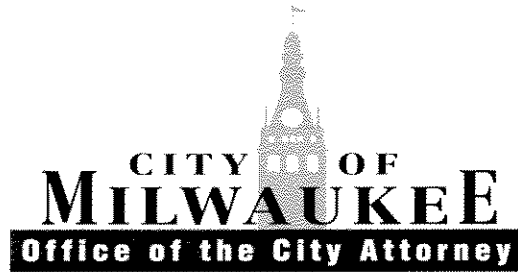


GRANT F. LANGLEY
City Attorney

RUDOLPH M. KONRAD
LINDA ULISS BURKE
VINCENT D. MOSCHELLA
Deputy City Attorneys



THOMAS O. GARTNER
BRUCE D. SCHRIMPF
ROXANE L. CRAWFORD
SUSAN D. BICKERT
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
KATHRYN M. ZALEWSKI
MEGAN T. CRUMP
ELOISA DE LEÓN
ADAM B. STEPHENS
KEVIN P. SULLIVAN
BETH CONRADSON CLEARY
THOMAS D. MILLER
Assistant City Attorneys

April 16, 2007

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

Re: Communication from Attorney Laurie Eggert, Eggert & Cermele
for legal fees for Police Officers Rachel Nolan, Dereck Lemmie,
Kurt Lacina, Darren Gillum and Rochelle Gawain
C.I. File No. 04-S-267-3; EC No. 2047

Dear Council Members:

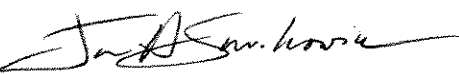
Returned herewith is a document filed by Attorney Laurie A. Eggert for attorney's fees for representing Police Officers Rachel Nolan, Dereck Lemmie, Kurt Lacina, Darren Gillum and Rochelle Gawain. The claim is in the amount of \$418.00 for 3.80 hours of service billed at the rate of \$110 per hour. We 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.

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.
117968/1032-2004-2329

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

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

August 5, 2004

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

**RE: MPD Criminal Investigation of POs Rachel Nolan, Dereck Lemmie,
Kurt Lacina, Darren Gillum and Rochelle Gawain
Allegations Regarding Mr. Savannah Peake
Date of Incident: October 9, 2003
Location of Incident: 3131 North 34th Street
EC No.: 2047**


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 pursuit of a stolen vehicle.

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 Rachel Nolan, Dereck Lemmie, Kurt Lacina, Darren Gillum and Rochelle Gawain to give statements concerning the incident after issuing PI-21s. Later, the MPD concluded that no criminal charges would issue. 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.


Laurie A. Eggert
Attorney at Law

4/5/07
O.K.
JRS
Wasser 2277

JC/ldl
attachment
NOLAN ET AL

EGGERT & CERMELE, S.C.

Attorneys at Law

Laurie A. Eggert
Jonathan Cermele
Rachel L. Pings

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

August 04, 2004

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

RE: MPD Criminal Investigation re: Mr. Savannah Peake
Regarding: POs Rachel Nolan, Dereck Lemmie; Kurt Lacina, Darren
Gillum and Rochelle Gawain
Date of Incident: October 9, 2003
Location of Incident: 3131 North 34th Street
Professional services

	<u>Hours</u>	
11/19/2003 Telephone call from PO Nolan regarding new criminal investigation; open file; memo to file; calendar PI-21.	0.80	
11/26/2003 Review of file; meeting with IAD; meeting with PO Nolan at IAD; attend PO Nolan's PI-21 statement; travel; memo to file.	2.20	
12/19/2003 Review of file; Fax to IAD.	0.20	
3/26/2004 Fax to Commander Settingsgaard.	0.20	
4/15/2004 Receive and review confirmation from Commander Settingsgaard that investigation had been cleared; correspondence to clients regarding same; close file.	0.40	
		<u>Amount</u>
For professional services rendered	3.80	\$418.00
Balance due		<u>\$418.00</u>



Police Department

Nannette H. Hegerty
Chief of Police

Tuesday, April 13, 2004

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

RECEIVED

APR 15 2004

EGGERT & CERMELE, S.C.

Dear Mr. CERMELE:

This letter is in response to your inquiry of March 26, 2004, regarding the status of CIU Investigatory Files.

Attached please find the requested information. If further assistance is needed Lieutenant of Detectives Jeffery Micklitz can be contacted at 935-3540.

Sincerely,



STEVEN M. SETTINGSGAARD
INSPECTOR

CIU FILE NO.	IAD FILE NO.	COMPLAINANT	ALLEGATION	DISPOSITION
1. 04-006		ZIOLKOWSKI, IRIS	MISCONDUCT	WARRANT REFUSED
2. 03-286	03-1073	BROWN, DIONNE	BATTERY	PENDING
3. 03-270	03-1032	PEAKE, SAVANNAH	THEFT	UNFOUNDED
4. 03-241	03-0927	WRIGHT, COLEMAN	BATTERY / CDTP	UNFOUNDED
5. 03-216	03-0833	McNEIL, BOBBY	THEFT / CDTP	CLOSED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

AUGUST 19, 2004

TO: P.O. RACHEL NOLAN
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 OCTOBER 9, 2003
- 2) A citizen's complaint made by SAVANAH PEAKE
- 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:

Rachel E Nolan

Print your name:

Rachel E Nolan

AUG 26 2004

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

SM Settingsgaard
 Steven M. Settingsgaard
 Inspector of Police
 Professional Performance Division

SMS:kjs

MILWAUKEE POLICE
 INTERNAL AFFAIRS
 DIVISION
 RECEIVED
 04 AUG 27 PM 12:24

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

AUGUST 19, 2004

TO: P.O. DERECK LEMMIE
DISTRICT: WEED AND SEED

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 OCTOBER 9, 2003
- 2) A citizen's complaint made by SAVANAH PEAKE
- ~~3) A police shooting incident occurring on N/A~~

Is this information correct?

YES NO

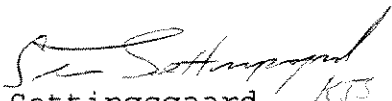
Did you receive legal representation in this matter?

YES NO

Your signature: _____

Print your name: P.O. DERECK LEMMIE

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


Steven M. Settingsgaard
Inspector of Police
Professional Performance Division

SMS:kjs

MILWAUKEE POLICE
INTERNAL AFFAIRS
04 AUG 24 AM 10:34
RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

AUGUST 19, 2004

TO: P.O. KURT LACINA
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 OCTOBER 9, 2003
- 2) A citizen's complaint made by SAVANAH PEAKE
- 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 0 NO _____

Your signature: _____

PO Kurt Lacina

Print your name: _____

PO Kurt Lacina

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

Steven M. Settingsgaard
Steven M. Settingsgaard
Inspector of Police
Professional Performance Division

SMS:kjs

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

AUGUST 19, 2004

TO: P.O. DERONN GILLUM
DISTRICT: FIVE

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 OCTOBER 9, 2003
- 2) A citizen's complaint made by SAVANAH PEAKE
- 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: *Deronn Gillum*

Print your name: DERONN A GILLUM

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

Steven M. Settingsgaard
Steven M. Settingsgaard
Inspector of Police
Professional Performance Division

SMS:kjs

MILWAUKEE POLICE
INTERNAL AFFAIRS
04 AUG 24 AM 10:33
RECEIVED

MILWAUKEE POLICE DEPARTMENT

MEMORANDUM

September 8, 2004

TO: P.O. ROCHELLE GAWIN
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 OCTOBER 9, 2003
- 2) A citizen's complaint made by SAVANAH PEAKE
- 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. Rochelle Gawin

Print your name: P.O. Rochelle Gawin

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

Mary K. Hoerig
MARY K. HOERIG
Captain of Police
Professional Performance Division

MKH:kjs