OF
FIRE AND POLICE COMMISSIONERS

AUGUST G. ERDMANN,
CHAIRMAN

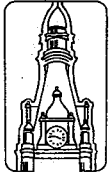
BY:



JOSEPH J. CZARNEZKI
EXECUTIVE DIRECTOR

DATED AT MILWAUKEE, WISCONSIN, NOVEMBER 21, 1997.

cc: Attorney Laurie Eggert ✓



City
of
Milwaukee

Police Department

Arthur L. Jones
Chief of Police

September 7, 2001

Grant Langley
City Attorney
200 E. Wells St.
Milwaukee WI 53202

Re: C.I. File No. 98-S-204
Communication from Laurie Eggert Law Office

Regarding the above claim, Bradley Kust is no longer an active member of the Milwaukee Police Department. His separation date was January 21, 2001.

Sten Settingsgaard
Steven Settingsgaard *KJS*
Commander of Police
Internal Affairs Division

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

SEPTEMBER 7, 2001

TO: P.O. RAY WALKER
THIRD DISTRICT

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 DECEMBER 9, 1995
- 2) A citizen's complaint made by ISIDORO MUNOZ
- 3) A police shooting incident occurring on

Is this information correct?

YES NO

Did you receive legal representation in this matter?

YES NO

Your signature: *St. L. Walker*
Print your name: WALKER, RAY, L, JR

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

Stev Settingsgaard
STEVEN M. SETTINGSGAARD *KTS*
COMMANER of Police
Internal Affairs Division

DTS:dnp

RECEIVED
01 SEP 17 AM 11:36
MILWAUKEE POLICE
INTERNAL AFFAIRS
DIVISION