# **GRANT F. LANGLEY**City Attorney

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KEVIN P. SULLIVAN

Assistant City Attorneys

BETH CONRADSON CLEARY THOMAS D. MILLER HEIDI E. GALVÁN

March 17, 2008

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

Re:

Communication from Attorney D. Michael Guerin for legal fees for

Sergeant Steven Herman

C.I. File No. 07-S-353; EC 2007-10-15

Dear Council Members:

Returned herewith is a document filed by Attorney D. Michael Guerin for attorney's fees for representing Sergeant Steven Herman. The claim is in the amount of \$462.00 for 4.20 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. No criminal charges were brought against the sergeant 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. Wis. Stat. § 895.35, Bablitch and Bablitch v. Lincoln County, 82 Wis. 2d 574 (1978).

Very truly yours,

GRANT///ANGLEY

JAN A. SMOKOWICZ Assistant City Attorney

JAS:amp Enc.

1032-2007-2723:124731v1

### MILWAUKEE POLICE DEPARTMENT

#### **MEMORANDUM**

February 11, 2008

TO: SGT. STEVEN HERRMANN

DISTRICT: VCD

RE: Receipt of Legal Services from Law Firm of

Attorney Michael Guerin

Attorney Michael Guerin 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 JULY 9, 2006
- 2) An incident regarding a location of: (5023-5025 N. 46<sup>th</sup> Street)
- 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:

Print your name:

·

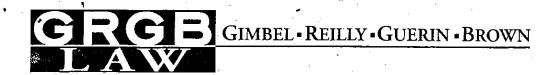
Upon completion, please return this memorandum to the Professional Performance Division at the Police Academy (Room 325) as soon as possible.

KURT R. LEIBOLD

Acting Captain of Police

Professional Performance Division

KRL: lrc



Writer's Direct E-mail dmguerin@grgblaw.com

DOT 16 PM 2: 21

October 15, 2007

Mr. Ronald D. Leonhardt
Attn: Marian Hartner
Milwaukee City Clerk
800 City Hall
200 East Wells Street
Milwaukee, Wisconsin 53202

Re:

Sergeant Steven Herman Incident on July 9, 2006

Location: 5023-5025 North 46th Street

Dear Ms. Hartner:

This office was retained to represent Sergeant Steven Herman, a Milwaukee Police Sergeant in connection with a criminal investigation arising out of an incident which took place on July 9, 2006 at 5023-5025 North 46th Street.

Consistent with its ethical obligation and the policy, the City Attorney's office was unable to represent Sergeant Herman. Sergeant Herman and I met at the Police Academy with Detective O'Leary and Detective Smith from the Criminal Division.

Also enclosed is the printout of time and services rendered regarding Sergeant Herman.

Thank you for your assistance with this matter.

Yours truly,

D. MICHAEL GUERIN

DMG/ker Enclosure

MPSO/Herman, Steven/Hartnerbill 2007-10-15

TWO PLAZA EAST

SUITE 1170

330 E. KILBOURN AVE.

MILWAUKEE, WI 53202

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### Family Law, Personal Injury, Criminal Law, Real Estate, Business, Estate Planning, Civil & Commercial Litigation in State and Federal Courts Federal Tax ID 39-1094570

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Milwaukee Police Supervisors Organization 9720 West Darnel Avenue Milwaukee WI 53224

September 30, 2007 ACCOUNT NO. 200644208M STATEMENT NO: 1

Criminal - Sgt. Steven Herman

Our invoices for services are due and payable within 60 days from the invoice date. Failure to pay charges within that time will result in an interest charge of 1-1/2% on the unpaid balance per month thereafter.

, · · · · · · · · · · · · · · · · · · ·		÷		HOURS	
08/07/06				-	
DMG	Telephone conference with Sgt. He telephone conference with Detection'Leary.		<b>;</b>	1.00	•.
08/17/06				*	
	Telephone call left message for De Barb O'Leary.	etec	tive	0.30	
09/05/06		,			
DMG	Attend meeting with Steve and Dete O'Leary at the Police Academy.	ecti	ve	2.50	
10/03/06			4 1		
DMG	Telephone conference with Attorney Cermele regarding process.	7		0.40	:
	FOR CURRENT SERVICES RENDERED			4.20	462.00
	RECAPITULATION	J	•		
TIMEKEEPER		URS	HOURLY RATE	TOTAL	
D. M. Guerin		.20	\$110.00	\$462.00	

Page: 2 Milwaukee Police Supervisors Organization September 30, 2007
ACCOUNT NO. 200644208M STATEMENT NO:

Criminal - Sgt. Steven Herman

BALANCE DUE

PLEASE RETURN ONE COPY OF THIS STATEMENT WITH YOUR PAYMENT.